

Director of Media

**SUFFOLK CITY COUNCIL**  
**MEETING OF DECEMBER 2, 2015**



**WORK SESSION**

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

**REGULAR SESSION**

**Begins at 7:00 p.m.**

**SUFFOLK CITY COUNCIL  
WORK SESSION  
December 2, 2015  
6:00 p.m.  
City Council Chamber**

- 1.\* Appointments
  - 2.\* General Report for City Council
- \* Proposed Items for Closed Session

**SUFFOLK CITY COUNCIL AGENDA**  
**December 2, 2015**  
**7:00 p.m.**  
**City Council Chamber**

1. **Call to Order**
2. **Nonsectarian Invocation**
3. **Approval of the Minutes**
4. **Special Presentation – United Way**
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 funds from the Virginia Department of Motor Vehicles Animal Friendly License Plate Program for Animal Shelter Services
8. **Consent Agenda** – An ordinance to accept and appropriate funds from the Commonwealth of Virginia Department of Aviation for the Suffolk Executive Airport
9. **Public Hearings**
10. **Ordinances**
11. **Resolutions**
12. **Staff Reports**
13. **Motion** – A motion to schedule a special meeting on December 8, 2015, for the Legislative Breakfast, to be held at 8:30 a.m., at Virginia Modeling, Analysis and Simulation Center
14. **Motion** – A motion to schedule a Work Session for December 16, 2015, at 4:00 p.m., unless cancelled
15. **Non-Agenda Speakers**
16. **New Business**
17. **Announcements and Comments**
18. **Adjournment**

Regular Meeting of the Suffolk City Council was held in the City Council Chamber, 442 West Washington Street, on Wednesday, November 4, 2015, at 7:00 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 the Pledge of Allegiance to the Flag.

**FREEDOM OF INFORMATION ACT CERTIFICATION**

City Clerk Dawley presented a resolution certifying the Closed Meeting of November 4, 2015, 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 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 NOVEMBER 4, 2015, PURSUANT TO SECTION 2.2-3712 OF THE CODE OF VIRGINIA (1950), AS AMENDED**

**APPROVAL OF THE MINUTES**

Council Member Fawcett, on a motion seconded by Council Member Milteer, moved to approve the minutes from the October 21, 2015, Work Session and Regular Meeting, as presented, 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

**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 asked if any members of City Council wished to remove any items from the Consent Agenda for separate action.

Hearing no requests for removal of the item, 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 Milteer, moved to adopt the agenda as presented, 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

**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 additional funds from the United States Department of Transportation Federal Aviation Administration in support of the Airport Runway and Obstruction Removal Project at the Suffolk Executive Airport

**Consent Agenda Item #8** – An ordinance to accept and appropriate additional funds from the Virginia Department of Aviation in support of the Airport Runway and Obstruction Removal Project at the Suffolk Executive Airport

**Consent Agenda Item #9** – An ordinance to accept and appropriate funds that were collected from a surrendered performance surety for the Hillpoint Meadows Subdivision Project

**Consent Agenda Item #10** – An ordinance to authorize the transfer of funds from the Parks and Recreation Capital Maintenance account to the Canoe/Kayak Launch Construction Project for the construction of the kayak launch at Constant’s Wharf Park and Marina

**Consent Agenda Item #11** – An ordinance to accept and appropriate funds from the Virginia Department of Environmental Quality for the City of Suffolk Litter Prevention and Recycling Program

**Consent Agenda Item #12** – A resolution authorizing participation in the Virginia Department of Transportation Revenue Sharing Program for Fiscal Year 2017

Council Member Duman asked for explanations of Consent Agenda Items #10 and #12 - an ordinance to authorize the transfer of funds from the Parks and Recreation Capital Maintenance account to the Canoe/Kayak Launch Construction Project for the construction of the kayak launch at Constant’s Wharf Park and Marina and a resolution authorizing participation in the Virginia Department of Transportation Revenue Sharing Program for Fiscal Year 2017.

Council Member Milteer requested information on Consent Agenda Item #7 – an ordinance to accept and appropriate additional funds from the United States Department of Transportation Federal Aviation Administration in support of the Airport Runway and Obstruction Removal Project at the Suffolk Executive Airport.

