

Regular Meeting of the Suffolk City Council was held in the City Council Chamber, 442 West Washington Street, on Wednesday, January 5, 2022, at 6:00 p.m.

PRESENT

Council Members -
Michael D. Duman, Mayor, presiding
Leroy Bennett, Vice Mayor
Shelley Butler Barlow
Roger W. Fawcett
Donald Z. Goldberg
Timothy J. Johnson
Lue R. Ward, Jr.
LeOtis L. Williams

Erika S. Dawley, City Clerk
William E. Hutchings, Jr., City Attorney
Albert S. Moor, City Manager

ABSENT

None

CALL TO ORDER/INVOCATION/PLEDGE OF ALLEGIANCE

Mayor Duman called the meeting to order. Council Member Goldberg 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 January 5, 2022, pursuant to Section 2.2-3712 of the Code of Virginia (1950), as amended.

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

AYES:	Mayor Duman, Vice Mayor Bennett, and Council Members Butler Barlow Fawcett, Goldberg, Johnson, Ward and Williams	8
NAYS:	None	0

A RESOLUTION OF CERTIFICATION OF THE CLOSED MEETING OF JANUARY 5, 2022, 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 Goldberg, moved to approve the July 7, 2021, Work Session and Regular Meeting, as presented, by the following roll call vote:

AYES:	Mayor Duman, Vice Mayor Bennett, and Council Members Butler Barlow Fawcett, Goldberg, Johnson, Ward and Williams	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

As there were no items under the Consent Agenda, Mayor Duman advised that a motion was in order at this time to adopt the agenda, as presented.

Vice Mayor Bennett, on a motion seconded by Council Member Johnson, to adopt the agenda, as presented, by the following roll call vote:

AYES:	Mayor Duman, Vice Mayor Bennett, and Council Members Butler Barlow Fawcett, Goldberg, Johnson, Ward and Williams	8
NAYS:	None	0

AGENDA SPEAKERS

There were no speakers under this portion of the agenda.

CONSENT AGENDA

There were no speakers under this portion of the agenda.

PUBLIC HEARINGS

Public Hearing – An ordinance authorizing the acquisition of real property in fee simple and/or permanent and/or temporary easements, either by agreement or condemnation, for the Pughsville Drainage Improvements Phase II Project

Utilizing a PowerPoint presentation, Public Works Director Robert Lewis gave a summation of the background information as printed in the official agenda.

The following individuals spoke in opposition to the proposed ordinance:

Delzora Prushe, 4981 Townpoint Road, representing self.

Carolyn White, no address provided, representing the Pughsville Civic League.

Wayne White, 4216 Coltrane Avenue, representing the Pughsville Civic League.

Pamela Brandy, 5016 Pearl Street, Chesapeake, Virginia, representing the Pughsville Civic League.

Kelly Hengler, 9345 Eclipse Drive, representing the Crittenden-Eclipse-Hobson Heritage Civic League, opined about the proposed ordinance.

Jacqueline Cheeseman, 4424 Armstrong Drive, representing self, spoke in opposition to the proposed ordinance.

Hearing no additional speakers, the public hearing was closed.

Referring to the presentation, Council Member Ward sought information about the land acquisition as it relates to the project. Public Works Director Lewis stated that in order to meet the water mitigation requirements of this phase of the project, the City must obtain the two homes on a paper street that is unbuildable in that area, in accordance with all state and federal right of way acquisition regulations.

Referring to the presentation, Vice Mayor Bennett called for information about the potential impact if the proposed ordinance is denied. Public Works Director Lewis explained that should the ordinance be denied, the City would have to find the equivalent square footage to proceed and could potentially have to obtain properties that front a public City street

Referring to the presentation, Vice Mayor Bennett queried about the feasibility of adjusting the project 100 feet in order to avoid the right of way acquisition. Public Works Director Lewis replied in the negative as one day, an area paper street might become buildable.

