

NORFOLK, VIRGINIA
ACTION OF THE COUNCIL
CITY COUNCIL MEETING
TUESDAY, APRIL 23, 2019 – 7:00 P.M.

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

Prayer was offered by Dr. Vanessa A. Edwards, Pastor, Greater Emmanuel Ministries, 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 Smigiel, and Mr. Kenneth Cooper Alexander.

Mayor Alexander moved to excuse Mr. Martin Thomas Jr. from tonight's meeting.

Motion adopted.

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

No: None.

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

Motion adopted.

Yes: Doyle, Graves, Johnson, McClellan, Riddick, Smigiel, 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 April 23, 2019.

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

No: None.

CEREMONIAL MATTER

Mayor Alexander read a proclamation proclaiming the month of **May, 2019, Bike Month**, Amy Inman, Director of Transportation, accepted the Proclamation.

PUBLIC HEARING

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 **Grace Bible Church**, for (a) an Amendment to the Future Land Use Map within the City's General Plan, *Planorfolk2030*, from Commercial to Institutional and (b) for a change of zoning from C-C (Community Commercial) to Conditional IN (Institutional) on property located at **6401 Tidewater Drive**.

Grady Palmer, 999 Waterside Drive, was present to answer questions in this matter.

Thereupon, an Ordinance entitled, "An Ordinance to amend the City's General Plan, Planorfolk2030, SO AS TO change the land use designation for property located at **6401 Tidewater Drive** from Commercial to Institutional," was introduced and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective April 23, 2019.

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

No: None.

PH-1A

An Ordinance entitled, “An Ordinance to rezone properties located at **6401 to 6419 Tidewater Drive** from C-C (Community Commercial) District to Conditional IN (Institutional) District,” was introduced and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective April 23, 2019.
Yes: Doyle, Graves, Johnson, McClellan, Riddick, Smigiel, and Alexander.
No: None.

CONSENT AGENDA

C-1

Letter from the City Manager and an Ordinance entitled, An Ordinance accepting the conveyance of a Utility Easement by MPB, Inc., to the City of Norfolk, on the property located at **6203 E. Virginia Beach Boulevard** and authorizing the City Manager to accept the Deed of Easement on behalf of the City.

ACTION: The Ordinance as introduced was **adopted**, effective April 23, 2019.
Yes: Graves Johnson, McClellan, Riddick, Smigiel, and Alexander.
No: None.
Abstain: Doyle

C-2

Letter from the City Manager advising, in accordance with Chapter 33.1-40 of the *Norfolk City Code*, of a Sole Source Procurement during the month of **March 2019 for the Department of Public Works**.

ACTION: The Ordinance as introduced was **adopted**, effective April 23, 2019.
Yes: Doyle, Graves Johnson, McClellan, Riddick, Smigiel, and Alexander.
No: None.

C-3

Letter from the City Manager and an Ordinance entitled, An Ordinance accepting, appropriating and authorizing the expenditure of a Grant Award of \$92,196 from the Virginia Department of Behavioral Health and Developmental Services for the Norfolk Community Services Board to continue to implement the **Virginia Opioid Prevention, Treatment and Recovery Program** for individuals with a diagnosis of opioid use disorder who do not have financial resources to access medically assisted treatment.

ACTION: The Ordinance as introduced was **adopted**, effective April 23, 2019.

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

No: None.

C-4

Letter from the City Manager and an Ordinance entitled, An Ordinance accepting, appropriating and authorizing the expenditure of a \$50,000 **State Opioid Response (SOR) Grant Award** from the Virginia Department of Behavioral Health and Development Services for the Norfolk Community Services Board to implement effective research based prevention strategies to address opioid misuse.

ACTION: The Ordinance as introduced was **adopted**, effective April 23, 2019.

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

No: None.

C-5

Letter from the City Manager and an Ordinance entitled, An Ordinance accepting the sum of \$10,000.00 from **Norfolk Southern Foundation** and appropriating and authorizing the expenditure of the sum of \$10,000.00 **to support Norfolk Fire-Rescue.**

ACTION: The Ordinance as introduced was **adopted**, effective April 23, 2019.

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

No: None.

C-6

Letter from the City Manager and an Ordinance entitled, An Ordinance accepting \$10,000 from Norfolk Southern Foundation and appropriating and authorizing the expenditure of \$10,000 **to support the Norfolk Police Department.**

ACTION: The Ordinance as introduced was **adopted**, effective April 23, 2019.
Yes: Doyle, Graves Johnson, McClellan, Riddick, Smigiel, and Alexander.
No: None.

C-7 Letter from the City Manager and an Ordinance entitled, An Ordinance accepting with appreciation the donation to the City of a newly **constructed playground** having a value of \$69,995.00 at **Larchmont Elementary School** from the **Larchmont Elementary School Parent Teacher Association**.

