

**NORFOLK, VIRGINIA**  
**ACTION OF THE COUNCIL**  
**CITY COUNCIL MEETING**  
**TUESDAY, OCTOBER 13, 2020 – 6:00 P.M.**

**ANNOUNCEMENT**

This meeting will be held as an electronic meeting due to the emergency and disaster represented by the spread of COVID-19, pursuant to and in compliance with Norfolk City Ordinance 48,161. 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.

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

**APPROVAL OF MINUTES**

Approve the minutes of the previous City Council meeting.

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

**CLOSED SESSION RESOLUTION**

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.

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

**PUBLIC HEARINGS**

**PH-1** **PUBLIC HEARING** scheduled this day pursuant to State Law on the application of the **CITY PLANNING COMMISSION**, for a text amendment to the Norfolk Zoning Ordinance to modify the city's short-term rental regulations.

**(Passed by at the meeting of September 22, 2020)**

The following spoke in opposition to this matter:  
Joseph V. Sherman, Esquire, 324 W. Freemason Street  
Mina Wang, 1433 Vance Circle  
Evelyn Wang, 9633 12<sup>th</sup> Bay Street  
Tim Mahion, 2450 East Ocean View Avenue  
Catherine McCoy, 2040 East Ocean View Avenue  
Jordan Wingate, 1172 Valley Forge Drive, Charleston  
LaVon Purnell-Wilson, 1407 East Ocean View

An Ordinance to Amend Various Sections and Tables of the Norfolk Zoning Ordinance in Order to Add Additional Performance Standards, Revise Parking Requirements, and Establish a Civil Penalty Scheme for Short Term Rentals. - **(Ordinance No. 48164)**

<b>ACTION:</b>	<b>Adopted [7 to 1]</b>
<b>AYES:</b>	Doyle, Graves, Johnson, McClellan, Riddick, Thomas Jr., Alexander
<b>NAYS:</b>	Thomas R. Smigiel Jr.

**PH-2 PUBLIC HEARING** scheduled this day pursuant to State Law, on the application of the **CITY PLANNING COMMISSION**, for a General Plan Amendment to Appendix B within plaNorfolk2030 to adopt the Design Principles for Multi-Family Development.

An Ordinance to Amend the City’s General Plan, PlaNorfolk2030, **SO AS TO Adopt and Incorporate Guiding Principles for the Development of New Multifamily Residential Dwellings. - (Ordinance No. 48165)**

**ACTION:** Adopted [Unanimous]  
**AYES:** Doyle, Graves, Johnson, McClellan, Riddick, Smigiel Jr., Thomas Jr., Alexander

**PH-3 PUBLIC HEARING** scheduled this day pursuant to State Law, authorizing the City Manager to enter into a **Non-Exclusive irrevocable Right of Entry Agreement with the United States of America** regarding various properties owned by the City of Norfolk in connection with a project for the extension of a flood wall.

An Ordinance Authorizing the City Manager to Enter into a **Non-Exclusive Irrevocable Right of Entry Agreement** with the United States of America Regarding Various Properties Owned by the City of Norfolk in connection with a Project for the Extension of a Flood Wall. - **(Ordinance No. 48166)**

**ACTION:** Adopted [Unanimous]  
**AYES:** Doyle, Graves, Johnson, McClellan, Riddick, Smigiel Jr., Thomas Jr., Alexander

**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.**

**C-1** An Ordinance Granting Conditional Use Permits to Authorize a Restaurant Operating After Midnight and the Sale of Alcoholic Beverages for Off-Premises Consumption at an Establishment Named “Intermission” on Property Located at **442 Granby Street**. - **(Ordinance No. 48167)**

**ACTION:** Adopted [Unanimous]  
**AYES:** Doyle, Graves, Johnson, McClellan, Riddick, Smigiel Jr., Thomas Jr., Alexander

**C-2** An Ordinance Granting The Sunflower Florist, Inc. Permission to Encroach into the Right-of-Way at **1908 Colley Avenue** with a Sidewalk Fence. - **(Ordinance No. 48168)**

**ACTION:** Adopted [Unanimous]  
**AYES:** Doyle, Graves, Johnson, McClellan, Riddick, Smigiel Jr., Thomas Jr., Alexander

**C-3** An Ordinance Granting Mama Zuti, LLC D/B/A Brick Anchor Brew-House Permission to Encroach into the Right-of-Way at **241 Granby Street** Approximately 54 Square Feet for the Purpose of Outdoor Dining and Approving the Terms and Conditions of the Encroachment Agreement. - **(Ordinance No. 48169)**

**ACTION:** Adopted [Unanimous]  
**AYES:** Doyle, Graves, Johnson, McClellan, Riddick, Smigiel Jr., Thomas Jr., Alexander

**REGULAR AGENDA**

R-1

Matter of an **INVITATION TO BID** scheduled this day pursuant to State Law, to review the Bid submitted by Seaboard Building, LLC., for a Long Term Garage Parking Agreement with a term of approximately sixteen (16) years, for the lease of forty (40) parking spaces in the Boush Street Garage located at 112 W. City Hall Avenue, and ninety-five (95) parking spaces in the Town Point Garage located at 110 West Main Street in the City of Norfolk, Virginia and authorizing the City Manager to execute the Garage Parking Agreement on behalf of the City of Norfolk.

