

NORFOLK, VIRGINIA
ACTION OF THE COUNCIL
CITY COUNCIL MEETING
TUESDAY, JANUARY 8, 2018 – 7:00 P.M.

Mayor Alexander called the meeting to order at 7:00 p.m.

Prayer offered by Pastor Jonathan Sexton, Prevail Church,
followed by the Pledge of Allegiance.

The following members were present: Mrs. Courtney R. Doyle, Mrs. Angelia Williams Graves, Mrs. Mamie B. Johnson, Mrs. Andria P. McClellan, Mr. Paul R. Riddick, Mr. Tommy R. Smigiel Jr., Mr. Martin A. Thomas Jr. and Mr. Kenneth Cooper Alexander.

Mayor Alexander moved to dispense with the reading of the minutes of the previous meeting.

Motion adopted.

Yes: Doyle, Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, and Alexander.

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 January 8, 2018.

Yes: Doyle, Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, and Alexander.

No: None.

PH-1

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments on the **vacating and releasing to Lake Wright Retail Investors, LLC a Utility Easement** crossing parcel 1A as shown on the plat entitled “Subdivision Plat of Property standing in the name of Lake Wright, LLC, Deed Book 2863 at page 74, Instrument #990018134 at page 146 for Lake Wright, LLC.”

Thereupon, an Ordinance entitled, “An Ordinance **vacating and releasing to Lake Wright Retail Investors, LLC a Utility Easement** crossing parcel 1A as shown on the plat entitled “Subdivision Plat of Property standing in the name of Lake Wright, LLC, Deed Book 2863 at page 74, Instrument #990018134 at page 146 for Lake Wright, LLC,” was introduced and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 8, 2019.

Yes: Doyle, Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, and Alexander.

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, to hear comments on the **vacating and releasing to Lake Wright Properties, LLC a Utility Easement** crossing parcel 2 as shown on the plat entitled “Subdivision Plat of Property standing in the name of **Lake Wright, LLC**, Deed Book 2863 at page 74, Instrument #990018134 at page 146 for Lake Wright, LLC.”

Thereupon, an Ordinance entitled, “An Ordinance **vacating and releasing to Lake Wright Properties, LLC a Utility Easement** crossing parcel 2 as shown on the plat entitled “Subdivision Plat of Property standing in the name of **Lake Wright, LLC**, Deed Book 2863 at page 74, Instrument #990018134 at page 146 for Lake Wright, LLC,” was introduced and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 8, 2019.

Yes: Doyle, Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, and Alexander.

No: None.

CONSENT AGENDA

C-1

Letter from the City Attorney and an Ordinance entitled, An Ordinance directing the City Treasurer to issue a refund in the amount of \$97,544.90 plus interest to **Sam's East, Inc.** based upon the overpayment of its **Business License Tax** for Tax Year 2018.

ACTION: The Ordinance as introduced was **adopted**, effective January 8, 2019.

Yes: Doyle, Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, and Alexander.

No: None.

C-2

Letter from the City Manager and an Ordinance entitled, An Ordinance accepting a grant award of \$324,849 from the **Virginia Department of Behavioral Health and Developmental Services** for the **Norfolk Community Services Board** to continue the **Virginia Road2Home Project** and appropriating and authorizing the expenditure of the funds for the project when received.

ACTION: The Ordinance as introduced was **adopted**, effective January 8, 2019.

Yes: Doyle, Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, and Alexander.

No: None.

C-3

Letter from the City Manager and an Ordinance entitled, An Ordinance accepting a grant award of \$20,000 from the **Virginia Department of Behavioral Health and Developmental Services** for the **Norfolk Community Services Board** to implement the **Virginia Opioid Prevention, Treatment and Recovery Program** and appropriating and authorizing expenditure of the funds if and when received.

ACTION: The Ordinance as introduced was **adopted**, effective January 8, 2019.

Yes: Doyle, Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, and Alexander.

No: None.

C-4

Letter from the City Manager and an Ordinance entitled, An Ordinance accepting a grant award of \$204,758 from the **Virginia Department of Behavioral Health and Developmental Services** for the **Norfolk Community Services Board** to continue to provide permanent supportive housing through housing resources and rental assistance to formerly institutionalized or homeless individuals with mental illness and appropriating and authorizing the expenditure of the funds if and when received.

ACTION: The Ordinance as introduced was **adopted**, effective January 8, 2019.

Yes: Doyle, Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, and Alexander.

