City of Norfolk

Inter Department Correspondence Sheet

TO: Members of Council

FROM: City Clerk

COPIES TO:

SUBJECT: Minutes of City Council Meeting

February 27, 2015

Attached are the minutes from the City Council meeting held on February 24, 2015.

R. Breckenridge Daughtrey

NORFOLK, VIRGINIA

REGULAR SESSION OF COUNCIL

TUESDAY, FEBRUARY 24, 2015

President Fraim called the meeting to order with the following members present: Ms. Johnson, Mr. Protogyrou, Mr. Riddick, Mr. Smigiel, Dr. Whibley, Ms. Williams, and Mr. Winn.

President Fraim called for a closed Session.

CLOSED SESSION

Motion for closed session was approved for purposes which are set out in **Clause (s) 1 of subsection (A) of Section 2.2-3711** of **the Virginia Freedom of Information Act**, as amended:

(1) Discussion of candidates for appointment to city boards, commissions and authorities.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn and Fraim.

No: None.

COUNCIL INTERESTS

1. Councilman Riddick a) regarding parking around First Baptist Church on Bute Street, if someone isn't parked in an emergency zone or a fire hydrant and if they are a couple of feet beyond a sign that says no parking then I don't believe they should be ticketed. Also asked for leniency towards our guests during the MEAC and let them off with a warning instead of ticketing; b) regarding predatory towing, he stated that the city should let towing companies know that we are not going to allow predatory towing and during the MEAC if guests to the city are not illegally parked in handicapped zones, fire zones or things of that nature then they should not be towed; c) commented about the operation of the downtown tunnel and whether they will be open or closed during the MEAC Tournament, which may impact guests coming to attend the tournament; and d) stated that he is concerned about the $1.6 million that was lost and that he does not have a great understanding of it and asked that Dr. King come in and talk to Council about it.

2. Councilman Winn a) provided the Manager with written concerns; b) commented about the new traffic signal that was installed between St. Paul's Boulevard and Morrisette Drive, noting that the existing fence should be extended south on St. Paul's down to where you take a left to get on the Berkeley Bridge, noting that people are standing in a two-foot section of the median trying to get across the traffic; and c) expressed concern with falling ice from the walkover between the Main Street parking and the Waterside parking garage hitting the windshield of passing vehicles.

3. Councilwoman Whibley a) concerns regarding coal dust and air pollution on the west side of Norfolk and have invited the department of DEQ to come down speak to Council about the data that they have under air quality and what they can do as far as getting an independent analysis of the quality and then Council can decide where they can best advance.

   Councilman Riddick added that they are inundated with fugitive dust on the Southside and it has been a problem for quite some time.

4. Councilwoman Johnson a) in regards to the Ruffner Middle School student who was killed, she asked citizens to provide some outreach to Ruffner Middle School for the children and administration; b) regarding pedestrian crossings at several locations, she thanked staff for taking the time to come up with a plan for the Norview Avenue and Tidewater Drive pedestrian crossing and also taking a look at the Chesapeake Boulevard and Johnstons Road crossing and the Cromwell Drive and Tidewater Drive pedestrian crossing. She asked that they take a look at where the lines are drawn and that there is much provided turning for handicapped individuals.

5. Vice Mayor Williams expressed concern with city employees driving city vehicles and big trucks in inclement weather should slow down and also be aware of their cell phone use while driving.

6. In regards to the $1.6 million that was lost, Councilman Smigiel asked when it comes to budget times to not penalize the children in the schools for any errors that happened at an administrative level.

2015 MEAC BASKETBALL TOURNAMENT

MEAC Commissioner Dennis Thomas provided a report to Council on this year's tournament, noting MEAC had signed an extension with the City to keep the tournament in Norfolk.

NORFOLK STATE UNIVERSITY

NSU Interim President Eddie N. Moore, Jr. reported as follows:

- The university has prepared numerous events in celebration of its 80th Anniversary.
- He noted that he was brought to NSU to, in part, oversee the completion of three years of audits and this has been accomplished successfully and the 2014 audit been has completed.
- He commented on the university's recently being placed on probation and anticipates successfully resolving this soon.
- Growing enrollment is a top priority.
- NSU has been awarded a cybersecurity grant from the U.S. Department of Energy to train students in cybersecurity.

NORFOLK CARES IMPACT CALL CENTER

David Sullivan, Chief Information Officer announced the Public Technology Institute presented this program with an award of excellence.

WINTER STORM BRIEFING

Emergency Services Director, Jim Redick, reported to council on the February 16 snow storm. He noted there were three key areas of focus: roads, sheltering and communication. Public Works was the lead agency for clearing roads; Public Works, General Services, Recreation, Parks and Open Space, Utilities, Sheriff's Work Force and GCA were responsible for snow removal for facilities: Sheltering and mass care was provided by the Norfolk Emergency Shelter Team, Salvation Army and the Union Mission.

Mr. Redick next introduced Jody Gettis of Operation Blessing's Disaster Relief Services, who provided a report on Operation Blessing's efforts in assisting the City with its emergency sheltering at Maury High School during the snow and bitter cold as well as assisting seniors at home.

NORFOLK, VIRGINIA

ACTION OF THE COUNCIL

TUESDAY, FEBRUARY 24, 2015 – 7:00 P.M.

Prayer offered by Vice Mayor Angelia Williams, followed by the Pledge of Allegiance.

The following members were present: Ms. Johnson, Mr. Protogyrou, Mr. Riddick, Mr. Smigiel, Dr. Whibley, Mr. Winn, Ms. Williams and Mr. Fraim.

