

Director of Media

**SUFFOLK CITY COUNCIL**  
**MEETING OF FEBRUARY 3, 2021**



**JOINT WORK SESSION**  
**WITH THE SCHOOL BOARD**

**Begins at 4:00 p.m.**

**REGULAR SESSION**

**Begins at 6:00 p.m.**

**SUFFOLK CITY COUNCIL  
CITY COUNCIL WORK SESSION  
FEBRUARY 3, 2021  
4:00 p.m.  
City Council Chamber**

1. Joint Meeting of Suffolk City Council and the School Board
- 2.\* Appointments

\* Proposed Items for Closed Session

**AGENDA: February 3, 2021, Work Session**

**ITEM: Joint Meeting of Suffolk City Council and the School Board**

Suffolk City Council and the School Board will meet during City Council's February 3 2021, Work Session.

**SUFFOLK CITY COUNCIL AGENDA**  
**February 3, 2021**  
**6:00 p.m.**  
**City Council Chamber**

1. **Call to Order**
2. **Nonsectarian Invocation**
3. **Approval of the Minutes**
4. **Special Presentations**
  - A. COVID-19 Vaccination Update
  - B. City of Suffolk's Emergency Management's Vaccination Assistance Efforts
5. **Removal of Items from the Consent Agenda and Adoption of the Agenda**
6. **Agenda Speakers**
7. **Consent Agenda** – An ordinance to accept and appropriate CARES Act Coronavirus Relief Community Development Block Grant funds from the U.S. Department of Housing and Urban Development
8. **Consent Agenda** – A resolution to accept a donation of personal property for the Suffolk Department of Fire and Rescue
9. **Public Hearing** – An ordinance authorizing the acquisition of real property in fee simple and/or permanent and temporary easements, either by agreement or condemnation, for the Nansemond Parkway/Wilroy Road Overpass Over Commonwealth Railway Project
10. **Ordinances**
11. **Resolution** – A resolution appointing Holt W. Butt as the City Assessor
12. **Staff Reports**
13. **Motion** – A motion to schedule a public hearing on February 17, 2021, to consider the adoption of an ordinance authorizing the acquisition of temporary construction easements for the Elwood Road (Rte. 613) Over Kingsale Swamp Structure #8016 Bridge Replacement Project
14. **Motion** – A motion to schedule a City Council Work Session, for Wednesday, February 17, 2021, at 4:00 p.m., unless cancelled

- 15. Non-Agenda Speakers**
- 16. New Business**
- 17. Announcements and Comments**
- 18. Adjournment**

Work Session of the Suffolk City Council was held in the City Council Chamber, 442 West Washington Street, on Wednesday, September 2, 2020, 4:30 p.m.

**PRESENT**

Council Members -

Linda T. Johnson, Mayor, presiding

Leroy Bennett, Vice Mayor

Michael D. Duman

Donald Z. Goldberg

Roger W. Fawcett

Timothy J. Johnson

Curtis R. Milteer, Sr.

Lue R. Ward, Jr.

Patrick G. Roberts, City Manager

Helivi L. Holland, City Attorney

Erika S. Dawley, City Clerk

**ABSENT**

None

**COMPENSATION AND BENEFITS STRATEGY PRESENTATION**

Utilizing a Power Point presentation, Human Resources Director Robin Wynn provided information about the above referenced item. City Manager Roberts offered supplementary information.

Members of City Council opined about the presentation.

Referring to the presentation, Council Member Fawcett sought clarification about the timeline for the proposed hazard pay. City Manager Roberts explained that once the policies are formulated, it would appear retroactively during the month of October as one lump sum.

Referring to the presentation, Mayor Johnson inquired about the timeline to utilize the federal funding for hazard pay. City Manager Roberts stated that the federal government has indicated that the funding must be used by the end of the year.

**CLOSED MEETING**

City Clerk Dawley presented the Closed Meeting motion for City Council’s consideration:

1. Pursuant to Virginia Code Sections 2.2-3711(A)(8) and (A)(1), the consultation with legal counsel employed by a public body regarding specific legal matters requiring the legal advice of such counsel, and the discussion, consideration, or interviews of prospective candidates for appointment and the assignment, appointment, and performance of specific public officers or appointees of the City, specifically the appointments as shown on the attached list for vacancies or term expirations for Community Policy & Management Team, Early Childhood Development Commission, Economic Development Authority of the City of Suffolk, Fine Arts Commission, Human Services Advisory Board, Local Board of Building Code Appeals, and Wetlands Board.

Council Member Fawcett, on a motion seconded by Council Member Duman, moved that City Council convene in a closed meeting for the above referenced purpose, by the following roll call vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Goldberg, Fawcett, T. Johnson, Milteer and Ward	8
NAYS:	None	0

City Council convened in Closed Meeting at 5:03 p.m. The Closed Meeting concluded at 5:11 p.m.