No: None.

C-5

Letter from the City Manager and an Ordinance entitled, An Ordinance granting **Conditional Use Permits** to authorize the operation of a convenience store with the sale of alcoholic beverages for off-premises consumption, named **“Tom’s Green Thumb,”** on property located at **1509 East Bayview Boulevard**.

Karen Holcomb, 1845 Edgewood Avenue, was present to answer questions.

ACTION: The Ordinance as introduced was **adopted**, effective January 8, 2019.

Yes: Doyle, Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, and Alexander.

No: None.

C-6

Letter from the City Manager and a Resolution entitled, A Resolution to initiate the process of vacating and re-dedicating a portion of **Bluestone Avenue**.

ACTION: The Resolution as introduced was **adopted**, effective January 8, 2019.

Yes: Doyle, Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, and Alexander.

No: None.

C-7

Letter from the City Manager and an Ordinance entitled, An Ordinance granting **Conditional Use Permits** authorizing a restaurant to operate after 11:00 p.m. and to have a drive-through facility for **“McDonald’s”** on property located at **1046 Campostella Road**.

ACTION: The Ordinance as introduced was **adopted**, effective January 8, 2019.

Yes: Doyle, Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, and Alexander.

No: None.

C-8

Letter from the City Manager and an Ordinance entitled, An Ordinance granting a **Conditional Use Permit** authorizing a moving and storage facility named **“Bearded Brothers Packing & Moving”** on property located at **4635 Kincaid Avenue**.

ACTION: The Ordinance as introduced was **adopted**, effective January 8, 2019.

Yes: Doyle, Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, and Alexander.

No: None.

REGULAR AGENDA

R-1

Matter of a letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Conditional Use Permit** to authorize the operation of a nightclub named **‘Granny’s Country Cooking’** on property located at **628 35th Street, Suite 636-A and 636-B**,” was introduced in writing and read by its title.

(CONTINUED GENERALLY AT THE MEETING OF JULY 24, 2018)

ACTION: Continued to February 26, 2019.

Yes: Doyle, Graves, Johnson, McClellan, Riddick, Smigiel, and Alexander.

No: Thomas.

R-2

Letter from the City Manager and a Resolution entitled, “A Resolution assuring the **Virginia Department of Transportation** of the **City of Norfolk’s Compliance** with **Section 24VAC30-151-720** of the **Land Use Permit Regulations** and authorizing the City Manager or his designee to execute all such **Land Use Permit Applications** and related documents on behalf of the City of Norfolk,” was introduced in writing and read by its title.

ACTION: The Resolution as introduced was **adopted**, effective January 8, 2019.

Yes: Doyle, Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, and Alexander.

No: None.

R-3

Matter of a letter from the City Manager and an Ordinance entitled, “An Ordinance accepting the bid submitted by **Extenet Systems LLC** for a **Long Term Wireless Facilities Franchise Agreement**, with a term of ten years with up to three renewal terms of five years each in the City’s right-of-way,” was introduced in writing and read by its title.

(CONTINUED AT THE MEETING OF DECEMBER 18, 2018)

ACTION: The Ordinance as introduced was **adopted**, effective February 8, 2019.

Yes: Doyle, Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, and Alexander.

No: None.

R-4

Letter from the City Attorney requesting confirmation of the appointment of **Margaret A. Kelly** as an **Assistant City Attorney I**, effective January 21, 2019.

ACTION: Appointment confirmed.

Yes: Doyle, Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, and Alexander.

No: None.

R-5

Letter from the Interim City Auditor appointing **Kim Rubin** to the position of **Deputy City Auditor**, effective January 14, 2019.

ACTION: Appointment confirmed.

Yes: Doyle, Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, and Alexander.

No: None.

NEW BUSINESS

1. Leticia Latham, 1354 Kenton Avenue, thanked Council for the traffic light, recently installed on Majestic Avenue and Princess Anne Road, and asked if the light could be dedicated. She expressed concerns about cars cutting and speeding through the neighborhood to avoid the traffic light and asked if the traffic sign on Princess Anne Road could be relocated near the traffic light as a precaution to slow the cars down and suggested maybe installing speed bumps.
2. Danny Lee Ginn, 3844 Dare Circle, complimented members of Council for being transparent.
3. Ellis James, 2021 Kenlake Place, expressed concerns about off shore drilling and thanked Council for adding concerns about opposing Seismic testing. Also, he stated that the government shutdown will affect citizens and businesses tremendously.