President Fraim moved to dispense with the reading of the minutes of the previous meeting.

Motion adopted.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn and Fraim.

No: None.

CERTIFICATION OF CLOSED MEETING

A Resolution entitled, "A Resolution certifying a closed meeting of the Council of the City of Norfolk in accordance with the provisions of the Virginia Freedom of Information Act," was introduced in writing and read by its title.

ACTION: The Resolution as introduced was **adopted**, effective February 24, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn and Fraim.

No: None.

CEREMONIAL MATTERS

President Fraim introduced Marjorie Mayfield Jackson, Executive Director of the Elizabeth River Project. Ms. Jackson explained how the City of Norfolk has been a consistent River Star partner, including metrics such as Norfolk being awarded five 2015 Stars ranging from "Sustained Distinguished Performance for completion of a significant new effort", to the "Model Level of exceptional pollution prevention." She then acknowledged the department staff:

- **Public Works**, Norfolk Environmental Storm water Management won one of the top two awards, advancing to Three Star Model Achievement Level. (Division of Public Works, Justin Shafer and Fleta Jackson; David Ricks, Department Director).

- **Planning & Community Development Department**, awarded Sustained Distinguished Performance for completing comprehensive shoreline restoration on the Lafayette River's Colley Bay (Kevin DuBois, Norfolk Environmental Commission Director, and George Homewood, Department Director).

- **Utilities Department**, awarded Sustained Distinguished Performance for energy savings and reducing unaccounted water loss (Alicia Connelly – Utilities Water Quality Manager, Kristen Lentz PE, Department Director).

- **Virginia Zoo**, awarded Sustained Distinguished Performance for its program to add 75 oyster reef balls to its shorelines and 600 new wetland plants to the Zoo's floating wetland islands (Brian Francis – Curator of Horticulture, Greg Bockheim, Department Director).

- **RPOS**, Celebrate Trees, awarded Sustained Distinguished Performance for planting new Living Legacy Groves to help reach 40 percent tree canopy (Tree Commission Chair – Ken Danser and RPOS – Michael Nentwich, Urban Forester, and Darrell Crittenden, Department Director).

PUBLIC HEARINGS

PH-1 **PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **Virginia United Methodist Homes – Lydia H. Roper Home,** for a change of zoning from **R-8 (Single-Family) to Conditional R-11 (Moderate Density Multi-Family)** on properties fronting 270 feet, more or less, along the southern line of **East 40th Street** and 139 feet, more or less, along the western line of **Columbus Avenue**; premises numbered **113-127 East 40th Street**.

Thereupon, an Ordinance entitled, "An Ordinance to rezone properties located at **113 to 127 East 40th Street from R-8 (Single-Family Residential) District** to **Conditional R-11 (Multi-Family Residential) District**," was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 24, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn and Fraim.

No: None.

PH-2 **PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **COLLINS RECAP V,** for a text amendment to the City's ***Zoning Ordinance*** to amend **Section 27-30**, "**Watermark Residential Planned Development**" (**PD-R WM) District** in order to modify the site layout and allow additional land uses.

Martin Thomas, 7400 Colony Point Road, spoke in support to this matter.

Thereupon, an Ordinance entitled, "An Ordinance to amend **Section 27-30** of the ***Zoning Ordinance*** of the **City of Norfolk, 1992**, **SO AS TO** revise the plan of development for the **Watermark Residential Planned Development District (PD-R WM)**," was introduced in writing and read by its title.

Councilman Winn signed and filed a written declaration with the City Clerk declaring his interest in this matter.

ACTION: The Ordinance as introduced was **adopted**, effective February 24, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn and Fraim.

No: None.

REGULAR AGENDA

R-1 Letter from the City Manager and an Ordinance entitled, "An Ordinance accepting $20,261.60 in **Rescue Squad Assistance Grant Funds** from the **Virginia Department of Health, Office of Emergency Medical Services**, appropriating the grant funds and authorizing the expenditure of the grant funds and $20,261.60 in local matching funds for the purchase of portable **Cardiopulmonary Resuscitation (CPR)** devices for the **Department of Fire-Rescue** with total funding in the amount of $40,523.20," was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 24, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn and Fraim.

No: None.

R-2 Letter from the City Manager and an Ordinance entitled, "An Ordinance accepting a $22,000 donation to the City from the **Major League Baseball Charities, Inc.** for the **Reviving Baseball in Inner Cities Program** and appropriating and authorizing the expenditure of the funds for the program," was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 24, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn and Fraim.

No: None.

R-3 Letter from the City Manager and a Resolution entitled, "A Resolution to authorize the City Manager to work cooperatively with the **Corp of Engineers** to petition the **Virginia Department of Game and Inland Fisheries** for permission to install regulatory (**No Wake) markers** in the **Elizabeth River adjacent to 3rd and Front Streets to the Midtown Tunnel**," was introduced in writing and read by its title.

ACTION: The Resolution as introduced was **adopted**, effective February 24, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn and Fraim.

No: None.

R-4 Letter from the City Manager and an Ordinance entitled, "An Ordinance approving a **Lease** between **WTC Financial Associates, LLC, 435 East WTC, LLC** and the **City of Norfolk**, and authorizing the execution of the **Lease Agreement** on behalf of the City," was introduced in writing and read by its title.

Karen Rudd, 208 East Main Street, was present to answer questions.

ACTION: The Ordinance as introduced was **adopted**, effective February 24, 2015.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn and Fraim.

No: None.

NEW BUSINESS

1. Danny Lee Ginn, 3845 Dare Circle, commented on good government.