

NORFOLK, VIRGINIA
RESULTS OF THE CITY COUNCIL MEETING
TUESDAY, FEBRUARY 25, 2020 – 7:00 P.M.

INVOCATION

Prayer was offered by Reverend Lawrence A. Todd, Sr., Lighthouse Assembly of God, followed by the Pledge of Allegiance.

Attendee Name	Title	Status	Arrived
Courtney R. Doyle	Councilmember - Ward 2	Present	
Angelia W. Graves	Councilmember - Superward 7	Present	
Mamie B. Johnson	Councilmember - Ward 3	Present	
Andria P. McClellan	Councilmember - Superward 6	Present	
Paul R. Riddick	Councilmember - Ward 4	Present	
Thomas R. Smigiel Jr.	Councilmember - Ward 5	Present	
Martin A. Thomas Jr.	Vice Mayor	Present	
Kenneth Cooper Alexander	Mayor	Present	
Richard A. Bull	City Clerk	Present	

APPROVAL OF MINUTES

The Motion is to approve the minutes of the January 28, 2020 City Council meeting.

ACTION:	Adopted [Unanimous]
AYES:	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.

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

INVITATION TO BID

IB-1 INVITATION TO BID scheduled this day under the State law, to accept bids for a Long Term Garage Parking Agreement, with a term of up to 10 years with the right to extend the term for up to 2 periods of 5 years each, for the lease of up to 581 parking spaces in the Commercial Place Garage located at 520 E. Main Street in the City of Norfolk, Virginia.

ACTION:	Continued to March 3, 2020 [Unanimous]
AYES:	Doyle, Graves, Johnson, Riddick, Smigiel Jr., Thomas Jr., Alexander
ABSTAIN:	Andria P. McClellan

IB-2 INVITATION TO BID scheduled this day under the State law, accepts bids for a Long Term Garage Parking Agreement, with a term of up to 10 years with the right to extend the term for up to 2 periods of 5 years each, for the lease of up to 118 parking spaces in the Fountain Park Garage located at 130 Bank Street, up to 91 parking spaces in the Waterside Garage located at 50 Martins Lane, and up to 89 parking spaces in the Bank Street Garage located at 441 Bank Street, Norfolk, Virginia.

ACTION:	Continued to March 3, 2020 [Unanimous]
AYES:	Doyle, Graves, Johnson, Riddick, Smigiel Jr., Thomas Jr., Alexander
ABSTAIN:	Andria P. McClellan

PUBLIC HEARINGS

MATTER OF A PUBLIC HEARING scheduled this day under the State law, to hear comments on approving a First Amendment to Lease between the City of Norfolk, as Landlord, and National Railroad Passenger Corporation, as Tenant, SO AS TO extend the term of the Lease for certain property located at 280 Park Avenue, Norfolk, Virginia for 1 additional period of 5 years and authorizing the City Manager to execute the First Amendment to Lease on behalf of the City of Norfolk.

PH-1 An Ordinance approving a First Amendment to Lease between the City of Norfolk, as Landlord, and National Railroad Passenger Corporation, as Tenant, SO AS TO extend the term of the Lease for certain property located at 280 Park Avenue, Norfolk, Virginia for one (1) additional period of five (5) years and authorizing the City Manager to execute the First Amendment to Lease on behalf of the City of Norfolk.

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

PUBLIC HEARING scheduled this day under the State law, CITY PLANNING COMMISSION, for a text amendment to the Norfolk Zoning Ordinance to add “Short-Term Rental (Vacation rental)” to HC-WF1 (West Freemason Historic and Cultural Conservation) and HC-WF2 (West Freemason Historic and Cultural Conservation) zoning district In Table 3.6.11, “Principal, Accessory, and Temporary Use Table for Historic and Cultural Conservation Base Zoning Districts”.

PH-2 An Ordinance to Amend Table 3.6.11 of the Norfolk Zoning Ordinance SO AS TO allow Short-Term Rental Unit (Vacation Rental) as a use permitted by Conditional Use Permit in the West Freemason Historic and Cultural Conservation (HC-WF1 and HC-WF2) Districts.

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

PUBLIC HEARING scheduled this day under the State law, on the application of NORFOLK REDEVELOPMENT AND HOUSING AUTHORITY, to vacate the right-of-way of a 16' wide lane/alley east of the Colley Avenue between Front Street and Woodis Avenue.

