

NORFOLK, VIRGINIA
ACTION OF THE COUNCIL
CITY COUNCIL MEETING
TUESDAY, JUNE 25, 2019 – 7:00 P.M.

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

Prayer was offered by Councilman Paul R. Riddick, 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, Mr. Martin 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 June 25, 2019.

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

No: None.

CEREMONIAL MATTER

Tidewater Builders Association Scholarship Foundation Chairman Fred Napolitano, II, presented college scholarships to four Norfolk Public School students, from Maury High School, Norview High School and Booker T. Washington High School.

Zane Hadzick, a Mitigation Planning Specialist in the Floodplain Management and Insurance Branch of the Federal Emergency Management Agency's (FEMA) Region III Office, presented the City with a CRS Plaque for its recent class advancement.

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, to hear comments approving the conveyance to the City of Norfolk by Gregory Family L.P. of a certain parcel of property located adjacent to and North of **1416 & 1424 E. Ocean View Avenue**, in exchange for the conveyance to the Gregory Family L.P. by the City of Norfolk of another certain parcel of property also adjacent to and North of **1416 & 1424 E. Ocean View Avenue**.

Thereupon, an Ordinance entitled, "An Ordinance approving the conveyance to the City of Norfolk by Gregory Family L.P. of a certain parcel of property located adjacent to and North of **1416 & 1424 E. Ocean View Avenue**, in exchange for the conveyance to the Gregory Family L.P. by the City of Norfolk of another certain parcel of property also adjacent to and North of **1416 & 1424 E. Ocean View Avenue**," was introduced and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective July 26, 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, on the application of **Amin Mohamed**, for a change of zoning from I-L (Industrial – Light) to Conditional C-C (Community – Commercial) at **1855 Church Street**.

Madeline Nero, 401 College Place, Unit; Brenda Jackson, 1812 Barre Street and Janie Chapman, P.O. Box 1701, Norfolk, were present in favor of this matter but did not wish to speak.

Thereupon, an Ordinance entitled, “An Ordinance to rezone property located at 1855 Church Street from I-L (Industrial-Light) District to Conditional C-C (Community – Commercial) District,” was introduced and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective June 25, 2019.

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

No: None.

PH-3

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 **Lisa Miller**, for a change of zoning from SF-6 (Single Family 6) to SF-10 (Single Family 10) at **5980 Curlew Drive**.

C. Raeford Eure, 901 Port Centre Parkway, Suite 5, Portsmouth, was present to answer questions on behalf of the applicant.

Thereupon, an Ordinance entitled, “An Ordinance to rezone property located at **5980 Curlew Drive** from SF-6 (Single Family 6) District to SF-10 (Single Family 10) District,” was introduced and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective June 25, 2019.

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

No: None.

PH-4

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 the **City Planning Commission**, for a zoning text amendment to section 2.4.10, “Certificate of Appropriateness” of the *Norfolk Zoning Ordinance* to amend parts of the demolition process in the Historic & Cultural Conservation Zoning Districts.

Greta Gustavson, 421 W. Bute Street, was present in favor of this matter but did not wish to speak.

Thereupon, an Ordinance entitled, “An Ordinance to amend the *Norfolk Zoning Ordinance* **SO AS TO** improve the process for providing notice of a demolition related to an unsafe or dangerous building without a certificate of appropriateness in any HC (Historic and Cultural Conservation) Zoning District or Overlay District,” was introduced and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective June 25, 2019.

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

No: None.

CONSENT AGENDA

C-1

Letter from the City Manager and an Ordinance entitled, An Ordinance accepting, appropriating, and, authorizing the expenditure of a Grant of up to \$4,500.00 from the **Best Friends Animal Society** to allow three employees to attend the 2019 Best Friends National Conference; and authorizing the City to enter a Memorandum of Understanding regarding the same.

ACTION: The Ordinance as introduced was **adopted**, effective June 25, 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 granting a **Development Certificate**, with waivers, to permit the construction of a new office and storage warehouse on property located at **1008 Granby Street**.

ACTION: The Ordinance as introduced was **adopted**, effective June 25, 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 and appropriating the sum of \$4,560 from the **Virginia Federation of Humane Societies**.

ACTION: The Ordinance as introduced was **adopted**, effective June 25, 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 \$195,000 from the **Virginia Department of Behavioral Health and Development Services for the Norfolk Community Services Board** to implement the Outpatient Services Component of the Department of Behavioral Health and Development Services' Initiative of Mental Health System Transformation, excellence and performance in Virginia (MH STEP-VA) and appropriating and authorizing the expenditure of the Grant Funds.

ACTION: The Ordinance as introduced was **adopted**, effective June 25, 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 accepting, appropriating, and authorizing the expenditure of a Grant of up to \$12,266.25 from the **Commonwealth Department of Behavioral Health and Development Services, for Same Day Access Services.**

ACTION: The Ordinance as introduced was **adopted**, effective June 25, 2019.

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

No: None.

C-6

Letter from the City Clerk transmitting an **Abstract of Votes** cast in the **Democratic Party & Republican Party Primary Elections** held on **June 11, 2019.**

ACTION: Received and filed.

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

No: None.

