

Regular Meeting of the Suffolk City Council was held in the City Council Chamber, 442 West Washington Street, on Wednesday, July 15, 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 member of City Council were in attendance.

FREEDOM OF INFORMATION ACT CERTIFICATION

City Clerk Dawley presented a resolution certifying the Closed Meeting of July 15, 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 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, and Ward	7
NAYS:	None	0

(Council Member Milteer was out of the chamber at the time of the vote.)

A RESOLUTION OF CERTIFICATION OF THE CLOSED MEETING OF JULY 15, 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 Fawcett, moved to approve the minutes from the April 15, 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, and Ward	7
NAYS:	None	0

(Council Member Milteer was out of the chamber at the time of the vote.)

SPECIAL PRESENTATIONS

There were no items under this portion of the agenda.

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 Fawcett, on a motion seconded by Council Member Goldberg, 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 Fiscal Year 2020- 2021 Community Development Block Grant and Home Investment Partnership Program funding from the United States Department of Housing and Urban Development

Consent Agenda Item #8 - An ordinance to accept and appropriate CARES Act Coronavirus Relief Community Development Block Grant funds from the United States Department of Housing and Urban Development

Consent Agenda Item #9 - An ordinance to accept and appropriate CARES Act Coronavirus Relief Funds from the United States Department of Transportation Federal Aviation Administration for the Suffolk Executive Airport

Consent Agenda Item #10 - An ordinance to accept and appropriate a Creative Communities Partnership Grant award from the Virginia Commission for the Arts

Consent Agenda Item #11 – An ordinance to amend Chapter 66 of the Code of the City of Suffolk to add Section 66-281.1 regarding Recognition Leave

Consent Agenda Item #12 – An ordinance amending Section 66-232, of the Code of the City of Suffolk to Amend Grievable Issues

Consent Agenda Item #13 – An ordinance to amend Section 66-283, of the Code of the City of Suffolk regarding Military Leave Pay

Referring to Consent Agenda Items #7 through #13, City Manager Roberts submitted a review of the background information as printed in the official agenda.

Referring to Consent Agenda Item #11, Council Member Duman opined about the possible incentives for Recognition Leave.

Council Member Fawcett, on a motion seconded by Council Member Milteer, 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 – An ordinance to rezone and amend the official zoning map of the City of Suffolk, to change the zoning from O-I, Office-Institutional zoning district, to RU-12, Residential Urban-12 zoning district, for property located at 6808 Harbour View Boulevard, Zoning Map 6, Parcel 2J*C; RZN2019-010 (Conditional)

Utilizing a PowerPoint presentation, Planning and Community Development Director David Hainley submitted a report on the background information as printed in the official agenda.

Melissa Venable, 5857 Harbour View Boulevard, Land Planning Solutions, agenda, representing Scott Overton, Suffolk Towers LLC, applicant and property owner, spoke in support of the proposed ordinance, as presented.

Scott Overton, 5859 Harbour View Boulevard, Suffolk Towers LLC, applicant and property owner, spoke in support of the proposed ordinance, as presented.

Hearing no additional speakers, the public hearing was closed.

Council Member Fawcett moved to approve the ordinance, with conditions. The motion failed to receive a second.

Council Member Ward inquired about any contact with the nearby community. Ms. Venable stated that the applicant met with residents of Riverfront and the President of the homeowners’ association.

Council Member Fawcett, on a motion seconded by Council Member Goldberg, moved to approve the ordinance, with conditions, 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, TO CHANGE THE ZONING FROM O-I, OFFICE-INSTITUTIONAL ZONING DISTRICT, TO RU-12, RESIDENTIAL URBAN-12 ZONING DISTRICT, FOR PROPERTY LOCATED AT 6808 HARBOUR VIEW BOULEVARD, ZONING MAP 6, PARCEL 2J*C; RZN2019-010 (CONDITIONAL)

Public Hearing – An ordinance to grant a Conditional Use Permit to establish an Amusement/entertainment/recreation center, indoor, on property located at 126 West Washington Street, Zoning Map 34G18(A), Parcel 303; CUP2020-001

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

Christopher Mayes, 126 West Washington Street, Party Time Entertainment, LLC, applicant, spoke in support of the proposed ordinance, with conditions.

Hearing no additional speakers, the public hearing was closed.

Council Member Milteer moved to approve the ordinance, as presented, with conditions. The motion failed to receive a second.

Members of City Council opined about the deletion of condition #2 and amendment of condition #7, respectively, – in the event that alcohol is served, the applicant shall be responsible for all activities conducted at the facility under the authority of a license issued under the laws and regulations of the Department of Alcoholic Beverage Control and the hours of operation shall be limited as follows: Sunday – Thursday 9:00 a.m. to 11:00 p.m. and Friday – Sunday 9:00 a.m. to 12:00 a.m./midnight.

