

NORFOLK, VIRGINIA
ACTION OF THE COUNCIL
CITY COUNCIL MEETING
TUESDAY, MAY 22, 2018 – 7:00 P.M.

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

The opening prayer was offered by Reverend Dr. David Goodpasture, Miles Memorial United Methodist Church, followed by the Pledge of Allegiance.

The following members were present: Mrs. Angelia Williams Graves, Mrs. Mamie B. Johnson, Mrs. Andria McClellan, Mr. Paul R. Riddick, Mr. Thomas Smigiel, Mr. Martin Thomas Jr., Dr. Theresa Whibley and Mr. Kenneth Alexander.

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

Motion adopted.

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

No: None.

The Mayor announced that two councilmembers (Graves and Johnson) needed to attend an off-site public hearing and must leave early, following agenda items R1-R7, and therefore, will be excused.

We will vote on Budget Ordinances, R1 – R7, then present our ceremonial matter, followed by our public hearings and remaining regular agenda items, concluding with new business.

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 May 22, 2018.

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

No: None.

CEREMONIAL MATTER

Mayor Alexander read and presented a proclamation to Colonel Jason Kelly of the Norfolk District of the U.S. Army Corps of Engineers for his involvement to reduce the risk of storm damage and beach erosion, to improve river navigation, and to restore vital environmental ecosystems in coastal cities.

PUBLIC HEARINGS

PH-1

MATTER OF A 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 **Dollar General**, for a change of zoning to modify the proffered conditions of property zoned Conditional C-C (Community Commercial) and located at **3350 Chesapeake Boulevard, 3323-3327 Kansas Avenue**, and property located on the east side of **Illinois Avenue**.

(CONTINUE TO JUNE 12, 2018)

John Parker, Project Manager of Par 5 Development Group, 2075 Juniper Lake Road, West End, North Carolina, was present to answer questions.

ACTION: Continued to June 12, 2018.

Yes: McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

Absent: Graves and Johnson.

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 **411 York Street, LLC** for a change of zoning from **HC-WF1 (West Freemason Historic and Cultural Conservation)** to **Conditional HC-WF2 (West Freemason Historic and Cultural Conservation)** on property located at **406 Bute Street** and **411 York Street**.

Jeremy McGee, 724 Graydon Avenue and Malia Paasch, 1151 Surry Crescent, were present to answer questions.

Thereupon, an Ordinance entitled, “An Ordinance to rezone property located at **406 Bute Street** from **HC-WF1 Zoning District** to **HC-WF2 Zoning District**,” was introduced and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective May 22, 2018.

Yes: McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

Absent: Graves and Johnson.

PH-3

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 issuance and sale of **Wastewater System Revenue Bonds** up to 9,000,000 by the City of Norfolk.

Thereupon, an Ordinance entitled, “An Ordinance authorizing the **issuance and sale** of **Wastewater System Revenue Bonds** by the **City of Norfolk, Virginia**,” was introduced and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective May 22, 2018.

Yes: McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

Absent: Graves and Johnson.

REGULAR AGENDA

R-1

Letter from the City Manager and an Ordinance entitled, “An Ordinance appropriating funds for operation of the city for the **Fiscal Year beginning July 1, 2018 and ending June 30, 2019**, appropriating \$826,678 from the land acquisition/revolving fund balance, appropriating **U.S. Department of Housing and Urban Development (HUD)** entitlement grants, authorizing short-term equipment financing, increasing certain fees, increasing the real estate property tax, increasing the cigarette tax, increasing the flat tax on transient lodging, providing a supplement for certain eligible retirees and regulating the payment of money from the **City Treasury**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective July 1, 2018.

Yes: Graves, Johnson, McClellan, Thomas, Whibley, and Alexander.

No: Riddick and Smigiel.

R-2

Letter from the City Manager and an Ordinance entitled, “An Ordinance approving and adopting the **Fiscal Year 2019 Compensation Plan** for officers and employees of the City, amending and reordaining the **Norfolk City Code 1979**, as amended, and approving criteria and procedures for pay supplements for certain constitutional and state officers and their employees,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective July 1, 2018.

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

No: None.

R-3

Letter from the City Manager and an Ordinance entitled, “An Ordinance approving the **Capital Improvement Plan** budget for the **Fiscal Year beginning July 1, 2018 and ending June 30, 2019**; appropriating \$112,039,271 for certain projects approved therein; authorizing an issue of bonds in the amount of \$85,510,137, of which \$1,692,409 is the reappropriation of previously authorized, but unissued, bonds; and authorizing the expenditure of \$26,529,134 in cash,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective July 1, 2018.

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

No: None.

R-4

Letter from the City Manager and an Ordinance entitled, “An Ordinance approving the **2019 Officer and Employee Health Insurance Plans**, the employer and employee contribution rates and authorizing the expenditure from the health care fund of a sum sufficient heretofore appropriated,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective May 22, 2018.

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

No: None.