Teste: \_\_\_\_\_  
Erika S. Dawley, MMC, City Clerk

Regular Meeting of the Suffolk City Council was held in the City Council Chamber, 442 West Washington Street, on Wednesday, September 2, 2020, at 6:00 p.m.

**PRESENT**

Council Members -  
Linda T. Johnson, Mayor, presiding  
Leroy Bennett, Vice Mayor  
Michael D. Duman  
Roger W. Fawcett  
Donald Z. Goldberg  
Timothy J. Johnson  
Curtis R. Milteer, Sr.  
Lue R. Ward, Jr.

Patrick G. Roberts, City Manager  
Helivi L. Holland, City Attorney  
Erika S. Dawley, City Clerk

**ABSENT**

None

**CALL TO ORDER/INVOCATION/PLEDGE OF ALLEGIANCE**

Mayor Johnson called the meeting to order. Council Member Milteer offered the Invocation and led the Pledge of Allegiance.

City Clerk Dawley called the roll, and all members of City Council were in attendance.

**FREEDOM OF INFORMATION ACT CERTIFICATION**

City Clerk Dawley presented a resolution certifying the Closed Meeting of September 2, 2020, pursuant to Section 2.2-3712 of the Code of Virginia (1950), as amended.

Council Member Fawcett, on a motion seconded by Council Member Duman, moved to approve the resolution, as presented, by the following roll call vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

**A RESOLUTION OF CERTIFICATION OF THE CLOSED MEETING OF SEPTEMBER 2, 2020, PURSUANT TO SECTION 2.2-3712 OF THE CODE OF VIRGINIA (1950), AS AMENDED**



**APPROVAL OF THE MINUTES**

Vice Mayor Bennett, on a motion seconded by Council Member Goldberg, moved to approve the minutes from the June 3, 2020, Regular Meeting, as presented, by the following roll call vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

City Manager Roberts announced that a motion would be in order to amend the agenda to add the following items under the Special Presentations portion of the agenda – COVID-19 Update and the 2020 Bond Issuance Results.

Council Member Fawcett, on a motion seconded by Council Member Milteer, moved to amend the agenda to include the aforementioned items under the Special Presentations portion of the agenda, by the following roll call vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

**SPECIAL PRESENTATIONS**

**Special Presentation - COVID-19 Update**

Utilizing a PowerPoint presentation, Dr. Todd Wagner, Director, Western Tidewater Health District, provided information on the above referenced item.

Referring to the presentation, Council Member Duman asked about the process for a restaurant to reopen after violating the State’s COVID-19 operational regulations. Dr. Wagner explained that a restaurant owner can contact him directly provide a compliance plan which can he can approve administratively.

Referring to the presentation, Council Member Duman queried about the authority to determine the reopening of a restaurant closed after violating the State’s COVID-19 operational regulations. Dr. Wagner replied that the State has granted local health department directors with the authority to determine if a restaurant can reopen after violating the State’s COVID-19 operational regulations. He added that should a restaurant operator be dissatisfied with the determination made by the local health department director, they can contact the Virginia Department of Health.

Referring to the presentation, Council Member Duman opined about the likelihood a restaurant could reopen, should it repeatedly violate the State’s COVID-19 operational guidelines. Dr. Wagner explained that it would be difficult for a local health department director to reopen a restaurant, should it repeatedly violate the State’s COVID-19 operational guidelines.

Referring to the presentation, Mayor Johnson called for clarification about the number of violations of the State’s COVID-19 operational regulations that would result in a restaurant being closed. Dr. Wagner stated that should a local health department receive multiple complaints about a restaurant violating the State’s COVID-19 operational regulations then a restaurant would be closed.

Vice Mayor Bennett inquired about the timeline for the flu vaccine. Dr. Wagner encouraged individuals to receive their flu vaccine as soon as possible.

**Special Presentation - 2020 Bond Issuance Results.**

Utilizing a PowerPoint presentation, Finance Director Tealen Hansen offered a summary of the above referenced item.

**REMOVAL OF ITEMS FROM THE CONSENT AGENDA AND ADOPTION OF THE AGENDA**

Mayor Johnson advised that a motion was in order at this time to adopt the agenda, as presented.

Council Member Duman, on a motion seconded by Council Member Fawcett, to adopt the agenda, as presented, by the following roll call vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

**AGENDA SPEAKERS**

There were no speakers under this portion of the agenda.

**CONSENT AGENDA**

City Clerk Dawley presented the following Consent Agenda items:

**Consent Agenda Item #7** - An ordinance to accept and appropriate funds from the Virginia Department of Transportation Economic Development Access Road Program and to provide a local cash match

**Consent Agenda Item #8** - An ordinance to accept and appropriate program income resulting from the repayment of certain loans associated with the City of Suffolk Down Payment Assistance Program

**Consent Agenda Item #9** - A resolution in support of the Law Enforcement Mutual Aid Agreement

**Consent Agenda Item #10** - An ordinance to accept and appropriate CARES Act Elementary and Secondary School Emergency Relief Funds from the Commonwealth of Virginia

Referring to Consent Agenda Items #7 through #10, City Manager Roberts submitted a review of the background information as printed in the official agenda.

