

NORFOLK, VIRGINIA
ACTION OF THE COUNCIL
CITY COUNCIL MEETING

TUESDAY, NOVEMBER 24, 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

CLOSED SESSION RESOLUTON

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.

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

INVITATION FOR BID

IB-1 **INVITATION TO BID** scheduled this day pursuant to State Law for a Long Term Garage Parking Agreement, with a term of ten (10) years, for the lease of up to forty (40) parking spaces in the Fountain Park Garage Located at 130 Bank Street in the City of Norfolk, Virginia, subject to certain terms and conditions.

One Bid was received from City Walk Three, LLC., to be reviewed by City Staff.

ACTION:	Continued to December 8, 2020 [Unanimous]
AYES:	Doyle, Graves, Johnson, McClellan, Riddick, Smigiel Jr., Thomas Jr., Alexander

IB-2 **INVITATION TO BID** scheduled this day pursuant to State Law for a Long Term Garage Parking Agreement, with a term of ten (10) years, for the lease of up to twenty-seven (27) parking spaces in the York Street Garage Located at 215 W. York Street in the City of Norfolk, Virginia, subject to certain terms and conditions.

One Bid was received from WBG Financial Investment & Capital Tenant LLC., to be reviewed by City Staff.

ACTION:	Continued to December 8, 2020 [Unanimous]
AYES:	Doyle, Graves, Johnson, McClellan, Riddick, Smigiel Jr., Thomas Jr., Alexander

IB-3

INVITATION TO BID scheduled this day pursuant to State Law for a Long Term Garage Parking Agreement, with a term of ten (10) years, for the lease of up to forty-nine (49) parking spaces in the Freemason Street Garage Located at 161 Freemason Street in the City of Norfolk, Virginia, subject to certain terms and conditions.

One Bid was received from 415 Granby, LLC., to be review by City Staff.

ACTION:	Continued to December 8, 2020 [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, to hear comments on Amendments to the Norfolk City Charter in Sections 44, 61, 64 and 133, for consideration at the forthcoming session of the General Assembly.

A Resolution Expressing the Support of the City Council for Four Amendments to the Norfolk Charter so as to Revise or Repeal its Section 44, 61, 64 and 133, Regarding Removing References to a Poll Tax, Repealing the Home Guards Section, Granting Certain Employment Rights to the Deputy Chief of Police and Authorizing the Clerk to Administer the Oath. - **(Resolution No. 1809)**

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 the **CITY PLANNING COMMISSION**, for a General Plan Amendment to Appendix C within plaNorfolk2030 to repeal a Plan for Downtown Norfolk 2020 and adopt a Vision for the Next Decade: Norfolk 2030.

An Ordinance to Amend the City’s General Plan, PlaNorfolk2030, so as to Replace “A Plan for Downtown Norfolk 2020” with an Updated Plan Entitled “A Vision for the Next Decade: Downtown Norfolk 2030.” - **(Ordinance No. 48214)**

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, on the application of **ROSS VIERRA**, for a Change of Zoning from MF-NS (Multi Family – Neighborhood Scale) to C-C (Community – Commercial) on property located at **708 E. 26th Street**.

Dan Ruby, 2901 S. Lynnhaven Road, Suite 200, Virginia Beach was available to answer questions.

An Ordinance to Rezone Property Located at **708 East 26th Street** from MF-NS (Multi-Family – Neighborhood-Scale) District to C-C (Community Commercial) District. - **(Ordinance No. 48215)**

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 **JON RIZZO**, for a Change of Zoning from MF-NS (Multi Family – Neighborhood Scale) to Conditional C-C (Community – Commercial) on property located at 930 Redgate Avenue.

An Ordinance to Rezone Property Located at **930 Redgate Avenue** from MF-NS (Multi-Family – Neighborhood-Scale) District to Conditional C-C (Community Commercial) District. - **(Ordinance No. 48216)**

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

REGULAR AGENDA

R-1 An Ordinance Granting a Conditional Use Permit to Authorize a Short-term Rental Unit (Vacation Rental) on Property Located at **930 Redgate Avenue**. - **(Ordinance No. 48217)**

Jon Rizzo, 930 Redgate Avenue, applicant, spoke in favor of this matter.

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

R-2 An Ordinance Granting a Conditional Use Permit to Authorize a Short-term Rental Unit (Vacation Rental) on Property Located at 358 West Freemason Street. - **(Ordinance No. 48218)**

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

- R-3 An Ordinance granting a Conditional Use Permit to authorize a Short-Term Rental (Vacation Rental) Dwelling Unit on property located at **1519 Longwood Drive. - (Ordinance No. 48219)**

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

- R-4 An Ordinance Authorizing the Purchase of up to 50 Hours of **Annual Leave** Accumulated Above the Current Maximums set out in the City Code as of December 30th by City or Constitutional Officers and Employees. - **(Ordinance No. 48220)**

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

- R-5 An Ordinance Approving a Right of Entry Permitting **Carolina Marine Structures, Inc.** to Go Upon and Use City-Owned Property Located at 700 W. Brambleton Avenue for an Equipment Laydown Area. - **(Ordinance No. 48221)**