Referring to Condition #2, Vice Mayor Bennett asked the applicant if he would be amendable to prohibiting the serving of alcohol on the premises. Mr. Mayes replied that he would be amendable to the deletion of condition #2 which would prohibit the serving of alcohol on the premises and that condition #2 was added after his application was submitted to the City. He added that he would also be amenable to changing his hours of operation.

Council Member Duman opined about the applicant’s reasoning to shorten his operations of operation, in the event that he had customers that were older children or adults. Mr. Mayes indicated that his target customer base is young children.

Referring to the presentation, Mayor Johnson called for an explanation of condition #2 and condition #7, respectively, as presented in the proposed ordinance - in the event that alcohol is served, the applicant shall be responsible for all activities conducted at the facility under the authority of a license issued under the laws and regulations of the Department of Alcoholic Beverage Control and the hours of operation shall be limited as follows: Sunday – Thursday 9:00 a.m. to 11:00 p.m. and Friday – Sunday 9:00 a.m. to 12:00 a.m./midnight. Planning and Community Development Director Hainley reported that both conditions are consistent with language in other conditional use permits allowing the operation of similar facilities

Referring to condition #2, Council Member Johnson sought clarification about the inclusion of the language in the proposed ordinance. Planning and Community Development Director Hainley said that the language is consistent with language in other conditional use permits allowing the operation of similar facilities. City Manager Roberts added that City Council asked staff to assign the same standards to all facilities in the downtown area and treat all applicants in an equitable manner.

Members of City Council opined about the deletion of condition #2 – in the event that alcohol is served, the applicant shall be responsible for all activities conducted at the facility under the authority of a license issued under the laws and regulations of the Department of Alcoholic Beverage Control.

Council Member Fawcett, on a motion seconded by Council Member Duman, moved to approve the ordinance, with the deletion of condition #2 and the conditions #1, and #3 through 9, 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 GRANT A CONDITIONAL USE PERMIT TO ESTABLISH AN AMUSEMENT/ENTERTAINMENT/RECREATION CENTER, INDOOR, ON PROPERTY LOCATED AT 126 WEST WASHINGTON STREET, ZONING MAP 34G18(A), PARCEL 303; CUP2020-001

Public Hearing – An ordinance to grant a Conditional Use Permit to establish an Amusement/entertainment/ recreation center, indoor, on property located at 153 West Washington Street, Zoning Map 34G18(2), Parcel 9*9A; CUP2020-002

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

Council Member Duman, on a motion seconded by Council Member Ward, moved to approve the ordinance, with conditions, 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 Hearing – An ordinance to grant a Conditional Use Permit to establish a Stable, commercial, on property located at 4200 Lake Point Road, Zoning Map 16, Parcel 24; CUP2019-016

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

Scott Troutman, 4200 Lake Point Road, representing self, applicant and property owner,

ORDINANCES

There were no items under this portion of the agenda.

RESOLUTIONS

Resolution – A resolution to endorse Suffolk Transit project applications under the Smart Scale Funding Program

Utilizing a PowerPoint presentation, Public Works Director Louis Hansen supplied a summation of the background information as printed in the official agenda.

Council Member Goldberg queried about the feasibility of using any of the funding for bus shelters. Public Works Director Hansen said that this funding is not eligible for that purpose. He added that there is other state and federal funding is available for those improvements.

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 TO ENDORSE SUFFOLK TRANSIT PROJECT APPLICATIONS UNDER THE SMART SCALE FUNDING PROGRAM

Resolution – A resolution to endorse project applications under the Smart Scale Funding Program

Utilizing a PowerPoint presentation, Public Works Director Hansen offered a summary of the background information as printed in the official agenda.

Council Member Duman sought information about the timeline for the funding. Public Works Director Hansen explained that at this point, the timeline is still being determined.

Council Member Duman inquired about the formula for the funding. Public Works Director Hansen advised that, as the application is being prepared, the formula is in flux. He added that one of the factors in determining the formula is each project’s amount of congestion mitigation.

Council Member Fawcett, on a motion seconded by Council Member Ward, 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 TO ENDORSE PROJECT APPLICATIONS UNDER THE SMART SCALE FUNDING PROGRAM

STAFF REPORTS

Staff Report – Central Library Project Design Update

Capital Programs and Buildings Director Gerry Jones introduced Chuck Wray, Principal in Charge, Quinn Evans, the City’s architectural firm for the Central Library. Utilizing a PowerPoint presentation, Mr. Wray provided a report of the background information as printed in the official agenda.

Coronavirus Update – The City Manager or designee will provide an update related to COVID-19

Utilizing a PowerPoint presentation, Dr. Todd Wagner, Director, Western Tidewater Health District, gave an update on the above referenced item.

Council Member Goldberg asked about any reports of COVID-19 cases with a mutated virus. Dr. Wagner advised that no such cases have been reported in this area.

Council Member Goldberg opined about future viruses from China. Dr. Wagner indicated that there are no specific threats at this point, however, staff is watching information as it relates to future issues.

Vice Mayor Bennett queried about contact tracing of COVID-19. Dr. Wagner explained that as a result of the community testing events, staff will start using contact tracing for COVID-19.