Vice Mayor Bennett, on a motion seconded by Council Member Goldberg, moved to approve the Consent Agenda, as presented, by the following roll call vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

**PUBLIC HEARINGS**

**Public Hearing** – A resolution concerning an application to place a “No Wake Zone” on Bennetts Creek and adjacent to the communities of Parkside and the Retreat at Bennetts Creek

Utilizing a PowerPoint presentation, Public Works Assistant Director Robert Lewis provided a synopsis on the background information as printed in the official agenda.

Jason Moore, 3436 Raintree Circle, representing self, spoke in support of the proposed resolution, as presented.

Randy McReyolds, no address provided, Board Member, The Retreat at Bennett’s Creek, spoke in support of the proposed resolution, as presented.

Kittrell Eberwine, 3333 Bridge Road, spoke in support of the proposed resolution, as presented.

Hearing no additional speakers, the public hearing was closed.

Council Member Fawcett move to approve the resolution as presented. The motion failed to receive a second.

Referring to the presentation, Council Member Duman inquired about the role of the Department of Wildlife Resources, as it relates to the approval process. Public Works Assistant Director Lewis explained that even if City Council approves the proposed resolution, the Department of Wildlife Resources has the ultimate authority to approve the application.

Referring to the presentation, Council Member Duman called for clarification about the guidelines used by the City and the Department of Wildlife Resources in order to consider a “No Wake Zone” application. Public Works Assistant Director Lewis said that the City and the State use the same guidelines when considering “No Wake Zone” applications.

Referring to the presentation, Vice Mayor Bennett queried about enforceability of a No Wake Zone”. City Manager Roberts indicated that if City Council approves the proposed resolution, and the State approves the “No Wake Zone” application, the United States Coast Guard, the Suffolk Police Department and the Department of Wildlife Resources will be responsible for enforcement.

Council Member Fawcett, on a motion seconded by Council Member Goldberg, moved to approve the resolution, as presented.

Referring to the presentation, Mayor Johnson opined about enforceability in the event that the City establishes a “No Wake Zone”, but the Department of Wildlife Resources denies an application. City Manager Roberts stated the in the event that the City solely establishes a “No Wake Zone”, then the enforcement would fall exclusively on the City.

Council Member Fawcett, on a motion seconded by Council Member Goldberg, moved to approve the resolution, as presented, by the following roll call vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

**A RESOLUTION CONCERNING AN APPLICATION TO PLACE A “NO WAKE ZONE” ON BENNETT’S CREEK AND ADJACENT TO THE COMMUNITIES OF PARKSIDE AND THE RETREAT AT BENNETT’S CREEK**

**ORDINANCES**

**Ordinance** -- An ordinance to reappropriate unspent Fiscal Year 2019-2020 funds to the Fiscal Year 2020-2021 School Operating Fund

City Manager Roberts submitted a summation of the background information as printed in the official agenda.

Vice Mayor Bennett, on a motion seconded by Council Member Fawcett, moved to approve the resolution, as presented.

Referring to the presentation, Council Member Johnson queried about the purpose of the proposed ordinance. City Manager Roberts advised that the funds would go back into the Operating Budget of the Suffolk Public Schools for Fiscal Year 2020-2021. He added that it is one-time funding, not reoccurring and is a result of unspent monies in the last fiscal year.

Referring to the presentation, Council Member Johnson sought clarification about the use of the proposed funds. City Manager Roberts reported that the City cannot categorize the use of the funds, and spending decisions are the responsibility of Suffolk Public Schools. He added that School Superintendent John Gordon indicated that the funds would be used for one-time purposes. Dr. Gordon further added that the funds would be used to address needs because of the COVID-19 pandemic.

Council Member Johnson opined about the uses of the recently allocated funds from the Coronavirus Aid, Relief, and Economic Security Act. Wendy Forsman, Chief Financial Officer, Suffolk Public Schools, said that those funds were used for technology, personal protection equipment, disinfection machines and chemicals. She added that all of those items would increase in use once students return to in person instruction. She further added that other items would include additional hand sanitizing stations, signage, masks for students, software for virtual learning, equipment for special needs students, and contractual support for information technology services.

Council Member Duman inquired about the possible need for a tax increase at the end of the year due to a potential shortfall, because of the better than expected revenue last quarter. City Manager Roberts explained that at this point he cannot speculate due to the ongoing coronavirus pandemic. He added that at this point, it is anticipated that the City’s expenses will be funded by existing funds.

