

Regular Meeting of the Suffolk City Council was held in the City Council Chamber, 442 West Washington Street, on Wednesday, February 17, 2021, at 6:00 p.m.

PRESENT

Council Members -
Leroy Bennett, Vice Mayor, presiding
Roger W. Fawcett
Donald Z. Goldberg
Timothy J. Johnson
LeOtis L. Williams

Albert S. Moor, Interim City Manager
Helivi H. Holland, City Attorney
Erika S. Dawley, City Clerk

ABSENT

Michael D. Duman, Mayor (excused)
Council Member Shelley Butler Barlow (excused)
Council Member Lue R. Ward, Jr. (excused)

CALL TO ORDER/INVOCATION/PLEDGE OF ALLEGIANCE

Vice Mayor Bennett called the meeting to order. Council Member Goldberg offered the Invocation and led the Pledge of Allegiance.

Vice Mayor Bennett announced that Mayor Duman, Council Member Butler Barlow and Council Member Ward were excused from tonight’s meeting.

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

FREEDOM OF INFORMATION ACT CERTIFICATION

City Clerk Dawley presented a resolution certifying the Closed Meeting of February 17, 2021, pursuant to Section 2.2-3712 of the Code of Virginia (1950), as amended.

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

AYES:	Vice Mayor Bennett, and Council Members	
	Fawcett, Goldberg, T. Johnson, and Williams	5
NAYS:	None	0

(Mayor Duman, Council Member Butler Barlow and Council Member Ward were excused.)

A RESOLUTION OF CERTIFICATION OF THE CLOSED MEETING OF FEBRUARY 17, 2021, PURSUANT TO SECTION 2.2-3712 OF THE CODE OF VIRGINIA (1950), AS AMENDED

APPROVAL OF THE MINUTES

Council Member Williams, on a motion seconded by Council Member Fawcett, moved to approve the minutes from the September 16, 2020, Work Session and Regular Meeting, as presented, by the following roll call vote:

AYES:	Vice Mayor Bennett, and Council Members	
	Fawcett, Goldberg, T. Johnson, and Williams	5
NAYS:	None	0

(Mayor Duman, Council Member Butler Barlow and Council Member Ward were excused.)

SPECIAL PRESENTATIONS

Special Presentation – COVID-19 Vaccine/Call Center Update

Utilizing a PowerPoint presentation, Deputy Fire Chief Brian Spicer provided a summary of the above referenced item.

Referring to the presentation, Vice Mayor Bennett asked for information about future coronavirus vaccination clinics to target the most vulnerable populations, specifically African American churches. Interim City Manager Moor explained that as more vaccines become available, the City would work with the Western Tidewater Health Department to offer more coronavirus vaccination clinics.

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

Vice Mayor Bennett 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:	Vice Mayor Bennett, and Council Members	
	Fawcett, Goldberg, T. Johnson, and Williams	5
NAYS:	None	0

(Mayor Duman, Council Member Butler Barlow and Council Member Ward were excused.)

AGENDA SPEAKERS

There are 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 a V-STOP Reduction in Domestic Violence Grant from the Virginia Department of Criminal Justice Services

Consent Agenda Item #8 – An ordinance to accept and appropriate funds from Zoobean Incorporated to provide entrepreneurial support to locally owned businesses in the City of Suffolk

Consent Agenda Item #9 – An ordinance to amend and re-ordain the adopted Fiscal Year 2020-2021 Fee Schedule for the City of Suffolk, Virginia, to defer rate increases for metered and not metered water and sewer usage and meter service charges through June 30, 2021

Consent Agenda Item #10 – A resolution authorizing the City Manager to execute the Regional Groundwater Mitigation Program Administration Memorandum of Agreement

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

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

AYES:	Vice Mayor Bennett, and Council Members	
	Fawcett, Goldberg, T. Johnson, and Williams	5
NAYS:	None	0

(Mayor Duman, Council Member Butler Barlow and Council Member Ward were excused.)

PUBLIC HEARINGS

Public Hearing – A resolution to adopt the Capital Improvements Program and Plan for Fiscal Years 2021-2022 through 2030-2031

Utilizing a PowerPoint presentation, Finance Director Tealen Hansen gave a summation of the background information as printed in the official agenda. Referring to the distributed handout, Finance Director Hansen also enumerated the following amendment to page 23 of the Capital Improvements Program and Plan for Fiscal Years 2021-2022 through 2030 -2031 – “four bay fire station/public safety center”. David Rose, Senior Vice President, Davenport and Company, the City’s financial advisors, offered supplementary information.