PH-3 An Ordinance vacating a portion of an unnamed Lane between Woodis Avenue and Front Street.

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

PUBLIC HEARING schedule this day under State Law, to hear comments on approving a Purchase and Development Agreement between the City of Norfolk, as Seller, and Haprah, L.L.C., as Buyer, for certain parcels of real property and the improvements thereon, which parcels are generally known and numbered as 2517 and 2613 Hampton Boulevard, 1250 W. 24th Street, 1204 and 1207 W. 26th Street, and 1213 W. 27th Street.

PH-4 An Ordinance approving a Purchase and Development Agreement between the City of Norfolk, as Seller, and Haprah, L.L.C., as Buyer, for certain parcels of real property and the improvements thereon, which parcels are generally known and numbered as 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 Purchase and Development Agreement on behalf of the City of Norfolk.

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.

ACTION:	Consent Agenda Adopted [Unanimous] with the exception of C-8 which was moved to the Regular Agenda R-16
AYES:	Doyle, Graves, Johnson, McClellan, Riddick, Smigiel Jr., Thomas Jr., Alexander

- C-1 Use of Mace and Police Honor Guard for 67th Anniversary of NATO Festival and Flag Raising.
- C-2 An Ordinance accepting a donation in the amount of \$325,000.00 from Eastern Virginia Medical School and authorizing the expenditure of a previously appropriated cash match of \$25,000.00, to commission an artwork to be owned by the City of Norfolk and erected on the campus of the Eastern Virginia Medical School at Waitzer Hall.
- C-3 An Ordinance approving a License Agreement with Eastern Virginia Medical School for the use of certain space at 735 Fairfax Avenue.
- C-4 An Ordinance accepting, appropriating and authorizing the expenditure of a \$10,000.00 donation from Norfolk Southern Foundation to support Norfolk Fire-Rescue.
- C-5 An Ordinance amending the FY2020 annual appropriations Ordinance (No. 47,636) SO AS TO accept, appropriate and authorize the expenditure of Grant Funds up to the sum of \$15,000.00 from the Virginia Department of Criminal Justice Services and BYRNE/JAG for the Norfolk Criminal Justice Services Agency to procure an automated system notification of upcoming court hearings and related meetings.

- C-6 An Ordinance amending the FY2020 Annual Appropriations Ordinance (No. 47,636) SO AS TO accept, appropriate and authorize the expenditure of Grant Funds up to the sum of \$73,000.00 from the Virginia Department of Behavioral Health and Developmental Services through the Health Planning Region V for the Norfolk Community Services Board to enhance Psychiatry Services for children and adolescents.

- C-7 An Ordinance to Repeal one (1) Subsection of Section 25-656, and to amend and reordain Sections 25-647, 649, 652, 653, 654, and 656 of the Norfolk City Code, 1979, SO AS TO add one (1) new required right turn intersection, one (1) new right turn on red prohibition, five (5) new one-way streets, one (1) new yield intersection, sixteen (16) new stop intersections, and two (2) new prohibitions on certain streets of trucks of one and one-half tons or over.

- C-8 C-8 moved to Regular Agenda and Continued Generally

- C-9 An Ordinance granting a Conditional Use Permit to authorize the operation of an establishment for automobile sales named "Auto Expo of Virginia" on property located at 5045 East Princess Anne Road.

- C-10 An Ordinance granting a Conditional Use Permit to authorize the operation of a restaurant operating with extended hours named "Guads Mexican Restaurant" on property located at 7515 Granby Street.

- C-11 An Ordinance granting a Conditional Use Permit authorizing the sale of alcoholic beverages for off-premises consumption at an establishment named "Virginia Cheese Company" on property located at 501 Botetourt Street.

- C-12 An Ordinance granting a Conditional Use Permit to authorize the operation of an establishment for automobile sales and major automobile repair and maintenance named "Hendrick Automotive Group" on properties located at 6200 to 6266 East Virginia Beach Boulevard.

- C-13 An Ordinance granting a Conditional Use Permit to authorize a hazardous materials storage facility named "Curtis Bay Medical Waste Services Virginia" on property located at 3634 Village Avenue.