Vice Mayor Bennett, on a motion seconded by Council Member Fawcett, moved to approve the ordinance, as presented, by the following roll call vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

**AN ORDINANCE TO REAPPROPRIATE UNSPENT FISCAL YEAR 2019-2020 FUNDS TO THE FISCAL YEAR 2020-2021 SCHOOL OPERATING FUND**

**Ordinance** – An ordinance to rezone and amend the official zoning map of the City of Suffolk in order to amend the previously approved proffered conditions of the Nansemond Reserve residential development for property located at 4316 Sleepy Hole Road, Zoning Map 19, Parcel 4A: RZN2020-005 (Conditional)

Utilizing a PowerPoint presentation, Planning and Community Development Director David Hainley gave a review of the background information as printed in the official agenda.

Council Member Fawcett, on a motion seconded by Council Member Duman, moved to approve the ordinance, as presented, by the following roll call vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

**AN ORDINANCE TO REZONE AND AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SUFFOLK IN ORDER TO AMEND THE PREVIOUSLY APPROVED PROFFERED CONDITIONS OF THE NANSEMOND RESERVE RESIDENTIAL DEVELOPMENT FOR PROPERTY LOCATED AT 4316 SLEEPY HOLE ROAD, ZONING MAP 19, PARCEL 4A: RZN2020-005 (CONDITIONAL)**

**RESOLUTIONS**

There were no items under this portion of the agenda.

**STAFF REPORTS**

There were no items under this portion of the agenda.

**MOTIONS**

**Motion** – A motion to schedule a City Council Work Session, for Wednesday, September 16, 2020, at 4:00 p.m., unless cancelled

Council Member Johnson, on a motion seconded by Council Member Fawcett, moved to schedule a City Council Work Session, for Wednesday, September 16, 2020, at 4:00 p.m., unless cancelled, by the following roll call vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

**NON-AGENDA SPEAKERS**

Anita White, 2111 Redgate Drive, was not present when called.

Darrell Reese, 315 West Constance Road, was not present when called.

Kelly Hengler, 9345 Eclipse Drive, representing the Crittenden-Eclipse-Hobson Heritage Civic League, opined about the inclusion of Eclipse in the northern growth area in the Comprehensive Plan

**NEW BUSINESS**

City Clerk Dawley presented the following board and commission nominations to the respective bodies: Community Policy and Management Team (Parent Representative) – Mary Bess; Economic Development Authority of the City of Suffolk (Holy Neck) – Chris Rice; and Fine Arts Commission – Mark Wall.

Vice Mayor Bennett, on a motion seconded by Council Member Duman, moved to nominate and appoint the above referenced individuals to the aforementioned bodies, by the following roll call vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

**ANNOUNCEMENTS AND COMMENTS**

Utilizing a PowerPoint presentation, Media and Community Relations Assistant Director Timothy Kelley provided a report on the following: the City’s affirmation of its AAA status by all three rating agencies; the Finance Department’s receipt of the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association; the announcement of the Suffolk Seaboard Coastline Trail Phase II Construction; the Suffolk Parks and Recreation Department’s limited full day camp hours and locations; the creation of Suffolk National Night In and the City’s observance of the Labor Day holiday.

Council Member Goldberg congratulated City Administration on the City’s affirmation of its AAA status by all three rating agencies.

Council Member Fawcett thanked Public Works and Public Utilities Departments for their assistance with constituent issues.

Council Member Fawcett congratulated City Administration on the City's affirmation of its AAA status by all three rating agencies.

Council Member Fawcett acknowledged the Finance Department's receipt of the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association.

Council Member Fawcett opined about the Suffolk Fire Department.

Council Member Milteer opined about the lack of broadband in the Whaleysville Borough.

Council Member Duman thanked City Administration for the compensation and benefits strategy presentation during today's Work Session.

Council Member Duman congratulated City Administration on the City's affirmation of its AAA status by all three rating agencies.

Council Member Ward thanked to City Administration for the compensation and benefits strategy presentation during today's Work Session.

Council Member Ward announced he attended a community meeting in Pughsville.

Council Member Ward congratulated City Administration on the City's affirmation of its AAA status by all three rating agencies.

Council Member Johnson acknowledged the Finance Department's receipt of the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association.

Council Member Johnson congratulated City Administration on the City's affirmation of its AAA status by all three rating agencies.

Council Member Johnson thanked the Suffolk Fire and Rescue Department's for its collaboration with the City of Chesapeake's Fire and Rescue Department on the automated aid program.

Vice Mayor Bennett congratulated City Administration on the City's affirmation of its AAA status by all three rating agencies.

Vice Mayor Bennett thanked City Administration for the compensation and benefits strategy presentation during today's Work Session.

Vice Mayor Bennett opined about the efforts of the Suffolk Police and Suffolk Fire and Rescue Department's.

Vice Mayor Bennett opined about the announcement of the Suffolk Seaboard Coastline Trail Phase II Construction and possible parking options.