**(Passed by at the meeting of September 22, 2020)**

An Ordinance Approving an **Amendment to Garage Parking Agreement**, Through the Statutory Bid Process for a Long Term Garage Parking Agreement, Extending the Term of an Existing Garage Parking Agreement by Approximately Six (6) Years for the Lease of Forty (40) Parking Spaces in the Boush Street Garage Located at **112 W. City Hall Avenue** and Ninety-Five (95) Parking Spaces in the Town Point Garage Located at **110 West Main Street** in the City of Norfolk, Virginia and Authorizing the City Manager to Execute the Amendment Garage Parking Agreement on Behalf of the City. - **(Ordinance No. 48170)**

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

R-2

Matter of an **INVITATION TO BID** scheduled this day pursuant to State Law, to review the Bid submitted by JJB Financial, LLC., for a Long Term Garage Parking Agreement with a term of approximately sixteen (16) years, for the lease of seventy-seven (77) parking spaces in the Freemason Street Garage located at 161 Freemason Street in the City of Norfolk, Virginia and authorizing the City Manager to execute the Garage Parking Agreement on behalf of the City.

**(Passed by at the meeting of September 22, 2020)**

An Ordinance Approving an **Amendment to Garage Parking Agreement**, Through the Statutory Bid Process for a Long Term Garage Parking Agreement, Extending the Term of an Existing Parking Agreement by Approximately Six (6) Years for the Lease of Seventy-Seven (77) Parking Spaces in the Freemason Street Garage Located at **161 Freemason Street** in the City of Norfolk, Virginia and Authorizing the City Manager to Execute the Amendment to Garage Parking Agreement on Behalf of the City. - **(Ordinance No. 48171)**

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

R-3 Matter of an **INVITATION TO BID** scheduled this day pursuant to State Law, to review the Bid submitted by GNK, LLC., for a Long Term Garage Parking Agreement with a term of approximately sixteen (16) years, for the lease of one hundred seven (107) parking spaces in the Freemason Street garage located at 161 Freemason Street in the City of Norfolk, Virginia and authorizing the City Manager to execute the Garage Parking Agreement on behalf of the City.

**(Passed by at the meeting of September 22, 2020)**

An Ordinance Approving an **Amendment to Garage Parking Agreement**, Through the Statutory Bid Process, For a Long Term Garage Parking Agreement, Extending the Term of an Existing Parking Agreement by Approximately Six (6) Years for the Lease of One Hundred Seven (107) Parking Spaces in the Freemason Street Garage Located at **161 Freemason Street** in the City of Norfolk, Virginia and Authorizing the City Manager to Execute the Amendment to Garage Parking Agreement on Behalf of the City. - **(Ordinance No. 48172)**

**ACTION:**            **Adopted [Unanimous]**  
**AYES:**            Doyle, Graves, Johnson, McClellan, Riddick, Smigiel Jr.,  
                                 Thomas Jr., Alexander

R-4 Matter of an **INVITATION TO BID** scheduled this day pursuant to State Law, to review the Bid submitted by 131 Granby Street, LLC., for a Long Term Garage Parking Agreement with a term of approximately sixteen (16) years, for the lease of thirty (30) parking spaces in the Town Point Garage located at 110 West Main Street in the City of Norfolk, Virginia and authorizing the City Manager to execute the Garage Parking Agreement on behalf of the City.

**(Passed by at the meeting of September 22, 2020)**

An Ordinance Approving an **Amendment to the Garage Parking Agreement**, Through the Statutory Bid Process for a Long Term Garage Parking Agreement, Extending the Term of an Existing Parking Agreement By Approximately Six (6) Years, for the Lease of Thirty (30) Parking Spaces in the Town Point Garage Located at **110 West Main Street** in the City of Norfolk, Virginia and Authorizing the City manager to Execute the Amendment to Garage Parking Agreement on Behalf of the City. - **(Ordinance No. 48173)**

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



R-5 Matter of an **INVITATION TO BID** scheduled this day pursuant to State Law, to review the Bid submitted by 120 Brooke, LLC., for a Long Term Garage Parking Agreement with a term of approximately sixteen (16) years, for the lease of one hundred thirty-six (136) parking spaces in the Boush Street Garage located at 112 W. City Hall Avenue in the City of Norfolk, Virginia and authorizing the City Manager to execute the Garage Parking Agreement on behalf of the City.