Hearing no speakers, the public hearing was closed.

Council Member Fawcett opined about the City’s ability to responsibly carry the debt associated with the General Obligation Bonds. Mr. Rose explained that over the years, the City has taken the necessary conservative steps to avoid reaching its debt capacity so staff is comfortable with the proposed Capital Improvements Program and Plan for Fiscal Year 2021-2022 through 2030-2031.

Council Member Fawcett, on a motion seconded by Council Member Goldberg, moved to approve the resolution, with the additional language as outlined above, by the following roll call vote:

AYES:	Vice Mayor Bennett, and Council Members	
	Fawcett, Goldberg, T. Johnson, and Williams	5
NAYS:	None	0

(Mayor Duman, Council Member Butler Barlow and Council Member Ward were excused.)

A RESOLUTION TO ADOPT THE CAPITAL IMPROVEMENTS PROGRAM AND PLAN FOR FISCAL YEARS 2021-2022 THROUGH 2030-2031

Public Hearing - An ordinance authorizing the acquisition of temporary construction easements, either by agreement or condemnation, for the Elwood Road (Rte. 613) Over Kingsale Swamp Structure #8016 Bridge Replacement Project

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

A person in attendance attempted to speak on a topic other than the item under consideration. Vice Mayor Bennett ruled the speaker out of order.

Hearing no additional speakers, the public hearing was closed.

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

AYES:	Vice Mayor Bennett, and Council Members	
	Fawcett, Goldberg, T. Johnson, and Williams	5
NAYS:	None	0

(Mayor Duman, Council Member Butler Barlow and Council Member Ward were excused.)

AN ORDINANCE AUTHORIZING THE ACQUISITION OF TEMPORARY CONSTRUCTION EASEMENTS, EITHER BY AGREEMENT OR CONDEMNATION, FOR THE ELWOOD ROAD (RTE. 613) OVER KINGSALE SWAMP STRUCTURE #8016 BRIDGE REPLACEMENT PROJECT

Public Hearing – An ordinance to grant a Conditional Use Permit to establish an adult day care center, on property located at 430 North Main Street, Zoning Map 34G11(A), Parcel 137, Account Number 352162000; CUP2020-021

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

Robretta Lewis, 430 North Main Street, representing Joanne Calvie, applicant, spoke in support of the proposed ordinance, with conditions, as presented.

Hearing no additional speakers, the public hearing was closed.

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

AYES:	Vice Mayor Bennett, and Council Members	
	Fawcett, Goldberg, T. Johnson, and Williams	5
NAYS:	None	0

(Mayor Duman, Council Member Butler Barlow and Council Member Ward were excused.)

AN ORDINANCE TO GRANT A CONDITIONAL USE PERMIT TO ESTABLISH AN ADULT DAY CARE CENTER, ON PROPERTY LOCATED AT 430 NORTH MAIN STREET, ZONING MAP 34G11(A), PARCEL 137, ACCOUNT NUMBER 352162000; CUP2020-021

Public Hearing – An ordinance to grant a Conditional Use Permit to establish a day care (family day home), 5-12 children, on property located at 409 Keaton Way, Zoning Map 25G, Parcel 4*197, Account Number 253291100; CUP2020-025

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

Deva Stith, 409 Keaton Way, applicant and property owner, spoke in support of the proposed ordinance, as presented.

Hearing no additional speakers, the public hearing was closed.

Referring to the presentation, Council Member Johnson called for information about any other day care facilities with a swimming pool in the City. Planning and Community Development Director Hainley stated that he was not aware of any such other facilities, but pools are not prohibited.

Referring to the presentation, Council Member Johnson opined about the applicant’s willingness to operate the proposed day care facility if the City requested the removal of the swimming pool. Ms. Stith replied in the negative, and she advised that she is going to install a fence around the swimming pool.

Members of City Council opined about the potential safety concerns regarding the swimming pool.

Council Member Fawcett, on a motion seconded by Council Member Johnson, moved to deny the ordinance, with conditions, as presented, by the following roll call vote:

AYES:	Vice Mayor Bennett, and Council Members	
	Fawcett, Goldberg, T. Johnson, and Williams	5
NAYS:	None	0

(Mayor Duman, Council Member Butler Barlow and Council Member Ward were excused.)