Mayor Johnson asked for a report on Consent Agenda Item #9 - an ordinance to accept and appropriate funds that were collected from a surrendered performance surety for the Hillpoint Meadows Subdivision Project.

Referring to Consent Agenda Items #7, #9, #10 and #12 City Manager Roberts gave reports on the background information as printed in the official agenda.

Council Member Fawcett, on a motion seconded by Council Member Milteer, moved to approve the Consent Agenda, as presented, 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

**PUBLIC HEARINGS**

There were no items under this portion of the agenda.

**ORDINANCES**

There were no items under this portion of the agenda.

**RESOLUTIONS**

There were no items under this portion of the agenda.

**STAFF REPORTS**

**Staff Report – Zoning Regulations Pertaining to Gardens**

Utilizing a PowerPoint presentation, Acting Planning and Community Development Director Robert Goumas provided a report on the above referenced item.

Referring to the presentation, Mayor Johnson asked whether it is currently permissible to garden on a vacant adjacent lot in a residential area if the same person owns both of the lots. Acting Planning and Community Development Director Goumas said that practice is generally allowable.

Referring to the presentation, Council Member Duman requested information on allowances for community gardens. Acting Planning and Community Development Director Goumas said that the Unified Development Ordinance addresses all gardens in the same manner, and there are no current specific provisions addressing community gardens.

Referring to the presentation, Council Member Duman asked if the current restrictions applied to all residential areas. Acting Planning and Community Development Director Goumas said that a primary use must first be established to allow gardens, which are considered an accessory use.

Council Member Duman, on a motion seconded by Council Member Johnson, moved to refer the matter of gardens on vacant lots in residential areas to the Planning Commission’s Committee on Ordinances for review and recommendation, 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

**MOTIONS**

**Motion** – A motion to schedule a Work Session for November 18, 2015, at 4:00 p.m., unless cancelled

Council Member Fawcett, on motion seconded by Council Member Milteer, moved to schedule a Work Session for November 18, 2015, at 4:00 p.m. unless cancelled, 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

**NON-AGENDA SPEAKERS**

Wanda Morgan, 706 Ashley Avenue, was not present when called.

Daniel Strum, 9131 River Crescent, representing self, supported gardening on vacant lots in residential areas.

**NEW BUSINESS**

There were no items under this portion of the agenda.

## **ANNOUNCEMENTS AND COMMENTS**

Utilizing PowerPoint and video presentations, Media and Community Relations Manager Tim Kelley reported on the following: ribbon cutting for the Department of Motor Vehicles, Edward Jones, Maya Couture on Main, the Chop Shop, Beauty-N-We, Oasis Café Lounge and First Team Subaru; Fire Chief Cedric Scott's receipt of the Certified Public Manager® Degree from Arizona State University; the recognition of Tameka Williams, Parks and Recreation Department, for saving the life of a resident; the City's receipt of the Excellence in Development Design Award for Best Institutional/Public Building from the Hampton Roads Association for Commercial Real Estate; the City's receipt of the Health Champion Designation from the American Diabetes Association; the City Council retreat; Suffolk Restaurant Week; the Suffolk Police Department Recruitment Open House; upcoming Suffolk Humane Society adopt-a-thons; America Recycles Day Plastic Bag Recycling Drive; the R(e)stored Downtown Pop-Up Shop Initiative; the Grand Illumination of Market Park; Parks and Recreation Master Plan community information meetings; and the City's observance of Veteran's Day.

Council Member Johnson acknowledged General Registrar Susan Saunders and all volunteers for their assistance on Election Day.

Council Member Johnson congratulated Commissioner of the Revenue Susan Draper on her election.

Council Member Johnson reported he attended the Habitat for Humanity of South Hampton Roads Lake Kennedy Residential Infill Initiative.

Council Member Johnson recognized Suffolk Public Schools on improved accreditation scores.

Council Member Milteer announced he attend the Habitat for Humanity of South Hampton Roads Lake Kennedy Residential Infill Initiative.

Council Member Fawcett reported he attended the following: the Hampton Roads Chamber of Commerce Annual Legislative Reception; the Habitat for Humanity of South Hampton Roads Lake Kennedy Residential Infill Initiative; the Suffolk Youth Athletic Association Soccer Center Building Grand Opening; Oath of Office Ceremony for City Manager Roberts; State of the Schools and Department of Motor Vehicles Ribbon Cutting.