Mayor Johnson thanked City Administration for the compensation and benefits strategy presentation during today's Work Session.

Mayor Johnson opined about the City's affirmation of its AAA status by all three rating agencies.

Mayor Johnson thanked the Suffolk Fire and Rescue Department's for its collaboration with the City of Chesapeake's Fire and Rescue Department on the mutual aid program.

Council Member Fawcett, on a motion seconded by Vice Mayor Bennett, moved to adjourn, by the following vote:

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

There being no further business to come before City Council, the regular meeting was adjourned at 7:57 p.m.

Teste: \_\_\_\_\_  
Erika S. Dawley, MMC, City Clerk



**AGENDA: February 3, 2021, Regular Session**

**ITEM: Special Presentation – COVID-19 Vaccination Update**

The City Manager or designee will provide an update related to COVID-19 Vaccinations.

**AGENDA: February 3, 2021, Regular Session**

**ITEM: Special Presentation – City of Suffolk’s Emergency Management’s Vaccination Assistance Efforts**

Brian Spicer, Deputy Fire Chief / Emergency Management Coordinator for Suffolk Fire & Rescue, will provide City Council with an update related to the City of Suffolk’s Emergency Management’s Vaccination Assistance Efforts.

**Removal of Items from the Consent  
Agenda and Adoption of the Agenda**

## **Agenda Speakers**

**AGENDA: February 3, 2021, Regular Session**

**ITEM: Consent Agenda** – An ordinance to accept and appropriate CARES Act Coronavirus Relief Community Development Block Grant funds from the U.S. Department of Housing and Urban Development

Attached for the City Council's consideration is an ordinance to accept and appropriate \$323,149 in CARES Act Coronavirus Relief Community Development Block Grant funds from the U.S. Department of Housing and Urban Development. The funding will be used to assist with eligible expenditures due to the coronavirus public health emergency with a priority of addressing the unique needs of low-to-moderate income persons and families in the City.

Adoption of the attached ordinance is necessary to accept and appropriate these funds to the appropriate line item in the Consolidated Grants Fund for Fiscal Year 2020-2021.

**BUDGET IMPACT:**

Adoption of the ordinance will increase the planned revenues and expenditures of the Consolidated Grants Fund by \$323,149 for the above-noted purpose and does not require local fund support.

**RECOMMENDATION:**

Adoption of the attached ordinance is recommended

**ATTACHMENTS:**

Ordinance  
CDBG Program Grant Funding Notification

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

**AN ORDINANCE TO ACCEPT AND APPROPRIATE CARES ACT  
CORONAVIRUS RELIEF COMMUNITY DEVELOPMENT BLOCK  
GRANT FUNDS FROM THE U.S. DEPARTMENT OF HOUSING AND  
URBAN DEVELOPMENT**

WHEREAS, the City has received CARES Act Coronavirus Relief Community Development Block Grant funds in the amount of \$323,149 from the U.S. Department of Housing and Urban Development to address the coronavirus pandemic; and,

WHEREAS, the funds received need to be accepted and appropriated to the Consolidated Grants Fund budget for Fiscal Year 2020-2021 to assist with eligible expenditures due to the coronavirus public health emergency.

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

1. The sum of \$323,149 shall be reflected as budget in the Fiscal Year 2020-2021 Consolidated Grants Fund and the following accounts shall be increased accordingly:

<u>Revenue</u>		
211-81100-202141_432010	CDBG CARES ACT;06/22	<u>\$323,149</u>
<u>Expenditure</u>		
211-81100-202141_55601	CDBG CARES ACT;06/22 For Kids	\$150,000
211-81100-202141_55654	Genieve Shelter	<u>173,149</u>
		<u>\$323,149</u>

2. The fund amount totaling \$323,149 is hereby appropriated for use as referenced in this ordinance, and the budget approved by Ordinance Number 20-O-028 as amended. The City Manager be, and is hereby authorized and directed to do all things necessary to effectuate this action.

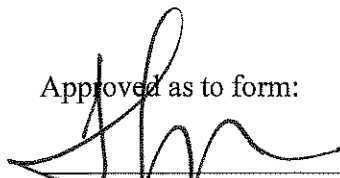
3. This ordinance shall be effective upon passage and shall not be published.

READ AND PASSED: \_\_\_\_\_

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

Erika S. Dawley, City Clerk

Approved as to form:

  
\_\_\_\_\_  
Helivi L. Holland, City Attorney



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
WASHINGTON, DC 20410-7000

ASSISTANT SECRETARY FOR  
COMMUNITY PLANNING AND DEVELOPMENT

September 11, 2020

The Honorable Linda Johnson  
Mayor of Suffolk  
442 W Washington Street  
1st Floor  
Suffolk, VA 23434

Dear Mayor Johnson:

I am pleased to inform you of a special allocation to your jurisdiction of Community Development Block Grant funds to be used to prevent, prepare for, and respond to the coronavirus (COVID-19). This allocation was authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, which was signed by President Trump on March 27, 2020, to respond to the growing effects of this historic public health crisis.

