

NORFOLK, VIRGINIA
RESULTS OF THE COUNCIL
CITY COUNCIL MEETING
TUESDAY, AUGUST 25, 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 48,061 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	Present	
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 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

PUBLIC HEARINGS

PH-1 **PUBLIC HEARING** scheduled this day pursuant to State Law, to hear comments authorizing the Conveyance to Construction **Development Services Inc. d/b/a CDSI** of that certain parcel of property located at **1027 Tunstall Avenue** in accordance with the terms and conditions of the Purchase and Sale Agreement, and authorizing the release of the City's Right of Reverter upon satisfaction of a certain condition.

An Ordinance Authorizing the Conveyance to **Construction Development Services Inc. d/b/a CDSI** of that Certain Parcel of Property Located at **1027 Tunstall Avenue** in Accordance with the Terms and Conditions of the Purchase & Sale Agreement, and Authorizing the Release of the City's Right of Reverter Upon Satisfaction of a Certain Condition.

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

PH-2 **PUBLIC HEARING** scheduled this day pursuant to State Law, to hear comments authorizing the Conveyance to **CRD, LLC** of that certain parcel of property located at **727 Roswell Avenue** in accordance with the terms and conditions of the Purchase and Sale Agreement and authorizing the release of the City's Right of Reverter upon satisfaction of a certain condition.

An Ordinance Authorizing the Conveyance to CRD LLC of that Certain Parcel of Property Located at **727 Roswell Avenue** in Accordance with the Terms and Conditions of the Purchase & Sale Agreement and Authorizing the Release of the City's Right of Reverter Upon Satisfaction of a Certain Condition.

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

PH-3 **PUBLIC HEARING** scheduled this day pursuant to State Law, to hear comments authorizing the sale to **EFH LLC** of certain parcels of property located in Campostella Heights in the City of Norfolk, Virginia, and approving the Purchase and Sale Agreement.

An Ordinance Authorizing the Sale to **EFH LLC** of Certain Parcels of Property Located in Campostella Heights in the City of Norfolk, Virginia and Approving the Purchase and Sale Agreement

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, to hear comments authorizing the Sale to **Terreon Conyers** of a certain parcel of property located in **Roland Park** in the City of Norfolk, Virginia, and approving the Purchase and Sale Agreement.

An Ordinance Authorizing the Sale to **Terreon Conyers** of a Certain Parcel of Property Located in **Roland Park** in the City of Norfolk, Virginia, and Approving the Purchase and Sale Agreement

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 Conveyance to **CRD, LLC** of that certain parcel of property located at **1019 E. Olney Road** in accordance with the terms and conditions of the Purchase and Sale Agreement and authorizing the release of the City's Right of Reverter upon satisfaction of a certain condition.

An Ordinance Authorizing the Conveyance to **CRD LLC** of that Certain Parcel of Property Located at **1019 East Olney Road** in Accordance with the Terms and Conditions of the Purchase & Sale Agreement, and Authorizing the Release of the City's Right of Reverter Upon Satisfaction of a Certain Condition.

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

PH-6 **PUBLIC HEARING** scheduled this day pursuant to State Law, on the application **CCBCC Operations, LLC**, to vacate a certain portion of 21st Street, West of Armistead Avenue; a portion of 22nd Street, East of Armistead Avenue; and Armistead Avenue between 20th Street and 22nd Street.

An Ordinance Closing, Vacating and Discontinuing Portions of 21st Street, 22nd Street and Armistead Avenue and Authorizing the City Manager to Enter into a Road Closure Agreement.

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

PH-7 **PUBLIC HEARING** scheduled this day pursuant to State Law, on the application **CCBCC Operations, LLC**, to vacate a certain portion of 22nd Street, West of Armistead Avenue.

An Ordinance Closing, Vacating and Discontinuing a Portion of 22nd Street at Armistead Avenue and Authorizing the Conveyance to **CCBCC Operations, LLC** of Any Interest the City Has in the Said Portion of 22nd Street.