Council Member Fawcett acknowledged General Registrar Saunders for her efforts on Election Day.

Council Member Fawcett announced he attended Home-a-rama.

Council Member Fawcett congratulated Fire Chief Scott on his receipt of the Certified Public Manager® Degree from Arizona State University.

Council Member Fawcett recognized Tameka Williams, Parks and Recreation Department, for saving the life of a resident.

Council Fawcett acknowledged the City's receipt of the Excellence in Development Design Award for Best Institutional/Public Building from the Hampton Roads Association for Commercial Real Estate

Council Member Fawcett opined about Restaurant Week and Veterans Day.

Council Member Goldberg opined about capital needs in the Hollywood Jericho area.

Council Member Goldberg reported he attended the ribbon cuttings for Edwards Jones and the Department of Motor Vehicles and went to the Downtown Block Party and the Suffolk Youth Athletic Association Soccer Center Building Grand Opening.

Council Member Goldberg congratulated Commissioner of the Revenue Draper on her election.

Council Member Goldberg acknowledged Morgan Lowers, who won \$25,000 on the Ellen Show.

Council Member Ward congratulated Fire Chief Scott on his receipt of the Certified Public Manager® Degree from Arizona State University.

Council Member Ward reported he attended the following: the L.D. Britt Scholarship Fund Banquet; Pughsville Civic League meeting; State of the Schools and the ribbon cuttings for the Department of Motor Vehicles and First Team Subaru.

Council Member Ward congratulated City Manager Roberts on his Oath of Office Ceremony.

Council Member Ward advised he attended a meeting of the Burbage Grant Home Owners Association.

Council Member Duman announced he attended the following: the Suffolk Youth Athletic Association Soccer Center Building Grand Opening; Chuckatuck Founders Day; Oath of Office Ceremony for City Manager Roberts; State of the Schools and ribbon cutting for the Department of Motor Vehicles.

Council Member Duman opined about the ribbon cutting for First Team Subaru.

Council Member Duman advised he would be attending a Toastmasters event.

Vice Mayor Bennett thanked Public Works Department for the quiet zones at railroad crossings on Nansemond Parkway and Wilroy Road.

Vice Mayor Bennett reported he attended the Habitat for Humanity of South Hampton Roads Lake Kennedy Residential Infill Initiative.

Vice Mayor Bennett congratulated Fire Chief Scott on his receipt of the Certified Public Manager® Degree from Arizona State University.

Vice Mayor Bennett recognized Tameka Williams, Parks and Recreation Department, for saving the life of a resident.

Vice Mayor Bennett opined about Restaurant Week.

Vice Mayor Bennett announced he attend the L.D. Britt Scholarship Fund Banquet and the ribbon cutting for Edward Jones.

Mayor Johnson congratulated all members of the General Assembly who were re-elected and Commissioner of the Revenue Draper on her election.

Mayor Johnson advised she attended the Habitat for Humanity of South Hampton Roads Lake Kennedy Residential Infill Initiative.

Mayor Johnson congratulated Fire Chief Scott on his receipt of the Certified Public Manager® Degree from Arizona State University.

Mayor Johnson opined about the upcoming City Council retreat.

Council Member Fawcett, on a motion seconded by Council Member Duman, 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 7:50 p.m.

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

Approved: \_\_\_\_\_  
Linda T. Johnson, Mayor



**AGENDA: December 2, 2015, Regular Session**

**ITEM: Special Presentation - United Way**

Relationship Manager Alyssa Lester, of Western Tidewater United Way of South Hampton Roads, will present a certificate of appreciation, to the City of Suffolk, for its 2015 campaign efforts.

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

# **Agenda Speakers**

**AGENDA: December 2, 2015, Regular Session**

**ITEM: Consent Agenda** – An ordinance to accept and appropriate funds from the Virginia Department of Motor Vehicles Animal Friendly License Plate Program for Animal Shelter Services

The City has received \$1,380 in funding from the Virginia Department of Motor Vehicles Animal Friendly License Plate Program. This program provides funding support to localities for the sterilization of dogs and cats from proceeds generated by the purchase of animal friendly license plates.