**(Passed by at the meeting of September 22, 2020)**

An Ordinance Approving and **Amendment to the Garage Parking Agreement**, Through the Statutory Bid Process for a Long Term Garage Parking Agreement, Extending the Term of an Existing Parking Agreement by Approximately Six (6) Years for the Lease of One Hundred Thirty-Six (136) Parking Spaces in the Boush Street Garage Located at **112 W. City Hall Avenue** in the City of Norfolk, Virginia and Authorizing the City Manager to Execute the Amendment to Garage Parking Agreement on Behalf of the City. - **(Ordinance No. 48174)**

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

R-6 An Ordinance Approving a Purchase and Sale Agreement By and Between Maltby Avenue Partners, LLC, as Seller, and the City of Norfolk, as Purchaser, for Certain Parcels of Real Property Located at **1401 and 1445 Maltby Avenue, 1416 Cary Avenue, and 1525 Saint Julian Avenue** in the City of Norfolk, Virginia; Authorizing the City Manager to Accept a Special Warranty Deed on Behalf of the City of Norfolk; and Authorizing the Expenditure of a Sum of up to \$5,560,000.00 from Funds Heretofore Appropriated for Acquisition of the Property and all Related Transactional Costs. - **(Ordinance No. 48175)**

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

R-7 An Ordinance Amending the FY2021 Annual Appropriations Ordinance (No. 47,999) SO AS TO Accept, Appropriate and Authorize the Expenditure of Grant Funds up to the sum of \$21,140.00 from the **Virginia Department of Behavioral Health and Developmental Services** for the Norfolk Community Services Board to Support Mental Health Services Programs. - **(Ordinance No. 48176)**

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

R-8 An Ordinance Accepting with Gratitude the Donation of Two Parcels of Property Located At and Adjacent to **6789 Caroline Street** in Order to Preserve the City's Urban Tree Canopy and Increase the City's Open Space; and Authorizing the Expenditure of a Sum of Up to \$5,000.00 from Funds Heretofore Appropriated for Any Related Transactional Costs. - **(Ordinance No. 48177)**

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

R-9 An Ordinance Amending the FY2021 Annual Appropriations Ordinance (No. 47,999) SO AS TO Accept, Appropriate and Authorize the Expenditure of Grant Funds up to the sum of \$283,207.07 from **The Virginia 9-1-1 Services Board for the Public Safety Answering Point**, Next Generation 911 Grant to Implement an Emergency Services IP Network (ESINET) for Call Delivery into our Existing VESTA 911 Call Handling Platform. - **(Ordinance No. 48178)**

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

**R-10** An Ordinance Amending the FY2021 Annual Appropriations Ordinance (No. 47,999) SO AS TO Accept, Appropriate and Authorize the Expenditure of Grant Funds up to the sum of \$11,300.00 from the **Virginia Department of Motor Vehicles**, and to Appropriate and Authorize the Expenditure of Local Matching Funds in the Amount of \$5,650.00 for the FY2021 Selective Enforcement - Occupant Safety Grant to Purchase Police Overtime and Travel. - **(Ordinance No. 48179)**

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

**R-11** An Ordinance Amending the FY2021 Annual Appropriations Ordinance (No. 47,999) SO AS TO Accept, Appropriate and Authorize the Expenditure of Additional Grant Funds up to the sum of \$2,292,639.00 from the **United States Department of Housing and Urban Development** for the Emergency Solutions Program (2020-2021) as Authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136 from the Emergency Solutions Grant - **(Ordinance No. 48180)**

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

**R-12** An Ordinance to Grant Conditional Use Permits to Approve, on a Temporary Basis, Certain Restaurants to **Sell and Serve Alcoholic Mixed Beverages for Off-Premises Consumption**, in Accordance with Special Accommodations and Regulations Promulgated by the Virginia Alcoholic Beverage Control Authority during the Coronavirus Pandemic Emergency. - **(Ordinance No. 48181)**

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

- R-13 An Ordinance to Amend and Reordain Section 34.1-22 of the *Norfolk City Code, 1979*, SO AS TO allow Taxicabs Identification Light be unconnected to the Taximeter while Engaged. - **(Ordinance No. 48182)**

**ACTION:** Adopted [Unanimous]  
**AYES:** Doyle, Graves, Johnson, McClellan, Riddick, Smigiel Jr.,  
Thomas Jr., Alexander

- R-14 An Ordinance Granting a Conditional Use Permit to Authorize Alternative Signage on Property Located at **1511, 1541, and 1581 Premium Outlets Boulevard.**

**ACTION:** Lost [2 to 6]  
**AYES:** Paul R. Riddick, Thomas R. Smigiel Jr.  
**NAYS:** Doyle, Graves, Johnson, McClellan, Thomas Jr., Alexander

- R-15 An Ordinance Granting a Development Certificate, With Waivers, to Permit the Construction of a New Building with Mixed Uses on Property Located at **225 West Olney Road.** - **(Ordinance No. 48183)**

**ACTION:** Adopted [Unanimous]  
**AYES:** Doyle, Graves, Johnson, McClellan, Riddick, Smigiel Jr.,  
Thomas Jr., Alexander

- R-16 An Ordinance Granting a Development Certificate, With Waivers, to Permit the Construction of a New, Multi-Family Dwelling Building on Property Located at **400 Waterside Drive.** - **(Ordinance No. 48184)**

**ACTION:** Adopted [Unanimous]  
**AYES:** Doyle, Graves, Johnson, McClellan, Riddick, Smigiel Jr.,  
Thomas Jr., Alexander

R-17 A Resolution Appointing Edward H. Roeber to the Hospital Authority of Norfolk for a certain term. - **(Resolution No. 1806)**

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

**ADJOURNMENT**