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

PH-8 **PUBLIC HEARING** scheduled this day pursuant to State Law, on the application of **200 E. 22ND STREET, LLC**, to vacate a certain portion of the right-of-way of E. 22nd Street between Monticello Avenue and Armistead Avenue.

An Ordinance Closing, Vacating and Discontinuing a Portion of 22nd Street at Armistead Avenue and Authorizing the Conveyance to **200 E. 22nd Street, LLC** of Any Interest the City has in the Said Portion of 22nd Street.

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

PH-9 **PUBLIC HEARING** scheduled this day pursuant to State Law, to hear comments approving the Terms and Conditions of a Lease with the Norfolk Senior Center t/a Primeplus, for certain premises located at the Norfolk Fitness & Wellness Center at **7300 Newport Avenue** and authorizing the execution of the Lease Agreement.

An Ordinance Approving the Terms and Conditions of a Lease with the Norfolk Senior Center t/a Primeplus, for Certain Premises Located at the Norfolk Fitness & Wellness Center at **7300 Newport Avenue** and Authorizing the Execution of the Lease Agreement.

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

PH-10 **MATTER OF A PUBLIC HEARING** scheduled this day pursuant to State Law, to hear comments authorizing the Conveyance to Colonna's Shipyard of a Certain Strip of Property Numbered as **327 South Main Street** for the Total Sum of \$900.00 in accordance with the Terms and Conditions of the Purchase and Sale Agreement.

An Ordinance Authorizing the Conveyance to Colonna's Shipyard of a Certain Strip of Property Numbered as **327 South Main Street** for the Total Sum of \$900.00 in Accordance with the Terms and Conditions of the Purchase and Sale Agreement.

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]
AYES:	Doyle, Graves, Johnson, McClellan, Riddick, Smigiel Jr., Thomas Jr., Alexander

C-1 An Ordinance Approving the Donation from the **North Atlantic Treaty Organization of a Gift of Certain Road Signs** that Acknowledge the City of Norfolk as the Home of the Only North American NATO Headquarters; Authorizing the City Manager to Accept this Gift on Behalf of the City; Authorizing the Execution of a Letter Agreement Detailing the Donation and Acceptance of the Gift; and to Do All Things Necessary to Appropriately Display the Signs.

C-2 An Ordinance Permitting the **Chrysler Museum of Art** to Encroach into the Right-of-Way at the Intersection of Yarmouth Street and W. Brambleton Avenue with a Work of Art.

- C-3 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 “Macabeo” on Property Located at **508 Orapax Street**.
- C-4 An Ordinance Granting a **Conditional Use Permit** to Authorize the Operation of a Tattoo Parlor Named “Karina Michele Permanent Cosmetics” on Property Located at **2113 Colonial Avenue**.
- C-5 An Ordinance Approving a Right of Entry Permitting **Curtis Contracting, Inc.** to Go Upon and Use City-Owned Property Located Near the Granby Street Bridge.
- C-6 An Ordinance Accepting with Appreciation the Donation to the City of a Nissan 12-Passenger Van by the Norfolk Police Foundation, to be used by the **Norfolk Police Department for the Transportation** for Youth Focused Community Engagement Programs.
- C-7 An Ordinance Accepting the Sum of \$6,000.00 from the **John W. Carson Foundation** and Appropriating and Authorizing the Expenditure of the Sum of \$6,000.00 to Support the Norfolk Public Library's Purchase of Wi-Fi Hot Spots.
- C-8 An Ordinance Granting **PBS Ghent, LLC D/B/A 80/20 Burger Bar** Permission to Encroach into the Right-of-Way of Omohundro Avenue at **123 W. 21st Street** for the Purpose of Outdoor Dining and Approving the Terms and Conditions of the Encroachment Agreement.
- C-9 An Ordinance Granting **Adams Outdoor Advertising, Inc.** Permission to Encroach onto City Property Located at **240 S. Military Highway** with an Outdoor Advertising Sign and Approving the Terms and Conditions of the Encroachment Agreement.
- C-10 An Ordinance Granting **Commune NFK, LLC** Permission to Encroach into the Right-of-Way at **759 Granby Street** for the Purpose of Outdoor Dining and Approving the Terms and Conditions of the Encroachment Agreement.
- C-11 An Ordinance authorizing the City Manager to enter into a right of entry agreement with **Francis Haley, Jr. and Glenda Haley** regarding the property located at **2553 Tidewater Drive**, in connection with the Lindenwood/Barraud Park Shoreline Restoration Project.