Adoption of the attached ordinance is necessary to accept and appropriate these funds to the appropriate line item in the Consolidated Grants Fund budget for Fiscal Year 2015-16.

**BUDGET IMPACT:**

Adoption of the ordinance will increase the planned revenues and expenditures of the Consolidated Grants Fund Budget by \$1,380 for the above noted purpose and requires no local fund support.

**RECOMMENDATION:**

Adopt the attached ordinance

**ATTACHMENTS:**

Ordinance  
Award Letter

ORDINANCE NUMBER \_\_\_\_\_

**AN ORDINANCE TO ACCEPT AND APPROPRIATE FUNDS FROM THE VIRGINIA DEPARTMENT OF MOTOR VEHICLES ANIMAL FRIENDLY LICENSE PLATE PROGRAM FOR ANIMAL SHELTER SERVICES**

WHEREAS, the City has received funds in the amount of \$1,380 from the Virginia Department of Motor Vehicles Animal Friendly License Plate Program; and,

WHEREAS, the funds received need to be accepted and appropriated to the Consolidated Grants Fund Budget for Fiscal Year 2015-16 to assist in the sterilization of dog and cats.

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

1. The sum of \$1,380 shall be reflected as budget in the following accounts in the Fiscal Year 2015-16 Consolidated Grants Fund Budget:

<u>Revenue</u>		
211-35100-1632_424040	AnimalspaySDMV;6/16	<u>\$1,380</u>
<u>Expenditure</u>		
211-35100-1632_53100	AnimalspaySDMV;6/16 Professional Services	<u>\$1,380</u>

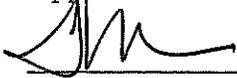
2. The fund amount totaling \$1,380 is hereby appropriated for use as referenced in this ordinance and the budget approved by Ordinance Number 15-O-036, as amended. The City Manager be, and is hereby authorized and directed to do all things necessary to effectuate this action.

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

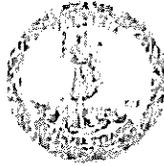
READ AND PASSED: \_\_\_\_\_

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

Approved as to Form:



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



*Record*  
*11/9/15*

COMMONWEALTH of VIRGINIA

Department of Motor Vehicles  
2300 West Broad Street

Richard D. Holcomb  
Commissioner

Post Office Box 27412  
Richmond, VA 23269-0001

November 3, 2015

City Manager  
City of Suffolk  
441 Market Street  
Suffolk, VA 23434

Dear City Manager:

The Department of Motor Vehicles sells the Animal Friendly license plate, which is authorized by Virginia Code, §46.2-749.2:7, as part of its special license plate program. This plate is issued to supporters of dog and cat sterilization programs at a cost of \$25.00 per year in addition to the prescribed fee for vehicle registration. After the first 1,000 sets of plates are sold, \$15.00 of each fee is made available to the locality in which the vehicle is registered, to be used to support sterilization programs for dogs and cats. This money is set aside in a special fund titled the Dog and Cat Sterilization Fund for distribution to localities, regardless of the amount of funds involved. For Fiscal Year 2015, DMV's records indicate that your locality is due \$1,380.00 from this Fund.

Virginia Code §46.2-749.2:7 requires each locality to certify that this money will be used to support sterilization of dogs and cats. If your locality does not have a program for this purpose, the statute provides the locality options. You may make the funds available to any private, nonprofit sterilization program for dogs and cats in your locality or decline receipt of funds. Any funds that are declined shall be distributed to other affected localities on a pro rata basis.

Attached to this letter is a form to make your choice pertaining to the amount stated above. Complete the form and return it no later than December 15, 2015, to:

Financial Management Services  
Department of Motor Vehicles  
Post Office Box 25700  
Richmond, Virginia 23260  
Attn: Angela Bartlett, Room 714  
Fax: (804) 367-6339

If the form is not received by the above date, it will be assumed that your locality is declining the funds. If you have any questions regarding the Animal Friendly Plate, the funds due your locality or about completing the Certification of Funds form FMS 225, please email DMV at [accounts payable@dmv.virginia.gov](mailto:accounts payable@dmv.virginia.gov).