ORDINANCES

Ordinance – An Amended and Restated Ordinance to grant a conditional use permit to establish a day care, child day center, on property located at 3575 Bridge Road Suites 1 - 3, Zoning Map 12, Parcel 55*1D*1E, Account Number 306000276; CUP2020-022

Referring to the distributed handout, Interim City Manager Moor gave a summary of the background information and advised City Council that the address in the original ordinance was incorrect. He further explained that the address in distributed handout was correct, and the motion should approve the amended ordinance. City Attorney Holland advised that the title of the amended ordinance should be read. Interim City Manager Moor read the following title - an Amended and Restated Ordinance to grant a conditional use permit to establish a day care, child day center, on property located at 5645 Shoulders Hill Road, Zoning Map 12, Parcel 55*1D*1E, Account Number 306000276; CUP2020-022

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

AYES:	Vice Mayor Bennett, and Council Members	
	Fawcett, Goldberg, T. Johnson, and Williams	5
NAYS:	None	0

(Mayor Duman, Council Member Butler Barlow and Council Member Ward were excused.)

AN AMENDED AND RESTATED ORDINANCE TO GRANT A CONDITIONAL USE PERMIT TO ESTABLISH A DAY CARE, CHILD DAY CENTER, ON PROPERTY LOCATED AT 5645 SHOULDERS HILL ROAD, ZONING MAP 12, PARCEL 55*1D*1E, ACCOUNT NUMBER 306000276; CUP2020-022

Ordinance – An ordinance to amend Chapter 86, Article XI, Section 86-604 of the Code of the City of Suffolk concerning designated public streets approved for golf cart use within the Summer Creek Estates community

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

Council Member Fawcett moved to approve the ordinance as presented. The motion failed to receive a second.

Referring to the presentation, Council Member Goldberg asked if there are age and licensing restrictions to operate a golf cart and lighting requirements for golf carts. Public Works Director Hansen explained that there are restrictions regarding the operation of golf carts. He added that he was not aware of the details regarding the lighting requirements for golf carts.

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

AYES:	Vice Mayor Bennett, and Council Members	
	Fawcett, Goldberg, T. Johnson, and Williams	5
NAYS:	None	0

(Mayor Duman, Council Member Butler Barlow and Council Member Ward were excused.)

RESOLUTIONS

Resolution – A resolution in support of the Pitchkettle Place Development’s application to the Virginia Housing Development Authority for the Low-Income Housing Tax Credit program

Utilizing a PowerPoint presentation, Interim Deputy City Manager Kevin Hughes submitted an outline of the background information as printed in the official agenda.

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

Referring to the presentation, Council Member Johnson opined about the appearance of the proposed project. Interim Deputy City Manager Hughes advised that the housing will be a three story walkup and will be complimentary to the other architecture in the area.

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

AYES:	Vice Mayor Bennett, and Council Members	
	Fawcett, Goldberg, T. Johnson, and Williams	5
NAYS:	None	0

(Mayor Duman, Council Member Butler Barlow and Council Member Ward were excused.)

A RESOLUTION IN SUPPORT OF THE PITCHKETTLE PLACE DEVELOPMENT’S APPLICATION TO THE VIRGINIA HOUSING DEVELOPMENT AUTHORITY FOR THE LOW-INCOME HOUSING TAX CREDIT PROGRAM

STAFF REPORTS

There were no items under this portion of the agenda.

MOTIONS

Motion – A motion to schedule a public hearing to be held on March 3, 2021, to receive public comment on ordinances to enter into new lease agreements for Box Hangar # 7, Box Hangar #9, and a ground lease for approximately 1.75 acres adjacent to Box Hangar #9 at the Suffolk Executive Airport

Council Member Fawcett, on a motion seconded by Council Member Johnson, moved to schedule a public hearing to be held on March 3, 2021, to receive public comment on ordinances to enter into new lease agreements for Box Hangar # 7, Box Hangar #9, and a ground lease for approximately 1.75 acres adjacent to Box Hangar #9 at the Suffolk Executive Airport, by the following roll call vote:

AYES:	Vice Mayor Bennett, and Council Members	
	Fawcett, Goldberg, T. Johnson, and Williams	5
NAYS:	None	0

(Mayor Duman, Council Member Butler Barlow and Council Member Ward were excused.)