ACTION: The Ordinance as introduced was **adopted**, effective April 23, 2019.
Yes: Doyle, Graves Johnson, McClellan, Riddick, Smigiel, and Alexander.
No: None.

C-8 Letter from the City Attorney and an Ordinance entitled, An Ordinance directing the City Treasurer to issue a refund in the amount of **\$28,801.47**, plus interest, to **Piedmont Hawthorne Aviation, L.L.C.** based upon the overpayment of its 2018 Business Personal Property Tax.

ACTION: The Ordinance as introduced was **adopted**, effective April 23, 2019.
Yes: Doyle, Graves Johnson, McClellan, Riddick, Smigiel, and Alexander.
No: None.

C-9 Letter from the City Attorney and an Ordinance entitled, An Ordinance directing the City Treasurer to issue a refund in the amount of **\$3,483.86**, plus interest, to **Suburban Asset Management Corp.** based upon the overpayment of its Business License Tax for the Tax Year 2015.

ACTION: The Ordinance as introduced was **adopted**, effective April 23, 2019.
Yes: Doyle, Graves Johnson, McClellan, Riddick, Smigiel, and Alexander.
No: None.

C-10 Letter from the City Manager and an Ordinance entitled, An Ordinance approving a Right of Entry Agreement permitting **Jeffrey Frizzell and Gateway Film, Inc.**, to go upon and use the property located at **800 E. City Hall Avenue** for the purpose of creating film sets and filming movie scenes.

Jeffrey Frizzell, 502 Fairfax Avenue, was present to answer questions.

ACTION: The Ordinance as introduced was **adopted**, effective April 23, 2019.
Yes: Doyle, Graves Johnson, McClellan, Riddick, Smigiel, and Alexander.
No: None.

REGULAR AGENDA

R-1

Letter from the City Manager and an Ordinance entitled, “An Ordinance authorizing the City Manager to negotiate an Agreement in substantial conformity with the terms and conditions of the attached Purchase and Sale Agreement, for the purpose of purchasing certain property known as **712 Jacob Street**, in the City of Norfolk, for the **Ohio Creek Watershed Improvement Project**, authorizing the purchase of said property, and authorizing the expenditure of a sum of up to \$80,000 for such purpose from funds heretofore appropriated,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective April 23, 2019.
Yes: Doyle, Graves Johnson, McClellan, Riddick, Smigiel, and Alexander.
No: None.

R-2

Letter from the City Attorney and a Resolution entitled, “A Resolution in support of the **Climate Action Plan** of the Mayor’s Advisory Commission on Climate Change Mitigation and Adaption,” was introduced in writing and read by its title.

Ellis James, 2021 Kenlake Place and Eileen Woll, 220 North Shore Road, spoke in favor of this matter.

ACTION: The Resolution as introduced was **adopted**, effective April 23, 2019.
Yes: Doyle, Graves Johnson, McClellan, Riddick, Smigiel, and Alexander.
No: None.

R-3

Letter from the City Manager and an Ordinance entitled, “An Ordinance approving a **Master Agreement for Regional Economic Development** by and amongst the Hampton Roads Economic Development Alliance, the Cities of Chesapeake, Franklin, Hampton, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, and Virginia Beach, and the Counties of Isle of Wight and Southampton, and authorizing the City Manager to execute the Master Agreement on behalf of the City of Norfolk,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective April 23, 2019.

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

No: None.

R-4

Letter from the City Manager and an Ordinance entitled, “An Ordinance approving a Lease Agreement between **500 East Main Street, LLC**, as Landlord, and the **City of Norfolk**, as Tenant, for the lease of office space at **500 E. Main Street** in the City of Norfolk and authorizing the City Manager to execute the Lease Agreement on behalf of the City of Norfolk,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective April 23, 2019.

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

No: None.

R-5

A Resolution entitled, “A Resolution appointing or reappointing 41 persons to 6 Boards, 4 Commissions, and 1 Authority for certain terms,” was introduced in writing and read by its title.

ACTION: The Resolution as introduced was **adopted**, effective April 23, 2019.

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

No: None.

NEW BUSINESS

- Laurie Naismith, 1609 Trouville Avenue, stated the council should look again at the budget and the money it's giving to the Slover and Nauticus.
- Janice McKee, 903 Hatton Street, commented that the Southside Community Centers need support for their summer programs for the children.
- Breatt Hicks, 4853 Kennebeck Avenue, stated the the Campostella Stem Academy need the resources it was promised when the school was designed.
- Danny Lee Ginn, 3844 Dare Circle, commented on the racism and bias amongst the council.
- Frank Earnest, 945 Banyan Drive, Virginia Beach, stated the confederate monument is a war monument and should stay in its place in the downtown square.