

**NORFOLK, VIRGINIA**  
**ACTION OF THE COUNCIL**  
**CITY COUNCIL MEETING**  
**TUESDAY, MAY 25, 2021 – 6:00 P.M.**

**ANNOUNCEMENT**

This meeting of the Norfolk City Council is being held by electronic communication means pursuant to Item 4-0.01 in House Bill 30 (Chapter 1289) of the 2020 Session.

The Governor of the Commonwealth of Virginia has declared a State of Emergency due to the public health danger of the novel coronavirus COVID-19 pandemic, which constitutes a disaster and emergency under Virginia Code Section 44-146.16.

The COVID-19 pandemic makes it impracticable or unsafe for the City Council to assemble in a single location.

The purpose of this meeting is to discuss or transact the business statutorily required or necessary to continue operations of this public body and the discharge of its lawful purposes, duties, and responsibilities.

This meeting will be conducted by the following electronic communication means: telephonically and electronically through WebEx. The public may participate by providing their comments in email to the Clerk's Office in advance of the hearing or by WebEx phone or video.

**MOMENT OF SILENCE**

Followed by the Pledge the Allegiance.

**ROLL CALL**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>
Courtney R. Doyle	Councilmember - Ward 2	Remote
Mamie B. Johnson	Councilmember - Ward 3	Remote
Andria P. McClellan	Councilmember - Superward 6	Absent
Paul R. Riddick	Councilmember - Ward 4	Present
Danica J. Royster	Councilmember - Superward 7	Remote
Thomas R. Smigiel Jr.	Councilmember - Ward 5	Remote
Martin A. Thomas Jr.	Vice Mayor	Present
Kenneth Cooper Alexander	Mayor	Remote

**MOTION TO EXCUSE**

Excuse Mrs. McClellan from tonight's meeting.

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Doyle, Johnson, Riddick, Royster, Smigiel Jr., Thomas Jr., Alexander
<b>ABSENT:</b>	Andria P. McClellan

**APPROVAL OF MINUTES**

Approve the minutes of the previous City Council meeting.

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Doyle, Johnson, Riddick, Royster, Smigiel Jr., Thomas Jr., Alexander
<b>ABSENT:</b>	Andria P. McClellan

**CLOSED SESSION RESOLUTION**

A Resolution certifying a Closed Meeting of the Council of the City of Norfolk in accordance with the provisions of the Freedom of Information Act.

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Doyle, Johnson, Riddick, Royster, Smigiel Jr., Thomas Jr., Alexander
<b>ABSENT:</b>	Andria P. McClellan

**INVITATION TO BID**

**IB-1** **INVITATION TO BID** scheduled this day pursuant to State Law, for non-exclusive franchise to construct and operate a **Cable Television System** in the city rights-of-way.

Motion to Continue IB-1 to June 8, 2021

<b>ACTION:</b>	<b>Continued to June 8, 2021 [Unanimous]</b>
<b>AYES:</b>	Doyle, Johnson, Riddick, Royster, Smigiel Jr., Thomas Jr., Alexander
<b>ABSENT:</b>	Andria P. McClellan

**PUBLIC HEARINGS**

**PH-1** **PUBLIC HEARING** scheduled this day pursuant to State Law, on the application of the **CITY PLANNING COMMISSION**, for a Zoning Text Amendment to the Conditional Use Permit process for Restaurant management changes.

An Ordinance to Amend the Norfolk Zoning Ordinance SO AS TO Create a Simplified Review Process for **Amending Management Operations at Any Restaurant** with an Active Conditional Use Permit.

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Doyle, Johnson, Riddick, Royster, Smigiel Jr., Thomas Jr., Alexander
<b>ABSENT:</b>	Andria P. McClellan

**PH-2 PUBLIC HEARING** scheduled this day pursuant to State Law, to hear comments Authorizing the City Manager to Negotiate an Agreement with **Titan Virginia Ready-Mix LLC** in Substantial Conformity with the Terms and Conditions of the Attached Land Swap Contract for the Purpose of Construction and Maintaining Structures and Realigning the Right-of-Way as Part of the Ohio Creek Watershed Improvement Project; and Authorizing the Expenditure of a Sum up to \$80,000.00 from Funds Heretofore Appropriated to Cover the Costs of the City's Obligations Under the Agreement.

An Ordinance Authorizing the City Manager to Negotiate an Agreement with **Titan Virginia Ready-Mix LLC** in Substantial Conformity with the Terms and Conditions of the Attached Land Swap Contract for the Purpose of Construction and Maintaining Structures and Realigning the Right-of-Way as Part of the Ohio Creek Watershed Improvement Project; and Authorizing the Expenditure of a Sum up to \$80,000.00 from Funds Heretofore Appropriated to Cover the Costs of the City's Obligations Under the Agreement.

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Doyle, Johnson, Riddick, Royster, Smigiel Jr., Thomas Jr., Alexander
<b>ABSENT:</b>	Andria P. McClellan

**PH-3 PUBLIC HEARING** scheduled this day pursuant to State Law, to hear comments Approving an Amendment to Lease Agreement Between the City of Norfolk and Gourmet Gang, Inc. for the Space Located at **482 E. Main Street** in Order to Modify the Rent Terms.