Motion – A motion to schedule a City Council Work Session, for Wednesday, March 3, 2021, at 4:00 p.m., unless cancelled

Council Member Fawcett, on a motion seconded by Council Member Goldberg, moved to schedule a City Council Work Session, for Wednesday, March 3, 2021, at 4:00 p.m., unless cancelled, by the following roll call vote:

AYES:	Vice Mayor Bennett, and Council Members	
	Fawcett, Goldberg, T. Johnson, and Williams	5
NAYS:	None	0

(Mayor Duman, Council Member Butler Barlow and Council Member Ward were excused.)

NON-AGENDA SPEAKERS

Renee Townsend, 121 Niblick Circle, was not present when called.

The following individuals opined about the implementation of a line item budget for Suffolk Public Schools:

Deborah Kliche, 121 Blessing Circle, representing self.

Miller Carey, 1002 Macarthur Circle, representing self.

Karen Hurd, 1024 Centerbrooke Lane, representing self.

NEW BUSINESS

City Clerk Dawley presented the following board and commission nomination to the respective body:
Fine Arts Commission – Susan Babiy Lawrence

Council Member Fawcett, on a motion seconded by Council Member Johnson, moved to nominate and appoint the above referenced individual to the aforementioned body, by the following roll call vote:

AYES:	Vice Mayor Bennett, and Council Members	
	Fawcett, Goldberg, T. Johnson, and Williams	5
NAYS:	None	0

(Mayor Duman, Council Member Butler Barlow and Council Member Ward were excused.)

ANNOUNCEMENTS AND COMMENTS

Utilizing a PowerPoint presentation, Media and Community Relations Assistant Director Timothy Kelley provided a report on the following: the COVID-19 Vaccination Call Center; the fourth round of Suffolk Small Business Assistance Grant Program Funds; the Virginia Department of Forestry’s burn law; and the Suffolk Mystery Authors Virtual Festival.

Council Member Williams opined about the COVID-19 vaccination event held at East End Baptist Church.

Council Member Williams opined about maintaining the current water and sewer rates.

Council Member Williams congratulated Tyron Riddick on his election as President of the Nansemond-Suffolk Branch of the NAACP.

Council Member Williams reported crumbling asphalt in the 200 block of Mineral Springs Road.

Council Member Goldberg reported flooding in the Riverview subdivision.

Council Member Fawcett opined about the COVID-19 vaccination event held at East End Baptist Church.

Council Member Fawcett opined about the COVID-19 Vaccination Call Center.

Council Member Fawcett acknowledged City Assessor Holt Butt who was in attendance and thanked Maria Skinner for serving as the Interim City Assessor.

Council Member Fawcett opined about maintaining the current water and sewer rates.

Council Member Johnson opined about maintaining the current water and sewer rates and the approved Capital Improvements Program and Plan for Fiscal Years 2021-2022 through 2030-2031.

Council Member Johnson opined about broadband in the rural areas of the City.

Council Member Johnson opined about COVID-19 vaccinations.

Council Member Johnson acknowledged the speakers who were in attendance.

Vice Mayor Bennett opined about the COVID-19 vaccination event held at East End Baptist Church.

Vice Mayor Bennett opined about the partnership between Suffolk Christian Fellowship Ministry and the Foodbank of Southeastern Virginia and the Eastern Shore.

Vice Mayor Bennett thanked Maria Skinner for serving as the Interim City Assessor.

Vice Mayor Bennett acknowledged City Treasurer Ronald Williams for his donation to the Boys and Girls Club of Southeast Virginia-Suffolk Unit.

Vice Mayor Bennett opined about maintaining the current water and sewer rates.

Council Member Goldberg, on a motion seconded by Council Member Johnson, moved to adjourn, by the following vote:

AYES:	Vice Mayor Bennett, and Council Members	
	Fawcett, Goldberg, T. Johnson, and Williams	5
NAYS:	None	0

(Mayor Duman, Council Member Butler Barlow and Council Member Ward were excused.)

There being no further business to come before City Council, the regular meeting was adjourned at 8:12 p.m.

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

Approved: _____
Michael D. Duman, Mayor

APPROVED: AUGUST 18, 2021