REGULAR AGENDA

R-1

Letter from the City Manager and an Ordinance entitled, “An Ordinance accepting the bid submitted by Sydney Meers for a Lease with a term of five (5) years and three (3) months, with the option to renew the Lease for up to one (1) additional period of five (5) years, for the premises known as Suite 1, in Selden Arcade located at **210 E. Main Street in the City of Norfolk**, and authorizing the City Manager to execute the lease on behalf of the City of Norfolk,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective July 26, 2019.

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

No: None.

R-2

Letter from the City Attorney and an Ordinance entitled, “An Ordinance to enact regulations for siting of **Solid Waste Management Facilities** within the boundaries of the City of Norfolk,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective June 25, 2019.

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

No: None.

R-3

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a Conditional Use Permit to permit a change from one nonconforming use (Adult Day Care Center) to another nonconforming use (Assisted Housing) operated by “**YWCA South Hampton Roads**” on property located at **2333 Ballentine Boulevard**,” was introduced in writing and read by its title.

The following people spoke in favor of this matter:

- Mary Kate Andris, 517 Fordsmre Road, Chesapeake
- James Sweat, Jr., 2626 Balletine Boulevard
- Theodore Swindell, 2623 Ballentine Boulevard
- Harry Henson, 1823 Longdale Drive
- Deborah Stearns, 107 W. Severn Road
- Jacqueline Glass, 2747 Vincent Avenue
- Lafayette Ward, 2741 Vincent Avenue
- Abdul Aswad, 2636 Ballentime Boulevard
- Dorian Glass, 2747 Vincent Avenue

The following people spoke in opposition to this matter:

- Gregory Gruszczyka, 3107 Tait Terrace
- Patricia Brazier, 2321 Ballentine Boulevard
- Shalimar Brazier, 2321 Ballentine Boulevard
- Eric Noss, 2320 Ballentime Boulevard
- Nicole Harp, 2905 Tait Terrace
- Karen Fox, 3107 Tait Terrace
- Devon Hanlon, 2344 Ballentine Boulevard
- Amy Wheeler, 2905 Tait Terrace
- Melvin Cypress, 3014 McLemore Street

The following people were present in favor of this matter but did not wish to speak:

- Ida Parker, 1021 Latham Street, Chesapeake
- Heath Redner, 1238 Lake Taylor Drive
- Sara Reynolds, 2005 Ramsay Court, Virginia Beach
- Allie Howe, 3735 Rockbridge Road, Virginia Beach
- Jillian Talley, 400 Fairfax Avenue, Apt. 1A
- Michelle Walters, 131 Elwood Avenue
- Kathleen Lloyd, 1309 Cologne Court, Virginia Beach
- Andrea Bear, 5645 Lakewood Drive
- Jewel Hale, 730 Roswell Avenue
- Barbara Hamm Lee, 1431 Sweetbrair Avenue
- Sarah Dubose, 4004 Devon Drive, Chesapeake
- Nicole Nordam, 3100 Holy Ridge Drive, Chesapeake
- Stephanie Dickens, 1020 Baybries Drive
- India Lawrence, 1720 E. Ocean View Avenue

The following people were present in opposition to this matter but not wish to speak:

- Catherine Dirksmeyer, 2512 Harrell Avenue
- Shelby Hanlon, 2344 Ballentine Boulevard
- Diane Cypress, 3014 McLemore Street
- Mary Sonesen, 2346 Ballentine Boulevard
- Erik Soneson, 2316 Ballentine Boulevard

ACTION: The Ordinance as introduced was **adopted**, effective June 25, 2019.
Yes: Doyle, Graves, Johnson, McClellan, Smigiel, Thomas and Alexander.
No: Riddick.

R-4

Letter from the City Manager and an Ordinance entitled, “An Ordinance to amend and reordain Subsection (4) of Section 24-3 and Subsection (B) of Section 24-335 of the Norfolk City Code, 1979 as amended, to **lower the personal property tax rate levied and raise the license tax rate on privately owned pleasure boats and watercraft used for recreational purposes only,**” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective July 1, 2019.

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

No: None.

R-5

Letter from the City Manager and an Ordinance entitled, An Ordinance designating Isaac Street between Cypress Street and Manson Street as **Bishop W.L. Daniels Sr. Way,**” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective June 25, 2019.

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

No: None.

R-6

Letter from the City Attorney requesting confirmation of Kristopher R. McClellan as an Assistant City Attorney, I, effective September 3, 2019, in Plain I, Grade 16 of the Law Plan of the City’s Compensation Plan, to serve at the pleasure of the City Attorney,” was introduced in writing and read by its title.

ACTION: Confirm Appointment.

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

No: None.

R-7

A Resolution entitled, A Resolution appointing or reappointing 46 persons to **8 Boards, 4 Commissions, and 3 Authorities** for certain terms,” was introduced in writing and read by its title.

ACTION: The Resolution as introduced was **adopted**, effective June 25, 2019.

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

No: None

NEW BUSINESS

- Jermaine Capel, 132 E. Main Street, Apt., 605, commented that he was having issues obtaining a business license for his small business that he runs out of his home.
- Danny Lee Ginn, 3844 Dare Circle, spoke commented on the rules of conduct at City Council meetings.