

Regular Meeting of the Suffolk City Council was held in the City Council Chamber, 442 West Washington Street, on Wednesday, January 15, 2020, at 7:00 p.m.

PRESENT

Council Members -

Leroy Bennett, Vice Mayor, presiding

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

Linda T. Johnson, Mayor (excused)

CALL TO ORDER/INVOCATION/PLEDGE OF ALLEGIANCE

Vice Mayor Bennett called the meeting to order and led a moment of silence and the Pledge of Allegiance.

Vice Mayor Bennett announced that Mayor Johnson was excused from tonight’s proceedings.

APPROVAL OF THE MINUTES

Council Member Goldberg, on a motion seconded by Council Member Fawcett, moved to approve the minutes from the November 20, 2019, Regular Session, as presented, by the following vote:

AYES:	Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	7
NAYS:	None (Mayor Johnson was excused.)	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

Vice Mayor Bennett asked City Manager Roberts to present the following item for addition to tonight’s agenda. City Manager Roberts stated that a motion was in order to amend the agenda to add the following item: a resolution amending Resolution Number 19-R-046 entitled reaffirming the City of Suffolk’s commitment to the Constitutions of the United States and the Commonwealth of Virginia.

Council Member Fawcett, on a motion seconded by Council Member Duman, to amend the agenda to add the aforementioned resolution for consideration and adopt the remainder of the agenda, as presented, by the following vote:

AYES:	Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	7
NAYS:	None (Mayor Johnson was excused.)	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 Emergency Management for the Suffolk Department of Fire and Rescue

Consent Agenda Item #8 - An ordinance to accept and appropriate funds from the Obici Healthcare Foundation in support of the Economic Development Tourism Division

Consent Agenda Item #9 - An ordinance to accept and appropriate additional funds from the Virginia Department of Criminal Justice Services for the Fifth Judicial District Community Corrections Program

Consent Agenda Item #10 - An ordinance to accept and appropriate funds from the Suffolk Foundation for the Suffolk Public Library

Consent Agenda Item #11 - An ordinance to accept and appropriate funds from Walmart for the Suffolk Public Library

Consent Agenda #12 - A resolution confirming the appointment of Janey Culpepper as Deputy City Assessor

Referring to Consent Agenda Items #7 through #12 City Manager Roberts 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 vote:

AYES:	Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	7
NAYS:	None (Mayor Johnson was excused.)	0

Referring to the distributed handout, City Clerk Dawley presented the following item: a resolution amending Resolution Number 19-R-046 entitled reaffirming the City of Suffolk’s commitment to the Constitutions of the United States and the Commonwealth of Virginia.

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

AYES:	Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	7
NAYS:	None (Mayor Johnson was excused.)	0

A RESOLUTION AMENDING RESOLUTION NUMBER 19-R-046 ENTITLED REAFFIRMING THE CITY OF SUFFOLK’S COMMITMENT TO THE CONSTITUTIONS OF THE UNITED STATES AND THE COMMONWEALTH OF VIRGINIA

PUBLIC HEARINGS

Public Hearing – A public hearing regarding 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 Intersection Improvements Project

Utilizing a PowerPoint presentation, Public Works Director Louis Hansen provided a report on the background information as printed in the official agenda.

The following individuals spoke in opposition to the proposed ordinance:

Dwight Nixon, 3637 Nansemond Parkway, Pastor, Saint Mary’s Church of God in Christ.

Trevon Boone, 3621 Nansemond Parkway, Pastor, Tabernacle Baptist Church.

Annette Ridley Bremer, 3624 Nansemond Parkway, representing self.

Edwin Owens, 1532 Wilkins Drive, representing self, opined about recycling. Vice Mayor Bennett advised Mr. Owens that this public hearing was about the above referenced item and his comments were out of order.

The following individuals spoke in opposition to the proposed ordinance:

Sherrell Harris, 102 Ashford Drive, representing self.

Kelly Randolph, 507 Kemp Landing, representing self.

Carl Hale, 2047 Indian Point Trail, representing self.

Hearing no additional speakers, the public hearing was closed.

Referring to the presentation, Council Member Goldberg sought information about the proposed route between Bennett’s Pasture Road and Nansemond Parkway, as it relates to the impact on the churches in the area. Public Works Director Hansen reported that staff hopes to move the ingress and egress to the rear of the property to mitigate the impact on the churches in the area.

Referring to the presentation, Council Member Goldberg called for clarification about additional wetlands in the back of the area near Tabernacle Baptist Church that can be used for additional parking without adverse impact on wetlands. Public Works Director Hansen explained that it is difficult to predict the potential impacts on the properties under consideration, and the City is not able to ascertain the church's options for parking.

Referring to the presentation, Council Member Duman queried about alternative options to the proposed project and the impact of the left turn lane on to Nansemond Parkway, as it relates to Nansemond River High School. Public Works Director Hansen stated that the current staff recommendation is the safest option. He added that the recommendation to move the signal to Sleepy Hole Road is based on the fact that most people entering and leaving Nansemond River High School come from the north, and no other viable options are under consideration. City Manager Roberts added that the option that has been suggested by residents would more than likely disturb some graves on Bennett's Pasture Road, and the distance is insignificant.

