

Regular Meeting of the Suffolk City Council was held in the City Council Chamber, 442 West Washington Street, on Wednesday, May 18, 2022, at 6:00 p.m.

PRESENT

Council Members -

Michael D. Duman, Mayor, presiding

Leroy Bennett, Vice Mayor

Shelley Butler Barlow

Roger W. Fawcett (participated electronically from 926 Vineyard Place, Unit C, Suffolk, Virginia, 23435)

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.

Mayor Duman announced that Council Member Roger Fawcett has requested to participate electronically in today’s Regular Meeting because he is unable to be present because of a medical condition.

Vice Mayor Bennett, on a motion seconded by Council Member Goldberg, moved that Council Member Roger Fawcett be approved to participate electronically in today’s Regular Meeting because he is unable to be present because of a medical condition, by the following roll call vote:

AYES:	Mayor Duman, Vice Mayor Bennett, and Council Members Butler Barlow Goldberg, Johnson, Ward and Williams	7
NAYS:	None	0

FREEDOM OF INFORMATION ACT CERTIFICATION

City Clerk Dawley presented a resolution certifying the Closed Meeting of May 18, 2022, pursuant to Section 2.2-3712 of the Code of Virginia (1950), as amended.

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

A RESOLUTION OF CERTIFICATION OF THE CLOSED MEETING OF MAY 18, 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 minutes from the November 17, 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

Special Presentation - A proclamation in recognition of “National Emergency Medical Services Week”

Mayor Duman presented the proclamation to Fire Chief Michael Barakey and Fire Lieutenant Roger Stinnette.

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

Mayor Duman announced that City Manager Moor had additional information. City Manager Moor advised that there has been requests to continue Public Hearing Item #10 to the August 17, 2022, City Council meeting and Item #12 to the June 1, 2022, City Council meeting.

Council Member Goldberg, on a motion seconded by Council Member Ward, moved to continue Public Hearing Item #10 to the August 17, 2022, City Council meeting and Item #12 to the June 1, 2022, City Council meeting and adopt the remainder of 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 items 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 Virginia Department of Transportation for Suffolk Bypass Intelligent Transportation System Improvements on the Route 58 Bypass from the City of Chesapeake limits to Holland Road

Consent Agenda Item #8 - A resolution to enter into a Blanket Resolution for fiscal years Fiscal Year 2023, Fiscal Year 2024, Fiscal Year 2025, and Fiscal Year 2026 with the Virginia Department of Transportation for various funding programs

Referring to Consent Agenda Items #7 through #8, City Manager Moor submitted a review of the background information as printed in the official agenda.

Council Member Williams, on a motion seconded by Vice Mayor Bennett, moved to approve the Consent 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

PUBLIC HEARINGS

Public Hearing - An ordinance authorizing the lease of Tract Number 3091 for the purpose of farming on certain property owned by the City of Suffolk located at Lone Star Lakes

Utilizing a PowerPoint presentation, City Manager Moor offered a summation of the background information as printed in the official agenda.

Amar Skinner came forward to speak on a different topic. Mayor Duman advised Mr. Skinner that he was registered to speak under the Non-Agenda Speaker portion of the agenda.

Hearing no additional speakers, the public hearing was closed.

Council Member Butler Barlow, 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 LEASE OF TRACT NUMBER 3091 FOR THE PURPOSE OF FARMING ON CERTAIN PROPERTY OWNED BY THE CITY OF SUFFOLK LOCATED AT LONE STAR LAKES

Public Hearing – An ordinance to grant a Conditional Use Permit to establish a surface mining operation (borrow pit), on property located at Zoning Map 9, Parcel 3, Account Number 252626000; CUP2021-013

This item was continued to the August 18, 2022, City Council meeting.

Public Hearing – An ordinance to grant a Conditional Use Permit to restore a nonconforming structure to an extent of greater than 50% of its replacement cost, on property located at 315 Boat Street, Zoning Map 34G23(A), Parcel 138; Account Number 353457000; CUP2022-004

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

Hearing no speakers, the public hearing was closed.

Referring to the presentation, Council Member Goldberg queried about the submission of plans for construction of the structure. Interim Planning and Community Development Director Wyne replied in the affirmative.