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

- R-6 An Ordinance Accepting with Appreciation Gifts in Kind and Financial Contributions to the City from the Friends of the **Elizabeth River Trail Foundation** and Authorizing the City Manager to Enter Into Appropriate Deed(s) of Gift. - **(Ordinance No. 48222)**

ACTION: Adopted [Unanimous]
AYES: 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 \$16,153.00 from the Virginia Department of Emergency Management Through Its State Homeland Security Grant for the **Norfolk Community Emergency Response Team Program. - (Ordinance No. 48223)**

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

- R-8 An Ordinance Approving a First Amendment to Lease Agreement Between the City of Norfolk, as Lessor, and Hornblower Cruises and Events, LLC, Formerly Known as **Spirit Cruises, LLC**, as Lessee, and Authorizing the City Manager to Execute the First Amendment to Lease Agreement on Behalf of the City of Norfolk. - **(Ordinance No. 48224)**

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

- R-9 An Ordinance Approving a First Amendment to Lease Agreement Between the City of Norfolk, as Lessor, and Hornblower Cruises and Events, LLC, Formerly Known as **Spirit Cruises, LLC**, as Lessee, for Lessee's Use of a Portion of the City's Waterfront Area for Docking and Berthing its Vessel Virginia Elite, and Authorizing the City Manager to Execute the First Amendment to Lease Agreement on Behalf of the City of Norfolk. - **(Ordinance No. 48225)**

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

- R-10 An Ordinance Approving a First Amendment to Lease Agreement Between the City of Norfolk, as Lessor, and Sydney Meers, as Lessee, for Property Located at **210 E. Main Street** in the City of Norfolk, Virginia and Authorizing the City Manager to Execute the First Amendment to Lease Agreement on Behalf of the City of Norfolk. - **(Ordinance No. 48226)**

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

- R-11 An Ordinance Accepting the Conveyance of Temporary and Permanent Utility Easements by Colony Point Apartments, LLC Over the Property Located at **901 Armfield Circle**, and Authorizing the City Manager to Accept the Deed of Easement on Behalf of the City. - **(Ordinance No. 48227)**

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

- R-12 A Resolution Reaffirming the Process for the Development of a **Plan to Revitalize the St. Paul's Area** and Establishing a Standard for the Future, Mixed-Income Community and a Guaranteed Right to Return. - **(Resolution No. 1810)**

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

- R-13** An Ordinance Authorizing the City Manager to Amend the Purchase and Sale Agreement for the Purchase of Certain Property Known as **731 Sedgewick Street** in the City of Norfolk for the **Ohio Creek Watershed Improvement Project**, so as to Increase the Purchase Price from \$175,000.00 to \$182,000.00 and Authorizing the Expenditure of the Sum of \$7,000 for that Purpose - **(Ordinance No. 48228)**

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

- R-14** A Resolution Certifying the **Pamunkey Indian Tribe as the Preferred Casino Gaming Operator** Pursuant to Section 58.1-4109 of the Code of Virginia. - **(Resolution No. 1811)**

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

- R-15** Letter from the General Registrar and Abstract of Votes cast in the City of Norfolk at the General Election held on November 3, 2020, pursuant to Section 24.2-675 of the Code of Virginia.

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

R-16 An Ordinance Amending Ordinance Number 48,190 Granting 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** in Order to Include the Entity that may be a Title Owner of the Property During the Term of the Exemption. - **(Ordinance No. 48229)**

Vince Mastracco, 150 W. Main Street, attorney for the applicant was available to answer questions.

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

R-17 **The First PUBLIC HEARING** scheduled this day pursuant to State Law, to hear comments on whether to adopt an Ordinance drafted by the Committee of Petitioners for the Norfolk 2nd Amendment Preservation Coalition proposing to prohibit the City of Norfolk from exercising any authority granted to it to regulate or prohibit the purchase, possession, transfer, ownership, carrying, storage or transporting of firearms, ammunition, or components, or a combination thereof and, furthermore, to waive the City's sovereign immunity as it relates to any injuries sustained by persons lawfully present on any property owned by the City that it designates as a firearm-free zone.

The following people spoke in favor of this matter:

- Andrew Dinmore, 3817 Wake Circle
- Ken Reid, 506 Spotswood Avenue, Apartment B
- Elizabeth Curran, 78 Gosling Circle, Apartment 202
- Josiah Hunter, 301 East Randall Avenue
- Robert Brown, 8507 Troy Street
- William Jackson, Sr., 3709 Buckingham Street

ACTION:	Continued to the 2nd Public Hearing date of December 8, 2020 - [Unanimous]
AYES:	Doyle, Graves, Johnson, McClellan, Riddick, Smigiel Jr., Thomas Jr., Alexander

R-18 A Resolution appointing and reappointing 11 Members to 4 Boards and 2 Commissions for certain terms. - **(Resolution No. 1812)**

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

R-19 A Resolution amending the Mayor's Commission on Social Equity and Economic Opportunity. - **(Resolution No. 1813)**

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

ADJOURNMENT

City Council Minutes approved on December 8, 2020.



Richard A. Bue

City Clerk