An Ordinance Approving an Amendment to Lease Agreement Between the City of Norfolk and Gourmet Gang, Inc. for the Space Located at **482 E. Main Street** in Order to Modify the Rent Terms.

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Doyle, Johnson, Riddick, Royster, Smigiel Jr., Thomas Jr., Alexander
<b>ABSENT:</b>	Andria P. McClellan

**CONSENT AGENDA**

**ALL MATTERS LISTED UNDER THE CONSENT AGENDA WILL BE ENACTED BY ONE MOTION IN THE FORM LISTED. IF DISCUSSION IS DESIRED ON ANY ITEM, IT WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.**

<b>ACTION:</b>	<b>Consent Agenda Adopted [Unanimous]</b>
<b>AYES:</b>	Doyle, Johnson, Riddick, Royster, Smigiel Jr., Thomas Jr., Alexander
<b>ABSENT:</b>	Andria P. McClellan

- C-1 An Ordinance Granting 456 Granby Street, LLC Permission to Encroach into the Right-of-Way at **456 Granby Street**, for the Purpose of Outdoor Dining and Approving the Terms and Conditions of the Encroachment Agreement.
  
- C-2 An Ordinance Granting Sigraz, LLC Permission to Encroach into the Right-of-Way at **219 Granby Street**, for the Purpose of Outdoor Dining and Approving the Terms and Conditions of the Encroachment Agreement.
  
- C-3 An Ordinance Granting Prakoon, LLC Permission to Encroach into the Right-of-Way at **419 W. 21st Street** with a Sign.
  
- C-4 A Resolution Requesting the Virginia Department of Transportation to Accept Certain Additional City Streets for Municipal Assistance Payments and to Remove Some Street from the Eligible List Pursuant to Section 33.1-41.1 of the Code of Virginia, 1950, as Amended.

**REGULAR AGENDA**

- R-1 An Ordinance Approving an Amendment to the Lease Agreement with Philly D. Incorporated T/A D'Egg for **204 Main Street**, a Property in the City of Norfolk, SO AS TO Allow Assignment or Subleasing without Financial Cost to Lessee

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Doyle, Johnson, Riddick, Royster, Smigiel Jr., Alexander
<b>ABSTAIN:</b>	Martin A. Thomas Jr.
<b>ABSENT:</b>	Andria P. McClellan

R-2 An Ordinance Approving the Conveyance to the City by Norfolk Redevelopment and Housing Authority of the Property Known as **900-901 Church Street** in the City of Norfolk

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Doyle, Johnson, Riddick, Royster, Smigiel Jr., Thomas Jr., Alexander
<b>ABSENT:</b>	Andria P. McClellan

R-3 An Ordinance to Amend and Reordain Subsection (a) of Section 24-7 of the *Norfolk City Code, 1979*, regarding the **Correction of Assessments** to allow the Treasurer to refund Erroneously Assessed Taxes up to \$5,000.00 conforming with State Code Changes to Section 58.1-3981 of the Code of Virginia.

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Doyle, Johnson, Riddick, Royster, Smigiel Jr., Thomas Jr., Alexander
<b>ABSENT:</b>	Andria P. McClellan

R-4 An Ordinance Approving an Operating Agreement Between the City of Norfolk and **Virginia Zoological Society**, Authorizing the City Manager to Execute the Operating Agreement on Behalf of the City of Norfolk, and Authorizing the Expenditure of Previously Appropriated Funds in the Amount of \$375,000.

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Doyle, Johnson, Riddick, Royster, Smigiel Jr., Thomas Jr., Alexander
<b>ABSENT:</b>	Andria P. McClellan

R-5 An Ordinance to Approve and Adopt Revisions to a Schedule of **Fees Related to Applications for Planning and Zoning Review Processes**.

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Doyle, Johnson, Riddick, Royster, Smigiel Jr., Thomas Jr., Alexander
<b>ABSENT:</b>	Andria P. McClellan

- R-6 An Ordinance to Approve and Adopt Revisions to a Schedule of **Fees Related to the Cost of Implementing and Enforcing the Uniform Statewide Building Code.**

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Doyle, Johnson, Riddick, Royster, Smigiel Jr., Thomas Jr., Alexander
<b>ABSENT:</b>	Andria P. McClellan

- R-7 An Ordinance Approving a First Amendment to Purchase and Development Agreement Between the City of Norfolk, as Seller, and **Haprah, L.L.C.**, as Developer, Regarding those Certain Parcels of Property Location at **2517 and 2613 Hampton Boulevard, 1250 W. 24th Street, 1204 and 1207 W. 26th Street, and 1213 W. 27th Street** in the City of Norfolk, Virginia, and Authorizing the City Manager to Execute the First Amendment to Purchase and Development Agreement on Behalf of the City of Norfolk.

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Doyle, Johnson, Riddick, Royster, Smigiel Jr., Thomas Jr., Alexander
<b>ABSENT:</b>	Andria P. McClellan

- R-8 An Ordinance to Assure the Continuity of Government during the Disaster Resulting from the Covid-19 Pandemic by **Permitting Electronic Meetings** of Public Bodies as Authorized by Virginia Code 15.2-1413.

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Doyle, Johnson, Riddick, Royster, Smigiel Jr., Thomas Jr., Alexander
<b>ABSENT:</b>	Andria P. McClellan

**ADJOURNMENT**