The CARES Act made available \$5 billion in Community Development Block Grant Coronavirus (CDBG-CV) funds. Of this amount, the Department immediately allocated \$2 billion on March 27, 2020, the same day President Trump signed the Act, based on the fiscal year 2020 CDBG formula; this constituted the first round of CDBG-CV funds. Next, \$1 billion was required by the Act to be allocated to States and insular areas within 45 days of enactment of the Act; HUD accomplished this on May 11, 2020, and this constituted the second round of CDBG-CV funds. Finally, the remaining \$2 billion in CDBG-CV funds was required by the Act to be allocated to states and local governments at the discretion of the Secretary on a rolling basis; HUD accomplished this on September 11, 2020, and this constituted the third round of CDBG-CV funds. Additionally, up to \$10 million will be set aside for technical assistance.

Accordingly, this letter informs you that your jurisdiction's allocation for the third round is \$323,149. Your cumulative amount for all allocation rounds is \$605,864.

The CARES Act adds additional flexibility for both the CDBG-CV grant and, in some cases, for the annual FY2019 and FY2020 CDBG grants in these unprecedented times. The public comment period is reduced to not less than 5 days, grantees may use virtual public hearings when necessary for public health reasons, the public services cap is suspended during the emergency, and States and local governments may reimburse costs of eligible activities incurred for pandemic response regardless of the date.

In addition, the CARES Act authorizes the HUD Secretary to grant waivers and alternative requirements of statutes and regulations the HUD Secretary administers in connection with the use of CDBG-CV funds and fiscal year 2019 and 2020 CDBG funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment). Waivers and alternative

requirements can be granted when necessary to expedite and facilitate the use of funds to prevent, prepare for, and respond to coronavirus.

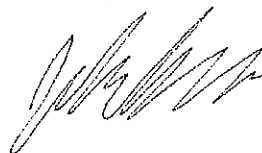
The CDBG CARES Act Federal Register Notice (FR-6218-N-01) was released on August 10, 2020. The notice describes the allocations and grant procedures applicable to the CDBG-CV grants. It also describes the program flexibilities, waivers, and alternative requirements that apply to the CDBG-CV grants as well as the fiscal year 2019 and 2020 CDBG grants. As further such flexibilities become available, they will be posted on HUD's website and distributed to grantees. The Department will also support grantees with technical assistance.

As you develop your plan for the use of these grant funds, we encourage you to consider approaches that prioritize the unique needs of low- and moderate-income persons and the development of partnerships between all levels of government and the private for-profit and non-profit sectors. You should coordinate with state and local health authorities before undertaking any activity to support state or local pandemic response. CDBG-CV grants will be subject to oversight, reporting, and the requirement that each grantee have adequate procedures to prevent the duplication of benefits (DOB). HUD will provide guidance and technical assistance on DOB, the prevention of fraud, waste, and abuse, and on documenting the impact of this program for beneficiaries.

Reminder, all CPD Grantees must ensure they maintain active Dun and Bradstreet Numbering System (DUNS) numbers in the System for Award Management (SAM) system. Entities must have an active and unexpired DUNS before execution of grant agreements to avoid delays in the obligation of funds- which will delay your ability to drawdown funds in the Integrated Disbursement & Information System (IDIS). Grantees are required to maintain an active SAMs registration by re-activating their DUNS number annually in the SAM system for the entire drawdown period of their grants. DUNS numbers can be registered and renewed each year at the following website: <https://www.sam.gov/SAM/>.

The Office of Community Planning and Development (CPD) is looking forward to working with you to successfully meet the urgent and complex challenges faced by our communities. If you or any member of your staff has questions, please contact your local CPD Field Office Director or [CPDQuestionsAnswered@hud.gov](mailto:CPDQuestionsAnswered@hud.gov).

Sincerely,



John Gibbs  
Acting Assistant Secretary  
for Community Planning and Development  
U.S. Department of Housing and Urban Development



**AGENDA: February 3, 2021, Regular Session**

**ITEM: Consent Agenda** - A resolution to accept a donation of personal property for the Suffolk Department of Fire and Rescue

The City has received a donation of personal property from Lowe's Store #709. The item being donated is a Weber Smoke Fire Grill, #2956170, valued at \$1,199.

Adoption of the attached resolution is necessary to accept and record the donated personal property for the operations of the Suffolk Department of Fire and Rescue.

**BUDGET IMPACT:**

There is no budget impact.

