

NORFOLK, VIRGINIA
RESULTS OF THE COUNCIL
CITY COUNCIL MEETING

TUESDAY, DECEMBER 22, 2020 – 6:00 P.M.

ANNOUNCEMENT

This meeting of the Norfolk City Council is being held by electronic communication means pursuant to Item 4-0.01 in House Bill 30 (Chapter 1289) of the 2020 Session.

The Governor of the Commonwealth of Virginia has declared a State of Emergency due to the public health danger of the novel coronavirus COVID-19 pandemic, which constitutes a disaster and emergency under Virginia Code Section 44-146.16.

The COVID-19 pandemic makes it impracticable or unsafe for the City Council to assemble in a single location.

The purpose of this meeting is to discuss or transact the business statutorily required or necessary to continue operations of this public body and the discharge of its lawful purposes, duties, and responsibilities.

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 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, approving a Lease Agreement with The Friends of Fred Huette Foundation for the Lease of The Fred Huette Center Located at 1000 Botetourt Gardens.

An Ordinance Approving a Lease Agreement with The Friends of Fred Huette Foundation for the Lease of The Fred Huette Center Located at 1000 Botetourt Gardens.

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, to Amend and Reordain Sections 1 and 2 of the Capital Improvement Plan Budget for the Fiscal Year beginning July 1, 2020 and ending June 30, 2021 SO AS TO establish funding in the amount of \$18,550,000 for the Redevelopment of Military Circle Mall and \$5,560,000 for the Acquisition of the Globe Iron Properties; to Authorize the Issuance of Additional Bonds in the Amount of \$18,550,000 to Fund the Military Circle Redevelopment and to Reappropriate Previously Authorized but Unissued Bonds in the Amount of \$5,560,000.

An Ordinance to Amend and Reordain Sections 1 and 2 of the Capital Improvement Plan Budget for the Fiscal Year Beginning July 1, 2020 and Ending June 30, 2021 so as to Establish Funding in the Amount of \$18,550,000 for the Redevelopment of Military Circle Mall and \$5,560,000 for the Acquisition of the Globe Iron Properties; to Authorize the Issuance of Additional Bonds in the Amount of \$18,550,000 to Fund the Military Circle Redevelopment and to Reappropriate Previously Authorized but Unissued Bonds in the Amount of \$5,560,000.

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, approving a Second Amendment to Purchase and Sale Agreement Between the City of Norfolk, as Seller, and Asbury Avenue LLC, as Purchaser, regarding that certain parcel of property located at 7661 Central Business Park Drive, SO AS TO extend the due diligence period to approve seller's granting of a Stormwater Drainage Easement to purchaser over adjacent property owned by Seller and located at 901 Asbury Avenue, Norfolk, Virginia and to Authorize the City Manager to Execute the Second Amendment to Purchase and Sale Agreement and the Deed of Easement for Stormwater Drainage on Behalf of the City of Norfolk.
and to Authorize the City Manager to Execute the Second Amendment to Purchase and Sale Agreement and the Deed of Easement for Stormwater Drainage on Behalf of the City of Norfolk.

An Ordinance Approving a Second Amendment to Purchase and Sale Agreement Between the City of Norfolk, as Seller, and Asbury Avenue LLC, as Purchaser, Regarding that Certain Parcel of Property Located at 7661 Central Business Park Drive, SO AS TO Extend the Due Diligence Period to Approve Seller's Granting of a Stormwater Drainage Easement to Purchaser Over Adjacent Property Owned by Seller and Located at 901 Asbury Avenue, Norfolk, Virginia and to Authorize the City Manager to Execute the Second Amendment to Purchase and Sale Agreement and the Deed of Easement for Stormwater Drainage on Behalf of the City of Norfolk.

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 BRINSHORE DEVELOPMENT, LLC, for a Change of Zoning from C-R (Regional Commercial) & MF-NS (Multi-Family – Neighborhood Scale) District to D-SP (Downtown – St. Paul’s) District on property beginning at the southeastern most corner of 434 St. Paul’s Boulevard, and extending 38 feet, more or less, northeast, then 331 feet, more or less, east, then 203 feet, more or less, south, then 279 feet, more or less, west, then 193 feet, more or less north; property consists of 1.36 acres, more or less, and known as Block 17 of the St. Paul’s Redevelopment, Phase I.