Referring to the presentation, Council Member Goldberg opined about any historical design guidelines of the structure. Interim Planning and Community Development Director Wyne advised that the structure is not in the historical district, therefore, it is not impacted by the historical design guidelines.

Council Member Goldberg, on a motion seconded by Council Williams, moved to approve the ordinance, with conditions, 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 TO GRANT A CONDITIONAL USE PERMIT TO RESTORE A NONCONFORMING STRUCTURE TO AN EXTENT OF GREATER THAN 50% OF ITS REPLACEMENT COST, ON PROPERTY LOCATED AT 315 BOAT STREET, ZONING MAP 34G23(A), PARCEL 138; ACCOUNT NUMBER 353457000; CUP2022-004

ORDINANCES

Ordinance – An ordinance to rezone and amend the official zoning map of the City of Suffolk in order to amend the previously approved proffered conditions, for the Bennett’s Creek Quarter Development, Zoning Map 12, Parcels 32*1, 32*2, 32*3, 32*4, and 32*CH*1, Account Numbers 306004377, 306004378, 306004379, 306004380, and 306004381; RZN2022-004 (Conditional)

This item was continued to the June 1, 2022, City Council meeting.

RESOLUTIONS

There were no items under this portion of the agenda.

STAFF REPORTS**Staff Report – Residential Development Overview: Infill Development**

Utilizing a PowerPoint presentation, Interim Planning and Community Development Director Wyne provided a review of the above referenced item. Public Works Director Robert Lewis gave supplementary information.

Referring to the presentation, Council Member Butler Barlow inquired about inclusion of language in the Unified Development Ordinance about drainage and infill development. Public Works Director Lewis replied in the affirmative.

Referring to the presentation, Council Member Johnson queried about the feasibility of amending the City Code to prohibit adverse impacts on existing housing with the construction of infill development. Public Works Director Lewis said that City staff is considering that matter but no action has been taken yet. He added that federal and state regulations overrule all local regulations, which makes this matter more complex.

Referring to the presentation, Council Member Ward asked queried about the feasibility of amending the City Code to prohibit adverse impacts on existing housing with the construction of infill development. Public Works Director Lewis reported that City staff is considering that matter but no action has been taken yet. He added that federal and state regulations overrule all local regulations, which makes this matter more complex.

Council Member Ward called for information about the number of stop orders that are issued. Public Works Director Lewis replied that number varies based on the activity in the City.

Council Member Ward opined about the City's ability to be more aggressive in its issuance of stop work orders. Public Works Director Lewis explained that the City must comply with all State Code requirements in order to issue stop orders.

Vice Mayor Bennett solicited information about the enforcement of the City's setback requirement. Interim Planning and Community Development Director Wyne advised that the enforcement of the City's setback requirement is at the discretion of the Zoning Administrator, and the character of the neighborhood is taken into consideration.

Vice Mayor Bennett inquired about the dissemination of wetlands requirements to developers when they seek permits for infill development. Interim Planning and Community Development Director Wyne indicated that the City provides information about the wetlands requirements to developers when they seek permits for infill development.

Staff Report – Downtown Wayfinding Project Overview

Utilizing a PowerPoint presentation, Business Development Director Deanna Holt supplied a synopsis of the aforementioned matter.

Council Member Williams called for information about the installation of light poles with decorative lighting on Liberty Street and County Street. Deputy City Manager Kevin Hughes reported that the City had recent communication with Dominion Virginia Power about this matter. He added that the City will have to purchase the light poles, and Dominion Virginia Power will determine the installation timeline and be responsible for the installation.

MOTIONS

Motion - A motion to schedule a City Council Work Session, for Wednesday, June 1, 2022, at 4:00 p.m., unless cancelled

Vice Mayor Bennett, on a motion seconded by Council Member Goldberg, moved to schedule a City Council Work Session, for Wednesday, June 1, 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

Thomas Woodward, 227 North Main Street, representing self, opined about the Suffolk Police Department.

Amar Skinner, 444 North Main Street, representing self, opined about gun violence.

Carolyn White, 4216 Coltrane Avenue, representing the Pughsville Civic League, opined about concerns of Pughsville.