Referring to the presentation, Council Member Goldberg asked about the timeline for the study of the project. Public Works Director Lewis reported that the study of the project started around early 2010-2011 and it has spanned three Public Works Directors.

Referring to the presentation, Council Member Goldberg opined about the water issue from Clifton Street to John Street. Public Works Director Lewis stated that matter is not an issue in this phase of the project.

Referring to the presentation, Council Member Fawcett opined about the feasibility of any alternative location the proposed stormwater retention pond in order to proceed with the second phase of the project. Public Works Director Lewis reported that this location is the only feasible course of action in order to proceed with the second phase of the project.

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

Referring to the presentation, Council Member Ward requested clarification about the funding being solely dedicated to Pughsville. Public Works Director Lewis replied in the affirmative.

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

Referring to the presentation, Council Member Williams sought information about the location of the proposed stormwater retention pond. Public Works Director Lewis said that the proposed retention pond will be located near the City of Chesapeake’s Western Branch area and the western side of Townpoint Road.

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

AYES:	Mayor Duman, Vice Mayor Bennett, and Council Members Butler Barlow Fawcett, Goldberg, Johnson, Ward and Williams	8
NAYS:	None	0

AN ORDINANCE AUTHORIZING THE ACQUISITION OF REAL PROPERTY IN FEE SIMPLE AND/OR PERMANENT AND/OR TEMPORARY EASEMENTS, EITHER BY AGREEMENT OR CONDEMNATION, FOR THE PUGHSVILLE DRAINAGE IMPROVEMENTS PHASE II PROJECT

ORDINANCES

There were no items under this portion of the agenda.

RESOLUTIONS

Resolution – A resolution authorizing the City Manager to Execute the Southside Network Authority Project Participation Agreement

Utilizing a PowerPoint presentation, Steven H. DeBerry, Executive Director and Mike Lockaby, Guynn, Waddell, Carroll and Lockaby, P.C., Attorney, representing the Southside Network Authority, submitted a report on the background information as printed in the official agenda.

Mayor Duman called for information about the funding for each member locality. Mr. Lockaby advised that there are eight member localities that are contributing \$2,000,000 each.

Mayor Duman opined about any potential operational costs that might not be addressed by the anticipated revenue. Mr. Lockaby stated that scenario might be possible.

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

AYES:	Mayor Duman, Vice Mayor Bennett, and Council Members Butler Barlow Fawcett, Goldberg, Johnson, Ward and Williams	8
NAYS:	None	0

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE SOUTHSIDE NETWORK AUTHORITY PROJECT PARTICIPATION AGREEMENT

Resolution – A resolution establishing the Comprehensive Plan Steering Committee

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

Referring to the presentation, Council Member Fawcett inquired about the feasibility of members of City Council offering input regarding the membership for the proposed committee. City Manager Moor replied in the affirmative.

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 Duman, Vice Mayor Bennett, and Council Members Butler Barlow Fawcett, Goldberg, Johnson, Ward and Williams	8
NAYS:	None	0

A RESOLUTION ESTABLISHING THE COMPREHENSIVE PLAN STEERING COMMITTEE

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, January 19, 2022, at 4:00 p.m., unless cancelled

Council Member Fawcett, on a motion seconded by Council Member Johnson, moved to schedule a City Council Work Session, for Wednesday, January 19, 2022, at 4:00 p.m., unless cancelled, by the following roll call vote:

AYES:	Mayor Duman, Vice Mayor Bennett, and Council Members Butler Barlow Fawcett, Goldberg, Johnson, Ward and Williams	8
NAYS:	None	0

NON-AGENDA SPEAKERS

Michele Bolton, 5311 Sports Club Run, Unit 100, representing self, opined about an issue with the builder of Harbour Links at Riverfront.

Carolyn White, 4216 Coltrane Avenue, representing the Pughsville Civic League, opined about drainage issues in Pughsville.

Pamela Brandy, 5016 Pearl Street, Chesapeake, Virginia, representing the Pughsville Civic League, opined about drainage issues in Pughsville.