Referring to the presentation, Council Member Fawcett opined about the feasibility of the City assisting the two churches that would be impacted by the proposed project with their future parking needs. Public Works Director Hansen said that the City will pay the two churches for any property that is acquired for the project, but the City has not done a parking study on private land for the proposed project.

Referring to the presentation, Council Member Fawcett inquired about the ability of the two churches to expand in the future, as it relates to the proposed project. Public Works Director Hansen stated that he is unable to speculate on the churches' abilities to expand in the future.

Referring to the presentation, Council Member Fawcett solicited a comparison of the current traffic load versus the potential traffic load, as it relates to the proposed project. Public Works Director Hansen replied that there are no traffic load generation numbers, as this proposed project is not a rezoning.

Referring to the presentation, Council Member Ward asked about the amount of property at Tabernacle Baptist Church impacted by the proposed project. Public Works Director Hansen indicated that five acres of property will still remain on the parcel at Tabernacle Baptist Church, should the proposed project move forward.

Referring to the presentation, Council Member Ward opined about the development value of the property that the City would need to purchase from Tabernacle Baptist Church in comparison to the development value of the remaining property, as it relates to the proposed project. City Manager Roberts explained that when the City designs a road project, staff does not perform topographical or wetlands surveys on property that the City does not plan to acquire.

Council Member Ward called for clarification about the questions raised at the community meeting about the proposed project. Public Works Director Hansen said that most of the questions posed at the community meeting were about the potential impact on current parking, not future parking expansion options. He added that there were also questions about the impact of drainage and the proximity of the new road.

Council Member Ward queried about the timeline regarding the start of the proposed project. Public Works Director Hansen reported that the inception of the proposed project started in 2016.

Council Member Fawcett moved to continue consideration of the proposed ordinance to the February 19, 2020, City Council Meeting. The motion failed for lack of a second.

Referring to the presentation, Council Member Johnson asked about the rationale behind the proposed project’s route. Public Works Director Hansen stated that the colocation of Sportsman Boulevard is the best engineering practice the insure safety, as it relates to the proposed project. He concluded there are no other viable options, as it relates to the location or the impact on the property owners.

Council Member Fawcett, on a motion seconded by Council Member Duman, moved to continue consideration of the proposed ordinance to the February 19, 2020, City Council meeting.

Referring to the motion, City Manager Roberts asked Public Works Director Hansen if staff could be prepared to address the issues raised tonight as it relates to the proposed ordinance at the February 5, 2020, City Council meeting. Public Works Director Hansen replied in the affirmative.

Council Member Ward called on staff to meet with the pastors from the churches that are in the area of the proposed project. City Manager Roberts said that staff would meet with the pastors prior to the February 5, 2020, City Council meeting.

Council Member Fawcett, on an amended motion seconded by Council Member Duman, moved to continue consideration of the proposed ordinance to the February 5, 2020, City Council meeting, by the following vote:

AYES:	Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	7
NAYS:	None (Mayor Johnson was excused.)	0

City Council recessed at 8:28 p.m. and reconvened at 8:32 p.m.

ORDINANCES

There were no items under this portion of the agenda.

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, February 5, 2020, at 4:00 p.m., unless cancelled

Council Member Fawcett, on a motion seconded by Council Member Ward, moved to schedule a City Council Work Session for Wednesday, February 5, 2020, at 4:00 p.m., unless cancelled,

AYES:	Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	7
NAYS:	None (Mayor Johnson was excused.)	0

NON-AGENDA SPEAKERS

Council Member Johnson, on a motion seconded by Council Member Duman, moved to suspend the City Council’s Rules of Order and Procedure to grant all individuals registered to speak under the Non Agenda Speakers three minutes to address City Council, by the following vote:

AYES:	Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	7
NAYS:	None (Mayor Johnson was excused.)	0

The following individuals opined about the Second Amendment:

Brooke Corson, 300 Babbtown Road, representing self.

Wyatt Corson, 300 Babbtown Road, representing self.

Cindy Chafin, 2125 Piedmont Drive, was not present when called.

Brianne Ihlenburg, 3420 Archers Mill Road, representing self.

Kevin Ihlenburg, 3420 Archers Mills Road, representing self.

Larry Horne, 111 Springfield Terrance, was not present when called.

Gary Crossfield, 4540 Stracher Court, representing self.

Brian Ashpole, 112 Chapel Hill Court, representing self.

Karen Hurd, 1024 Centerbrooke Lane, F-180, representing self.

Scott Chafin, 2125 Piedmont Drive, was not present when called.

Rick Lampkin, 3015 Kempton Park Road, representing self.

Troy Jean 6625 Crittenden Road, representing self.