With kindest regards

Sincerely,

Richard D. Holcomb

RDH:kde

Attachment

**AGENDA: December 2, 2015, Regular Session**

**ITEM: Consent Agenda** – An ordinance to accept and appropriate funds from the Commonwealth of Virginia Department of Aviation for the Suffolk Executive Airport

The City has received \$786.40 in funding from the Commonwealth of Virginia Department of Aviation in support of the Suffolk Executive Airport. The funding will be used for replacement bulbs for REIL.

Adoption of the attached ordinance is necessary to accept and appropriate these funds to the appropriate line item in the Aviation Facilities Fund for Fiscal Year 2015-16.

**BUDGET IMPACT:**

Adoption of the ordinance will increase the planned revenues and expenditures of the Aviation Facilities Fund budget by \$786.40 for the above noted purpose and requires \$196.60 in local fund support which is provided for in the FY 2015-16 Aviation Facilities Fund budget.

**RECOMMENDATION:**

Adopt the attached ordinance

**ATTACHMENTS:**

Ordinance  
Grant Agreement

ORDINANCE NUMBER \_\_\_\_\_

**AN ORDINANCE TO ACCEPT AND APPROPRIATE FUNDS FROM THE COMMONWEALTH OF VIRGINIA DEPARTMENT OF AVIATION FOR THE SUFFOLK EXECUTIVE AIRPORT**

WHEREAS, the City has received funds in the amount of \$786.40 from the Commonwealth of Virginia Department of Aviation in support of the Suffolk Executive Airport; and,

WHEREAS, the funds received need to be accepted and appropriated to the Aviation Facilities Fund budget for Fiscal Year 2015-16 for replacement bulbs for REIL at the Suffolk Executive Airport.

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

1. The sum of \$786.40 shall be reflected as budget in the following accounts in the Fiscal Year 2015-16 Aviation Facilities Fund budget:

Revenue

220_424140.110	Categorical Aid-State Airport Maintenance Funds	<u>\$786.40</u>
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Expenditure

220-150000_53300.110	Maintenance Service – State	<u>\$786.40</u>
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2. The fund amount totaling \$786.40 is hereby appropriated for use as referenced in this ordinance and the budget approved by Ordinance Number 15-O-036, 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

# Department of Aviation Commonwealth of Virginia

## Project Information Summary

**Suffolk Executive Airport**

**Project Title:** REIL Bulbs

**Program Year:** 2016

**Request Year:**

**Project Type:** Maintenance

**Project Category:** Construction

**Project Number:** MT0050-37

**Contract Number:**

**Item Number:**

**AIP Grant Number:**

**Project Status:** Granted

**Federal Priority Score:** 0

**State Priority Score:** 80

**Project Description:** Replacement bulbs for REIL

**Project Notes:** Please contact DOAV to coordinate any costs above the allocation amount before the costs are incurred. Costs incurred before DOAV approval can't be reimbursed.

Budget Summary by Budget Item:		
Budget Item	Original Budget	Current Budget
Request	\$0.00	\$983.00
Project Total:	\$0.00	\$983.00

Budget Summary by Funding Source:		
Funding Source	Original Budget	Current Budget
FAA	\$0.00	\$0.00
Local	\$0.00	\$196.60
State\AC/R Discretionary	\$0.00	\$0.00
State\AC/R Discretionary\2016	\$0.00	\$0.00
State\Air Service Development	\$0.00	\$0.00
State\Aviation Promotion	\$0.00	\$0.00
State\F&E	\$0.00	\$0.00
State\GA Discretionary	\$0.00	\$0.00
State\GA Discretionary\2016	\$0.00	\$0.00
State\Maintenance	\$0.00	\$786.40
State\Security	\$0.00	\$0.00
Project Total:	\$0.00	\$983.00

Project Miscellaneous Items:		
Miscellaneous Item	Date	Comment
VAB Remarks		
TA approved		
application received		
grant offer date		
effective date	11/10/2015	
expiration date	06/15/2016	
project closed		
process closeout		

# **Public Hearings**

# **Ordinances**

# **Resolutions**

# **Staff Reports**

**AGENDA: December 2, 2015, Regular Session**

**ITEM:** **Motion** – A motion to schedule a special meeting on December 8, 2015, for the Legislative Breakfast, to be held at 8:30 a.m., at Virginia Modeling, Analysis and Simulation Center.

## **Motion to Schedule a Work Session**

## **Non-Agenda Speakers**

# **New Business**

## **Announcements and Comments**