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

Kelly Hengler, 9345 Eclipse Drive, representing the Crittenden Eclipse Hobson Civic League, opined about the Virginia Constitution and the 2045 Comprehensive Plan.

Wallace Johnson, 2086 Nansemond Parkway, representing self, opined about the Suffolk Police Department.

NEW BUSINESS

City Clerk Dawley presented the following nomination to the respective board and commission: Community Policy and Management Team – Mary Best (parent representative).

Vice Mayor Bennett, on a motion seconded by Council Member Williams, moved to nominate and appoint the above referenced individual to the aforementioned body, 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

ANNOUNCEMENTS AND COMMENTS

Utilizing a PowerPoint presentation, Media and Community Relations Director Timothy Kelley provided a report on the following: the R.C. Dailey Excellence In Emergency Medical Services Award; the Pilot Club of Suffolk Civic Awards Night; the appointment of Kevin Wyne as the Interim Planning and Community Development Director; the ribbon cutting for Building Resilient Solutions; the “Touch a Truck” event at the North Suffolk Library; the Elwood Bridge Replacement road closure; the distribution of mosquito dunks; the 33rd Annual Clean the Bay Day; the observance of Memorial Day; and the Commonwealth’s coronavirus vaccination finder website and customer service number.

Council Member Butler Barlow thanked City Administration for the Residential Development Overview about Infill Development.

Council Member Butler Barlow encouraged residents to participate in the Comprehensive Plan Update.

Council Member Butler Barlow opined about farm equipment safety.

Council Member Johnson opined about public safety.

Council Member Fawcett acknowledged the Suffolk Fire and Rescue Department and the Suffolk Police Department.

Council Member Fawcett thanked City Administration for the Staff Reports regarding Residential Development Overview about Infill Development and Downtown Wayfinding Project Overview.

Council Member Williams opined about public safety.

Council Member Williams reported that he attended the 200 Plus Men Breakfast.

Council Member Williams called for an update on the installation of “Children At Play” signs on the Brook Avenue and Myrick Avenue.

Council Member Goldberg announced he attended the Pilot Club Civic Awards and the Suffolk Police Department’s Memorial Event.

Council Member Goldberg opined about public safety.

Council Member Ward thanked City Administration for the Staff Reports regarding Residential Development Overview about Infill Development and Downtown Wayfinding Project Overview.

Council Member Ward announced that that he attended the 200 Plus Men Breakfast.

Council Member Ward opined about public safety.

Vice Mayor Bennett thanked the Suffolk Police Department for their effort to address citizen concerns.

Vice Mayor Bennett reported overgrown grass and inoperable vehicles in the East Suffolk Gardens.

Vice Mayor Bennett opined about the paving on Nansemond Parkway and the sidewalks on Portsmouth Boulevard.

Vice Mayor Bennett announced that he attended the 200 Plus Men Breakfast.

Vice Mayor Bennett opined about public safety.

Vice Mayor Bennett reported that he attended the Suffolk Police Department’s Police Memorial Event.

Vice Mayor Bennett opined about renaming the Health and Human Services Building to the Dr. L.D. Britt Building.

Mayor Duman announced that he attended the following events: the National Day of Prayer Breakfast; the Hampton Roads Chamber of Commerce Small Business of the Year Award Lunch; the Sentara Obici Hospital “Nurses Month” proclamation presentation; and the Mayors and Chief Executive Officers Forum.

Mayor Duman opined about public safety.

Mayor Duman reported he attended the following events: the Building Reliance Solution ribbon cutting; the Pilot Club Civic Awards Night and the Center for Veterinary Excellence 10th Anniversary.

Mayor Duman congratulated Fire Chief Michael Barakey on the Suffolk Fire and Rescue Department’s receipt of the R.C. Dailey Excellence In Emergency Medical Services Award.

Mayor Duman opined about the Comprehensive Plan Update.

Mayor Duman sought information about the Suffolk Police Department’s efforts to address public safety. Police Chief Alfred Chandler submitted information about the department’s effort regarding enhanced public safety efforts.

Council Member Williams, on a motion seconded by Council Member Johnson, moved to adjourn, 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

There being no further business to come before City Council, the regular meeting was adjourned at 8:57 p.m.

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

Approved: _____
Michael D. Duman, Mayor