REGULAR AGENDA

- R-1 An Ordinance Authorizing the Issuance and Sale by the City of Norfolk, Virginia of Water Revenue Refunding Bonds to Refund Earlier Bond Issues

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

- R-2 An Ordinance to Amend and Reordain the Norfolk City Code, 1979, as Amended, so as to Amend Sections 23-24 and 23-29 Concerning the Library Board.

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

- R-3 A Resolution Approving the Exercise by the Norfolk Redevelopment and Housing Authority of Powers Conferred by the Virginia Housing Authorities Law, Chapter 1, Title 36 of the Code of Virginia of 1950, as amended, in Connection with the Issuance of its Residential Rental Housing Revenue Bonds in a Principal Amount of up to \$35,000,000, the Proceeds of which will be Loaned to an Affiliate of EREG Housing Preservation, LLC, D/B/A Evergreen Real Estate Group, Anticipated to be Lakewood Plaza Apartments LLC, to Assist it in Financing a Portion of the Cost of Acquiring, Renovating and Rehabilitating the Lakewood Plaza Apartments Located at 5361 Tidewater Drive, Norfolk, Virginia and Financing certain Related Costs and Reserves and Upon which the City Shall not have any Payment Obligation

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

R-4 A Resolution Confirming a Declaration of a State of Local Emergency made by the Director of Emergency Management for the City of Norfolk, Virginia, pursuant to Virginia Code Section 44-146.21, due to the Hazards and Damages of Tropical Storm Isaias.

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

R-5 An Ordinance to Add a Regular Council Meeting on **Tuesday, September 1, 2020** at 6:00 P.M.

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

R-6 The First Ordinance Amending and Reordaining the Fiscal Year 2021 Compensation Plan Ordinance SO AS TO Revise its Alphabetical Classification List of the Officers and Employees of the City and the Public Safety Pay Schedule (40 Hours) - Plan 5 as required by the Charter.

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

R-7 An Ordinance Approving the Conveyance to the City by Norfolk Redevelopment and Housing Authority of the Property Known as the Fountain Park at Waterside

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

R-8 An Ordinance Amending the FY2021 Annual Appropriations Ordinance (No. 47,999) so as to Accept, Appropriate and Authorize the Expenditure of Grant Funds for Four Projects up to the Sum of \$43,420.00 from the Department of Conservation and Recreation - Dam Safety, Flood Prevention and Protection Assistance Fund, and Previously-Appropriated Local Matching Funds in the Amount of \$43,420.00.

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

R-9 An Ordinance Requesting the Virginia Department of Transportation to Establish Projects for Countdown Signals Phase II and Systemic Flashing Yellow Arrow Improvements; Appropriating and Authorizing the Expenditure of the Total Sum of \$2,471,449.00 for these Projects, Subject to and in Accordance with the Project Administration Agreements to be Entered into by the City and the Virginia Department of Transportation.

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

R-10 A Resolution Approving an Amendment to the Norfolk Community Services Board's Performance Contract with the Commonwealth for Fiscal Year 2019 Through Fiscal Year 2020 Requested by the Commonwealth, SO AS TO Make Various Modifications Retroactively, Including Extending its Term Effective July 1, 2020 to end on December 31, 2020.

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

R-11 A Resolution appointing and reappointing 8 members to 1 Authority, 1 Commission and 1 Board for a certain term.

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

ADJOURNMENT