R-5

Letter from the City Manager and an Ordinance entitled, “An Ordinance to amend and reordain **Sections 37-2(f), 37-61(a) and (n), and 37-75(b)** of the **Norfolk City Code, 1979, SO AS TO** address the average final compensation and the normal service retirement age of certain members of the **City’s Retirement System**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective July 1, 2018.

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

No: None.

R-6

Letter from the City Manager and an Ordinance entitled, “An Ordinance approving the **July 1, 2018 through June 30, 2019 Budget** for the **Norfolk Law Library**, authorizing the City Treasurer to make disbursements and appropriating and authorizing the expenditure of up to \$228,000.00 by the **Norfolk Law Library** from various sources including monies assessed and collected by the City as part of costs in civil court actions in accordance with the approved budget and the October 1, 1987 **Agreement** among the City, the **Norfolk Law Library** and the **Norfolk and Portsmouth Bar Association**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective July 1, 2018.

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

No: None.

R-7

Letter from the City Manager and a Resolution entitled, “A Resolution adopting a policy to govern the allocation of local revenue to **Norfolk Public Schools**,” was introduced in writing and read by its title.

ACTION: The Resolution as introduced was **adopted**, effective May 22, 2018.

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

No: None.

R-8

MATTER OF AN INVITATION TO BID scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk to accept bids for a long-term Easement with a term of forty (40) years across **City of Norfolk property located in the City of Suffolk**.

(Passed by at the meeting of May 8, 2018)

An Ordinance entitled, “An Ordinance accepting the bid submitted by Virginia Natural Gas and granting the said Company an easement for a term of forty years across City of Norfolk property located in the City of Suffolk,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective June 22, 2018.

Yes: McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

Absent: Graves and Johnson.

R-9

Letter from the City Manager and an Ordinance entitled, “An Ordinance to amend and reordain **Sections 24.205 and 24-209.2** of the **Norfolk City Code, 1979**, **SO AS TO** add the definitions of nonqualified transfer and qualified owner and to clarify when the amount of real estate taxes deferred in article become due,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective July 1, 2018.

Yes: McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

Absent: Graves and Johnson.

R-10

Letter from the City Manager and an Ordinance entitled, “An Ordinance establishing certain public areas and streets of the **City of Norfolk** as the **“Festival Area”** and setting forth the regulations applicable to such festival area for the **Norfolk Harborfest 2018** celebration,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective May 22, 2018.

Yes: McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

Absent: Graves and Johnson.

R-11

Letter from the City Manager and an Ordinance entitled, “An Ordinance closing certain **city-owned docks** to public use during the **Norfolk Harborfest 2018** celebration,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective May 22, 2018.

Yes: McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

Absent: Graves and Johnson.

R- 12

Letter from the City Manager and an Ordinance entitled, “An Ordinance to schedule the start time of the organizational City Council meeting at **11:30 a.m., Tuesday, July 3, 2018** in the Council Chamber,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective May 22, 2018.

Yes: McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

Absent: Graves and Johnson.

R-13

Letter from the City Manager and an Ordinance entitled, An Ordinance granting **Deidre M. Brown and Timothy L. Brown** permission to encroach into city-owned property located adjacent to **789 W. Ocean View Avenue** with an existing pier and walkway and approving the terms and conditions of the **License Agreement**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective May 22, 2018.

Yes: McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

Absent: Graves and Johnson.

R- 14

Letter from the City Clerk transmitting an **Abstract of Votes** cast in the **City of Norfolk** at the **General Election** held on **May 1, 2018**, pursuant to **Section 24.2-675** of the **Code of Virginia**.

ACTION: Received and filed.

Yes: McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

Absent: Graves and Johnson.

R-15

Letter from the City Manager and an Ordinance entitled, “An Ordinance to repeal one **Subsection of Section 25-654**, and to amend and reordain **Sections 25-649, 652,654 and 656 of the Norfolk City Code, 1979**, **SO AS TO** add one new right turn on red prohibition, one new one-way street, seven new stop intersections, and one new street included in the prohibition regarding trucks of one-half tone or over,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective May 22, 2018.

Yes: McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

Absent: Graves and Johnson.

R- 16

Letter from the City Manager and an Ordinance entitled, “An Ordinance to schedule a City Council meeting on **Tuesday, June 5, 2018** at **3:30 p.m.** to tour **Ward 3** by bus,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective May 22, 2018.

Yes: McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

Absent: Graves and Johnson.

NEW BUSINESS

1. Raytron White, 3149 Kimball Terrace, expressed concerns about the City’s Summer Youth Employment Program (NEL). He was told 50 jobs were being held for the children living in public housing, only to find out that six children received jobs.
2. Ellis James, 2021 Kenlake Place, expressed concerns about the comments Mr. Raytron White made. He hopes the City’s integrity is not being compromised. He stated that the City still needs to make more changes.

3. Danny Lee Ginn, 3844 Dare Circle, stated that he has a problem with the City not being more transparent, and commented on Mr. Riddick's past behaviors regarding bullying and racial behaviors.