**RECOMMENDATION:**

Adopt the attached resolution

**ATTACHMENTS:**

Resolution  
Donation Letter

**RESOLUTION NUMBER** \_\_\_\_\_

**A RESOLUTION TO ACCEPT A DONATION OF PERSONAL PROPERTY  
FOR THE SUFFOLK DEPARTMENT OF FIRE AND RESCUE**

WHEREAS, Lowe's Store #709 has donated a Weber Smoke Fire Grill for use by the Suffolk Department of Fire and Rescue; and,

WHEREAS, the benefactors concede good and complete right, title, and interest in the said personal property; and,

WHEREAS, this donation of personal property is made to the Suffolk Department of Fire and Rescue without restriction as to use or disposition.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Suffolk, Virginia, that the City hereby accepts a donation of a Weber Smoke Fire Grill from Lowe's Store #709 for use by the Suffolk Department of Fire and Rescue.

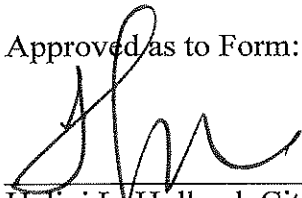
BE FURTHER RESOLVED that this resolution shall be effective upon adoption and shall not be published.

READ AND ADOPTED: \_\_\_\_\_

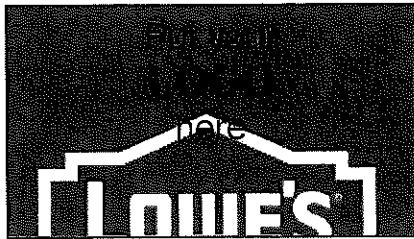
TESTE: \_\_\_\_\_

Erika S. Dawley, City Clerk

Approved as to Form:



\_\_\_\_\_  
Helivi L. Holland, City Attorney



Clifford Resnick  
Lowe's #709  
4708 Portsmouth Blvd  
Chesapeake, VA 23321

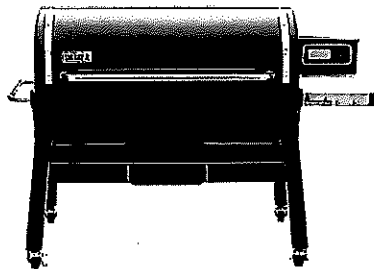
January 15, 2021

**Firefighters of Suffolk Station #3**

Attn: Lieutenant Aimee Barrineau  
Suffolk Fire Station #3  
1001 White Marsh Rd  
Suffolk, VA 23434

Dear Lt. Aimee Barrineau,

We here at Lowe's # 709 would like to donate this smoker to Suffolk Fire Station #3, in recognition of all that the men and women of the firehouse do for their community and residents on a daily basis. The item being donated is: #2956170 It is a Weber Smoke Fire Grill, valued at \$1199.00, however we are donating it to help make your Fire Station more of a home during these tough times.



Weber SmokeFire EX6 Wood Fired Pellet Grill  
Item #2956170 12-1-1 20210201

- Soaks up well as it simmers with a 200-600° temperature range
- Weber porcelain-enamel finish withstands the elements and helps prevent rusting and cracking over time
- Know when it's time to flip and serve with Weber Connect step-by-step grilling assistance

**LOWE'S PLANS & SERVICES**  
Add Available Plans and Pro Services in Cart

1 +  
for

We are look forward to having you enjoy the food that comes from this wonderful smoker.

Sincerely,

Clifford Resnick

**Inside Lawn and Garden Supervisor**

**AGENDA: February 3, 2021, Regular Session**

**ITEM: Public Hearing** – An ordinance authorizing the acquisition of real property in fee simple and/or permanent and temporary easements, either by agreement or condemnation, for the Nansemond Parkway/Wilroy Road Overpass Over Commonwealth Railway Project

The right-of-way acquisition phase of Nansemond Parkway and Wilroy Road is scheduled to begin in early 2021. The attached ordinance authorizes the acquisition of real property in fee simple and/or permanent and temporary easements from affected property owners, as well as authorizes the City Attorney to institute condemnation proceedings if negotiations with property owners are not successful.

The project proposes to eliminate the existing at-grade crossing by realigning the intersection of Nansemond Parkway and Wilroy Road in order to provide a grade separated overpass for Nansemond Parkway over the Commonwealth Railway tracks, as well as the installation of storm drain facilities, curb and gutter, sidewalks, signalization and other related items.