- C-14 An Ordinance to amend and reordain Section 24-25.6 of the Code of the City of Norfolk, Virginia, 1979, SO AS TO extend the time to apply for a correction of a License Tax Assessment and to define "Appealable Event," in the same manner as provided in State Law.
- C-15 An Ordinance granting a Conditional Use Permit to authorize an accessory dwelling unit on property located at 531 New Jersey Avenue.
- C-16 An Ordinance authorizing the execution of a Deed of Confirmation for the purpose of confirming and ratifying the length, width and configuration of an easement previously granted to Hampton Roads Sanitation District.
- C-17 An Ordinance amending and reordaining Ordinance No. 47,442 SO AS TO include a corrected exhibit B to the Ordinance and to authorize its recordation.
- C-18 An Ordinance permitting Southern Regional Industrial Realty, Inc. to encroach into the right-of-way adjacent to 3 Commercial Place in the area of 520 E. Main Street with a privately-owned underground storage tank.

REGULAR AGENDA

- R-1 An Ordinance granting a Conditional Use Permit to authorize a Short-Term Rental Unit (Vacation Rental) on property located at 5001 Killam Avenue.

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

- R-2 An Ordinance granting a Conditional Use Permit to authorize a Short-Term Rental Unit (Vacation Rental) on property located at 5003 Killam Avenue.

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

R-3 An Ordinance granting a Conditional Use Permit to authorize a Short-Term Rental Unit (Vacation Rental) on property located at 5007 Killam Avenue.

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

R-4 An Ordinance granting a Conditional Use Permit to authorize a Short-Term Rental Unit (Vacation Rental) on property located at 5009 Killam Avenue.

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

R-5 An Ordinance Granting a Conditional Use Permit to Authorize a Short-Term Rental (Vacation Rental) Dwelling Unit on property located at 1805 Pope Avenue.

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

R-6 An Ordinance granting Conditional Use Permits to authorize the operation of a Commercial Recreation Center operating after midnight with live entertainment named "416 Aphrodite" on property located at 200 East Plume Street.

Jerome Harrell, applicant

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

R-7 An Ordinance approving a Cruise Ship Operating Agreement by and between the City of Norfolk and Carnival License Holdings Limited, d/b/a Carnival Cruise Line, and authorizing the City Manager to execute the Cruise Ship Operating Agreement on behalf of the City of Norfolk.

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

R-8 An Ordinance accepting, appropriating and authorizing the expenditure of the sum of \$1,500,000 from the Hampton Roads Sanitation District in payment of its share of the costs for the Chesterfield Heights Sanitary Sewer Facilities.

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

R-9 An Ordinance approving a First Amendment to Purchase and Development Agreement by and between the City of Norfolk, as Seller, and DT Builders LLC, as Developer, for certain parcels of real property and the improvements thereon, which parcels are generally known and numbered as 1298, 1300 and 1302 East Indian River Road, 903, 1005, 1015, 1017, 1021, 1023, 1025, and 1041 Wilson Road 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.

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

R-10 A Resolution to initiate the process of vacating the public rights of way being certain portions of Fenchurch Street, Posey Lane, Charlotte Street and Chapel Street.

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

R-11 An Ordinance granting a license to CP Logistics Chesapeake, LLC for the use of certain property located at the corner of Portsmouth Boulevard and Jolliff Road in the City of Chesapeake; and authorizing the City Manager to enter into a License Agreement on behalf of the City.

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

R-12 An Ordinance authorizing a Project Administration Agreement with the Virginia Department of Transportation (VDOT) for the design and installation of retroreflective backplate improvements appropriating and authorizing the expenditure of an amount up to \$836,718.00 for the project.

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

R-13 An Ordinance to amend and reordain subsection (c) of Section 42-18 SO AS TO correct the calculation of permit fees.

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

- R-14 An Ordinance to amend and reordain Section 25-277.1 of the Norfolk City Code, 1979, so as to require vehicles to display a valid state license and inspection for parking in a public place.

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

- R-15 An Ordinance to amend and reordain Sections 25.2-60, 25.2-65 and 25.2-115 of the Norfolk City Code, 1979 SO AS TO add one new subsection (b) to authorize the Director Recreation, Parks and Open Space to designate park operating hours.

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

- R-16 An Ordinance granting a Conditional Use Permit to authorize a Short-Term Rental (Vacation Rental) Dwelling Unit on property located at 1519 Longwood Drive.

ACTION: Moved from the Consent Agenda and Continued Generally [Unanimous]
AYES: Doyle, Graves, Johnson, McClellan, Riddick, Smigiel Jr., Thomas Jr., Alexander

- R-17 Use of Mace and Police Honor Guard for 53rd Annual St. Patrick's Day Parade on March 14, 2020.

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