Dr. Dawn Marie Brittingham, 7295 Harvest Drive, representing Suffolians for Accountability, opined about financial accountability of Suffolk Public Schools.

Johnnie Edwards, 1913 Airport Road, representing self, opined about redistricting.

Garet Watters, 105 Babbtown Road, representing self, opined about the coronavirus.

NEW BUSINESS

There were no items under this portion of the agenda.

ANNOUNCEMENTS AND COMMENTS

Utilizing a PowerPoint presentation, Media and Community Relations Assistant Director Timothy Kelley provided a report on the following: upcoming road closure for the Carolina Road Bridge Replacement Project; traffic signal upgrade for Shoulders Hill Road and Pughsville Road; upcoming railroad crossing closures on North Main Street between Prentis Street and Finney Avenue and on West Constance Road between Prentis Street and 2nd Avenue; the “Star Wars at the Center – Movie Series” the Real Estate Tax Relief Program for Senior Citizens or Disabled Persons; the City’s observance of the Martin Luther King, Jr. holiday; and the State’s vaccination website and telephone number.

Council Member Williams encouraged residents to receive their coronavirus vaccines at the Suffolk Health Department.

Council Member Williams queried about the availability of electric vehicle charging stations at City public parking lots.

Council Member Goldberg called for additional information about the concerns raised by Ms. Bolton. City Manager Moor advised that the City has contacted Dominion Power about Ms. Bolton’s concerns, and they will address this matter.

Council Member Goldberg opined about new marketing material for Riddick’s Folly.

Council Member Ward acknowledged the residents of Pughsville who were in attendance.

Council Member Butler Barlow extended her condolences to the family of the late Earl Matthews.

Council Member Butler Barlow extended her condolences to the family of the late Robert Stephens.

Council Member Butler Barlow acknowledged the residents of Pughsville who were in attendance.

Council Member Butler Barlow opined about a recent news story about failing septic systems in coastal areas.

Council Member Johnson opined about the ordinance authorizing the acquisition of real property in fee simple and/or permanent and/or temporary easements, either by agreement or condemnation, for the Pughsville Drainage Improvements Phase II Project.

Council Member Johnson acknowledged the residents of Pughsville who were in attendance.

Council Member Fawcett opined about the concerns raised by Ms. Bolton.

Council Member Fawcett acknowledged the residents of Pughsville who were in attendance.

Council Member Fawcett opined about redistricting.

Vice Mayor Bennett acknowledged the residents of Pughsville who were in attendance.

Vice Mayor Bennett opined about paper streets and drainage issues in Pughsville.

Vice Mayor Bennett opined about redistricting.

Vice Mayor Bennett encouraged residents to receive their coronavirus vaccines at East End Baptist Church.

Vice Mayor Bennett opined about the availability of the coronavirus vaccines at the Suffolk Health Department.

Vice Mayor Bennett encouraged residents to apply for the Real Estate Tax Relief Program for Senior Citizens or Disabled Persons.

Vice Mayor Bennett reported an increase of truck traffic on Nansemond Parkway.

Vice Mayor Bennett announced an upcoming community meeting in Suffolk Meadows.

Mayor Duman extended his condolences to the family of the late Earl Matthews.

Mayor Duman extended his condolences to the family of the late Robert Stephens.

Mayor Duman opined about redistricting.

Mayor Duman opined about the concerns raised by Ms. Bolton.

Mayor Duman acknowledged the residents of Pughsville who were in attendance.

Mayor Duman opined about the resolution authorizing the City Manager to Execute the Southside Network Authority Project Participation Agreement.

Mayor Duman announced the 2022 calendar distributed by the Office of the City Assessor.

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

AYES:	Mayor Duman, Vice Mayor Bennett, and Council Members Butler Barlow Fawcett, Goldberg, Johnson, Ward and Williams	8
NAYS:	None	0

There being no further business to come before City Council, the regular meeting was adjourned at 9:08 p.m.

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

Approved: _____
Michael D. Duman, Mayor

APPROVED: JULY 6, 2022