**RECOMMENDATION:**

Approval of Ordinance

**ATTACHMENT:**

Ordinance

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

**AN ORDINANCE AUTHORIZING THE ACQUISITION OF REAL PROPERTY IN FEE SIMPLE AND/OR PERMANENT AND TEMPORARY EASEMENTS, EITHER BY AGREEMENT OR CONDEMNATION, FOR THE NANSEMOND PARKWAY/WILROY ROAD OVERPASS OVER COMMONWEALTH RAILWAY PROJECT**

WHEREAS, on February 3, 2021 the City Council of the City of Suffolk held a public hearing concerning the acquisition of real property in fee simple, and/or permanent and temporary easements, either by agreement or condemnation, for the Nansemond Parkway/Wilroy Road Overpass Over Commonwealth Railway Project; and,

WHEREAS, it is the opinion of the City Council of the City of Suffolk, Virginia, that a public necessity exists for the construction of the Nansemond Parkway/Wilroy Road Overpass Over Commonwealth Railway Project to improve transportation within the City and for other related public purposes for the preservation of the safety, health, peace, good order, comfort, convenience, and for the welfare of the people in the City of Suffolk.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SUFFOLK, AS FOLLOWS:

Section 1. That the City Council authorizes the acquisition, by purchase or condemnation, pursuant to Sections 15.2-1901, *et. seq.*, and Title 25.1 of the Code of Virginia (1950), as amended, and City Charter Sections 2.05, *et. seq.*, of real property in fee simple and/or temporary and permanent easements (the "Property") as shown on the plans (the "Plans") entitled "Nansemond Parkway/Wilroy Road Overpass Over Commonwealth Railway Project" (the "Project"), the Plans being on file in the Department of Public Works, Engineering Division, City of Suffolk, Virginia.

Section 2. That the City Manager is hereby authorized to make or cause to be made on behalf of the City of Suffolk, to the extent that funds are available, a reasonable offer to the owners or persons having an interest in said Property, and is further authorized to enter into agreements and do other things as may be necessary to acquire said Property. Further, if efforts to acquire such Property are not successful, the City Attorney is hereby authorized to institute condemnation proceedings to acquire same.

Section 3. This ordinance shall be effective upon passage and shall not be published.

PASSED: \_\_\_\_\_

TESTE: \_\_\_\_\_  
Erika S. Dawley, City Clerk

Approved as to Form:

  
\_\_\_\_\_  
William E. Hutchings, Deputy City Attorney

## **Ordinances**

**AGENDA: February 3, 2021, Regular Session**

**ITEM: Resolution** – A resolution appointing Holt W. Butt as the City Assessor

The City Council has selected and are appointing Holt W. Butt as City Assessor of the City of Suffolk effective February 16, 2021.

**RECOMMENDATION:**

Adopt the attached resolution

**ATTACHMENT:**

Resolution

**RESOLUTION NUMBER \_\_\_\_\_**

**A RESOLUTION APPOINTING HOLT W. BUTT AS CITY ASSESSOR**

WHEREAS, City Council has determined that Holt W. Butt is the most qualified person to serve as City Real Estate Assessor; and,

WHEREAS, it is the intention of City Council to provide the City Real Estate Assessor with other benefits and working conditions comparable to those provided to employees of the City.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Suffolk, Virginia, hereby appoints Holt W. Butt as the City Real Estate Assessor of the City of Suffolk effective February 16, 2021.

BE IT FURTHER RESOLVED that Holt W. Butt as the City Real Estate Assessor shall be paid an annual salary of \$128,000.00.

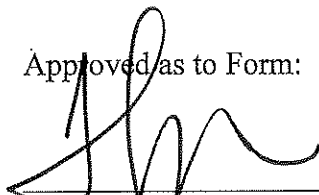
BE IT FURTHER RESOLVED that all provisions of the City Charter and Code and the regulations and rules of the City relating to retirement; vacation, maternity, sick and other leave; insurance, holidays, and other fringe benefits and working conditions as they now exist or hereinafter may be amended shall also apply to the City Real Estate Assessor as they would for employees of the City.

BE IT FURTHER RESOLVED that this resolution shall be effective upon its adoption.

READ AND ADOPTED: \_\_\_\_\_

TESTE: \_\_\_\_\_  
Erika S. Dawley, City Clerk

Approved as to Form:



\_\_\_\_\_  
Helivi L. Holland, City Attorney



# **Staff Reports**

**AGENDA: February 3, 2021, Regular Session**

**ITEM:**       **Motion** - A motion to schedule a public hearing on February 17, 2021 to consider the adoption of an ordinance authorizing the acquisition of temporary construction easements for the Elwood Road (Rte. 613) Over Kingsale Swamp Structure #8016 Bridge Replacement Project

This project will provide safe and quality transportation options for citizens. The primary purpose of this project is to replace one bridge on Elwood Road. The existing bridge is a load restricted steel/timber structure, which is structurally and geometrically deficient. Currently, the structure restricts the passage of emergency vehicles and farm equipment. The new structure will be constructed from pre-stressed concrete piles and a voided slab span, and the anticipated life cycle will be 75 years. Replacing this bridge structure will improve the safety and efficiency of Suffolk's roadways.

A motion is requested to schedule the required public hearing to be held at the February 17, 2021, City Council Meeting.

**A motion to schedule a City Council  
Work Session, for Wednesday,  
February 17, 2021, at 4:00 p.m.,  
unless cancelled**

## **Non-Agenda Speakers**

## **New Business**

## **Announcements and Comments**