Vice Mayor Bennett reported that the Balm Church has requested a community testing event.

Referring to the presentation, Vice Mayor Bennett called for a copy of the data regarding case trends. Dr. Wagner replied in the affirmative.

Referring to the presentation, Mayor Johnson sought information about the State’s phase three plan for reopening, specifically as it relates to the operation of bars. Dr. Wagner stated that under the State’s phase three plan for reopening, bars are permitted to operate under the State’s safety requirements.

Utilizing a PowerPoint presentation, Finance Director Tealen Hansen submitted on the status of the City’s CARES Act Funding.

Council Member Fawcett inquired about the timeline to spend the funds. Finance Director Hansen said that all funds must be spent by December 30, 2020.

Council Member Duman opined about the use of funds for small business relief. Finance Director Hansen advised that the Economic Development Authority has earmarked \$200,000 for small business that have been adversely impacted as a result of COVID-19 and the Economic Development Authority is in the process of creating qualifying criteria.

Utilizing a PowerPoint presentation, City Manager Roberts offered supplementary information regarding the phases of City reopening activities.

MOTIONS

Motion – A motion to schedule all Land Use matters on the July 7, 2020, Planning Commission Meeting to the August 5, 2020, City Council Meeting agenda

Council Member Fawcett, on a motion seconded by Council Member Duman, moved to schedule all Land Use matters on the July 7, 2020, Planning Commission Meeting to the August 5, 2020, City Council Meeting 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

Motion – A motion to schedule a City Council Work Session for Wednesday, July 15, 2020, at 4:00 p.m., unless cancelled

Vice Mayor Bennett, on a motion seconded by Council Member Fawcett, moved to schedule a City Council Work Session for Wednesday, July 15, 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

Dexter Mitchell, 3605 Preakness Circle, representing self, spoke in opposition to road improvements on Pitchkettle Road.

Kelly Hengler, 9345 Eclipse Drive, representing the Crittenden-Eclipse-Hobson Heritage Civic League, opined about COVID-19 and road projects.

NEW BUSINESS

Mayor Johnson reported increased traffic congestion on Wilroy Road, Nansemond Parkway and Shoulders Hill Road as it relates to increase trains. City Manager Roberts stated that he addressed this

matter with Interim Police Chief Alfred Chandler. He added that the Suffolk Police Department will be contacting the railroad companies about their activities as it relates to the increased traffic congestion and increase enforcement as much as possible.

ANNOUNCEMENTS AND COMMENTS

Utilizing a PowerPoint presentation, Media and Community Relations Director Timothy Kelley provided a report on the following: the appointment of new Human Resources Director Robin Wynn; the road closure for the removal of overhead utility lines on the eastbound right lane of Holland Road between Manning Road and the Suffolk Bypass; the road closure of Wilroy Road in both directions; the launch of the Suffolk Farmers' Market Walk-Through Market; the opening of Suffolk Parks and Recreation Department's Limited Summer Camps; the opening and seasonal schedule for Cypress Park Pool; the Virtual Stars and Stripes Spectacular; the Independence Day Scavenger Hunt and the City's observance of the Independence Day holiday.

Mayor Johnson acknowledged the new Human Resources Director Robin Wynn in the audience.

Council Member Johnson acknowledged City Administration for their efforts to improve Route 58.

Council Member Ward thanked City Attorney Holland for attending a recent meeting.

Council Member Ward opined about traffic conditions near Bernhowe Manor.

Council Member Duman acknowledged City Manager Roberts for the Crittenden Road Passing Zone review.

Council Member Duman congratulated new Human Resources Director Robin Wynn on her appointment.

Council Member Milteer announced he attend the retirement celebration for former Deputy City Manager D. Scott Mills.

Council Member Milteer congratulated new Human Resources Director Robin Wynn on her appointment.

Council Member Milteer opined about the ongoing 2020 Census.

Council Member Fawcett congratulated new Human Resources Director Robin Wynn on her appointment.

Council Member Fawcett announced he attend the retirement celebration for former Deputy City Manager D. Scott Mills.

Council Member Fawcett thanked his staff for their assistance during the COVID-19 pandemic.

Council Member Goldberg opined about the increased traffic congestion as it relates to trains.

Vice Mayor Bennett opined about the increased traffic congestion as it relates to trains.

Vice Mayor Bennett congratulated new Human Resources Director Robin Wynn on her appointment.

Vice Mayor Bennett congratulated Mayor Johnson on her reappointment as the Chair to Hampton Roads Transportation Accountability Commission.

Vice Mayor Bennett thanked Dr. Wagner for his presentation regarding the COVID-19 pandemic.

Mayor Johnson congratulated new Human Resources Director Robin Wynn on her appointment.

Mayor Johnson congratulated former Deputy City Manager D. Scott Mills.

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 8:17 p.m.

Teste: _____
Erika S. Dawley, MMC, City Clerk

Approved: _____
Linda T. Johnson, Mayor

APPROVED: OCTOBER 7, 2020