Todd Criner, 124 Beechwood Drive, was not present when called.

Miller Cary, 1002 Macarthur Drive, representing self.

Travis McKinney, 2804 Lake Cahoon Road, representing self.

Doug Long, 104 Springfield Terrace, was not present called.

Wesley Gross, 201 Benton Road, representing self.

Leslie Jacobs, 2123 Brians Lane, was not present when called.

William Turner, 1541 Lake Speight Drive, representing self.

Garrett Stoll, 7801 Quaker Drive, representing self.

Tom Palmer, 304 Linden Avenue, representing self.

Ron Tominich, 130 Holloway Drive, Smithfield, Virginia, was not present when called.

William Davis, 3505 Lingfield Cove, representing self.

Janet McKinney, 2804 Lake Cahoon Road, representing self.

Garrett Staats, 3816 Deer Path Road, was not present when called.

Mark Ashley, 2225 Shipyard Road, Chesapeake, Virginia, was not present when called.

Scott Coombe, 207 John Deere Street, representing self.

Sanny Cogliandro, 1882 White Marsh Road, was not present when called.

Norman Ashburn, 1309 Freeman Mill Road, was not present when called.

Rick Ashburn, 4100 Dock Landing Road, Chesapeake, Virginia, was not present when called.

Robert Grimes, 1403 Planters Drive, was not present when called.

Jason Woolridge, 4580 Desert Road, representing self.

Christopher Watkins, 6029 Vineyard Lane, representing self.

Mathias Adams, 500 Oak Grove Court, representing self.

Michael Garrison, 5972 Indian Trail, representing self.

Penny Harcum, 5774 Greenwood Road, was not present when called.

Teri Bauder, 8447 Pine View Road, representing self.

George Mears, 4304 Ainslie Court South, representing self.

Casey Ohmsen, 509 Oscar Babb Lane, representing self.

Gary Harvey, 1915 Jenkins Mill Road, was not present when called.

Kelly Hengler, 9345 Eclipse Drive, representing Crittenden-Eclipse-Hobson Heritage Civic League, opined about storm water needs.

The following individuals opined about the Second Amendment:

Shawn Howell, 117 Foxwood Road, was not present when called.

Cindy Albertson, 6212 Apple Street, was not present when called.

Jacob Murbach, 228 Great Fork Road, representing self.

Colette Cogliandro, 1882 White Marsh Road, was not present when called.

Rodney Patton, 405 Sycamore Circle, representing self.

Karl Pinto, 6990 Holy Neck Road, was not present when called.

NEW BUSINESS

City Manager Roberts presented the following item for City Council’s consideration: a motion to schedule a joint work session with the Suffolk School Board for Wednesday, February 5, 2020, at 4:00 p.m., unless cancelled.

Council Member Goldberg, a motion seconded by Council Member Fawcett, moved to schedule a joint Work Session with the Suffolk School Board for Wednesday, February 5, 2020, at 4:00 p.m., unless cancelled, by the following vote:

AYES:	Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	7
NAYS:	None (Mayor Johnson was excused.)	0

ANNOUNCEMENTS AND COMMENTS

Utilizing a PowerPoint presentation, Media and Community Relations Assistant Director Timothy Kelley reported on the following: the Finance Department’s receipt of the Distinguished Budget Presentation Award from the Government Finance Officers Association; the Suffolk Public Library’s receipt of the Walmart Foundation Local Community Grant; the Hampton Roads Recruit Fire Academy Class Sixteen Graduation; and the City’s observance of Lee-Jackson Day and Martin Luther King, Jr. Day holidays.

Council Member Fawcett announced he attended the Suffolk Sheriff’s Department Promotional Ceremony.

Council Member Fawcett acknowledged the following: the Finance Department’s receipt of the Distinguished Budget Presentation Award from the Government Finance Officers Association and the Suffolk Public Library’s receipt of the Walmart Foundation Local Community Grant.

Council Member Milteer acknowledged the speakers who were in attendance.

Council Member Duman acknowledged the speakers who were in attendance.

Council Member Duman opined about the Suffolk Humane Society Fundraiser.

Council Member Ward acknowledged the speakers who were in attendance.

Council Member Johnson thanked City Manager Roberts for the extension of the City’s recycling program.

Council Member Johnson opined about the funds from the Obici Healthcare Foundation in support of the City’s Farmers Market.

Council Member Johnson acknowledged the Suffolk Police Department’s ranking in the Old Dominion University survey regarding satisfaction with public safety.

Council Member Johnson acknowledged the new Deputy City Assessor Janey Culpepper.

Council Member Johnson acknowledged the speakers who were in attendance.

Vice Mayor Bennett acknowledged the speakers who were in attendance.

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

AYES:	Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	7
NAYS:	None (Mayor Johnson was excused.)	0

There being no further business to come before City Council, the regular meeting was adjourned at 9:57 p.m.

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

Approved: _____
Leroy Bennett, Vice Mayor

APPROVED: JUNE 3, 2020