

NORFOLK, VIRGINIA
ACTION OF THE COUNCIL
CITY COUNCIL MEETING
TUESDAY, OCTOBER 27, 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.

Attendee Name	Title	Status
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.

ACTION:	Adopted [Unanimous]
AYES:	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 various text amendments to the *Norfolk Zoning Ordinance* to modify development standards and performance standards and to adjust or add temporary uses that would only be available during the current pandemic emergency declared by the Governor.

An Ordinance to Amend Sections 4.3.3.B and Various Use Tables of the *Norfolk Zoning Ordinance* to Modify the Temporary Uses Permitted in Certain Zoning Districts and to Add Performance Standards for Temporary Uses That Will Only be Available During the Coronavirus Pandemic Emergency. - **(Ordinance No. 48185)**

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

PH-2 PUBLIC HEARING scheduled this day pursuant to State Law, on the application of **PATHWAY REALTY GROUP LLC**, to amend the conditions of a previous Change of Zoning from R-C (Residential – Coastal) and C-C (Community – Commercial to Conditional C-C (Community – Commercial) at **7911-7915 Shore Drive and 7920-7930 Ransom Road**.

An Ordinance to Rezone Properties Located at **7911 to 7915 Shore Drive and 7920 to 7930 Ransom Road** in Order to Change Conditions on Property Zoned C-C (Community-Commercial) District. - **(Ordinance No. 48186)**

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, to hear comments authorizing the Conveyance to **MSR, LLC** of portions of Villemont Street (formerly First Street) and Cape Henry Avenue that were previously Closed, Abandoned and Vacated.

An Ordinance Authorizing the Conveyance to **MSR, LLC** of portions of Villemont Street (Formerly First Street) and Cape Henry Avenue that were previously Closed, Abandoned and Vacated. - **(Ordinance No. 48187)**

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

PH-4 PUBLIC HEARING scheduled this day pursuant to State Law, on the application of **CITY WALK THREE, LLC**, to Vacate a certain portion of the right-of-way of **Waterside Drive between Atlantic Street and Commercial Place** containing 4,032 square feet, or 0.093 acres, more or less.

An Ordinance Closing, Vacating and Discontinuing a Portion of Waterside Drive Between **Commercial Place and Atlantic Street** and Authorizing the Conveyance to the Abutting Property Owner of Any Interest the City has in the Said Portion of Waterside Drive. - **(Ordinance No. 48188)**

Buddy Gadams and Raffaele Allen, 207Granby Street, Suite 203, where available to answer questions in this matter.

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

PH-5 PUBLIC HEARING scheduled this day pursuant to State Law, to hear comments authorizing the Dedication of certain city-owned property located in the City of Suffolk as an **Easement for Public Right-of-Way** for the City of Suffolk.

An Ordinance Authorizing the Dedication of certain city-owned property located in the City of Suffolk as an **Easement for Public Right-of-Way** for the City of Suffolk. - **(Ordinance No. 48189)**

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

PH-6 PUBLIC HEARING scheduled this day pursuant to State Law, to hear comments Granting an Exemption from Real Property Taxes for Cogie Memorial Home for the Elderly, Inc. for property located at **2412 East Virginia Beach Boulevard**.

An Ordinance Providing for the Grant of an Exemption from Real Property Taxes, by Designation, to Cogie Memorial Home for the Elderly, Inc. for property located at 2412 East Virginia Beach Boulevard and for an Exception to the Current Moratorium Against Such Designations. - **(Ordinance No. 48190)**

Lemuel Williams, 2412 East Virginia Beach Boulevard and Vince Mastracco, 150 West Main Street, where available to answer questions in this matter.

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 Permitting Derek T. Peterson to Encroach into Willoughby Bay Avenue at **707 W. Ocean View Avenue** with a 130' Long Pier and a 10'x10' Deck

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

C-2 An Ordinance Permitting WOV LLC to Encroach into the Right Of Way of Willoughby Bay Avenue at **639 West Ocean View Avenue** with an Existing Parking Lot, a shed and a Fence, and Approving the Encroachment Agreement - **(Ordinance No. 48191)**

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

REGULAR AGENDA

R-1 An Ordinance Approving a Right of Entry Permitting **Riverclub VA, LLC** to go upon and use property located in the City of Suffolk at the Intersection of Bob White Lane and Shoulders Hill Road for Expansion of the Existing Roadway. - **(Ordinance No. 48192)**

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

R-2 A Resolution Urging the General Assembly to Change the Name of State Holiday known as "Columbus Day" to that of "Indigenous Peoples' Day". - **(Resolution No. 1807)**

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

R-3 An Ordinance Amending Section 2-48(b) of the *Norfolk City Code, 1979*, to Eliminate References to Lee-Jackson Day, Add References to Election Day, and Modify References to Columbus Day. - **(Ordinance No. 48193)**

Richard James, 460 Peacehaven Drive spoke regarding Election day holiday for City Employees.

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

R-4 An Ordinance to Amend and Reordain Articles IV and V of Chapter 33.1 of the *Norfolk City Code* Concerning Competitive Negotiation, Small Purchases, and Prohibited Employment Discrimination by Contractors. - **(Ordinance No. 48194)**

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

R-5 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 \$659,591.00 from the **U.S. Department of Homeland Security Federal Emergency Management Agency, Port Security Grant**, and Previously-Appropriated Local Matching Funds in the Amount of \$219,864.00 for the Purchase of Fire and Police Equipment and Maintenance. - **(Ordinance No. 48195)**

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

R-6 An Ordinance Repealing Ordinance No. 47,861 Adopted January 14, 2020, Accepting, Appropriating and Authorizing for Expenditure a Gift of up to \$75,000.00 from the **Elizabeth River Trail Foundation**, and Amending and Reordaining the FY2020 Appropriations Ordinance (No. 47,636) so as to Authorize the Expenditure of the Gift Plus \$3,750.00 in Previously-Appropriated Capital Improvement Project Funds. - **(Ordinance No. 48196)**

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

R-7 A Resolution appointing and reappointing 5 members to 1 Authority and 1 Commission for certain terms. - **(Resolution No. 1808)**

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

R-8 An Ordinance Amending and Reordaining City Code Section 2-48(a) of the *Norfolk City Code, 1979* as Amended, SO AS TO add one new Section Making the First Tuesday in November that is a Federal or State Election Day a Paid City Holiday. - **(Ordinance No. 48197)**

ACTION:	Adopted [5 to 3]
AYES:	Doyle, Graves, Johnson, McClellan, Alexander
NAYS:	Paul R. Riddick, Thomas R. Smigiel Jr., Martin A. Thomas Jr.

R-9 An Ordinance to Cancel the Regular Weekly City Council Meeting Scheduled on Tuesday, November 3, 2020 at 4:00 P.M. - **(Ordinance No. 48198)**

ACTION:	Adopted [6 to 2]
AYES:	Doyle, Graves, Johnson, McClellan, Riddick, Alexander
NAYS:	Thomas R. Smigiel Jr., Martin A. Thomas Jr.

ADJOURNMENT