An Ordinance to Rezone Property Located at 434 Saint Paul’s Boulevard from C-R (Regional Commercial) District and MF-NS (Multi-Family - Neighborhood Scale) District to D-SP (Downtown - Saint Paul’s) District.

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

PH-5 Public Hearing scheduled this day pursuant to State Law, on the application of BRINSHORE DEVELOPMENT, LLC, for a Change of Zoning from C-R (Regional Commercial) District to D-SP (Downtown – St. Paul’s) District on property beginning at the southwestern most corner of 434 St. Paul’s Boulevard and extending along the southern property line of said parcel for a distance of 457 feet, more or less, east, then 181 feet, more or less, south, then 344 feet, more or less, west to St. Paul’s Boulevard, then 170 feet, more or less, north to the beginning; property is approximately 1.501 acres and known as Block 18 of the St. Paul’s Redevelopment, Phase I.

An Ordinance to Rezone Property Located at 434 Saint Paul’s Boulevard from C-R (Regional Commercial) District to D-SP (Downtown - Saint Paul’s) District.

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

PH-6 Public Hearing scheduled this day pursuant to State Law, authorizing the City to Convey to the Commonwealth of Virginia Permanent Roadway and Maintenance Easements and Temporary Construction Easements over Certain City-Owned Property Located in Isle of Wight County.

An Ordinance Authorizing the City to Convey to the Commonwealth of Virginia Permanent Roadway and Maintenance Easements and Temporary Construction Easements over Certain City-Owned Property Located in Isle of Wight County.

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

C-1 An Ordinance Authorizing the City Manager to Enter into a Right of Entry Agreement with the Commonwealth of Virginia in Connection with the Ennis Mill Road Bridge Construction Project.

C-2 An Ordinance Approving a Right of Entry Agreement Between Norfolk Redevelopment and Housing Authority, as Grantor, and the City of Norfolk, as Grantee, Permitting the City of Norfolk to Enter Upon and Use the Property Located at 450 Walke Street in the City of Norfolk, Virginia for the Purpose of Constructing, Operating, and Maintaining a New Wastewater Pump Station and Authorizing the City Manager to Execute the Right of Entry Agreement on Behalf of the City.

C-3 An Ordinance Permitting JMJM, LLC to Encroach into the Right-of-Way of Partridge Street with an Existing Porch.

REGULAR AGENDA

R-1 An Ordinance Granting A Conditional Use Permit to Authorize Multi-Family Dwellings on Property located at 434 Saint Paul’s Boulevard.

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 Multi-Family Dwellings on Property located at 434 Saint Paul’s Boulevard.

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 Large-Scale Drive-through Facility on Property located at 434 Saint Paul’s Boulevard.

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

R-4 An Ordinance to Schedule Council Meeting Dates for 2021.

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

R-5 An Ordinance Amending and Reordaining Sections 2-49 and 2-49.1 of the Norfolk City Code, 1979, so as to Increase the Rates of Accrual and the Caps of the Accrual of Annual Leave for City Employees and certain Non-City Employees.

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

R-6 An Ordinance Approving the Donation and Conveyance by Park Crescent Associates Limited Partnership to the City of Norfolk of the Property Located at S S Norview Avenue; Authorizing the City Manager to Accept a Deed of Gift on Behalf of the City; and Authorizing the Expenditure of a Sum of Up to \$10,000.00 from Funds Heretofore Appropriated for Any Related Transactional Costs.

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 Additional Grant Funds in the Amount of \$40,000.00 for Total Grant Funds of up to the sum of \$250,000.00 from the Virginia Department of Behavioral Health and Developmental Services for the Norfolk Community Services Board to Provide Peer Recovery Services for Individuals with Substance Use Disorder.

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 Additional Grant Funds in the Amount of \$95,000.00 for Total Grant Funds of up to the sum of \$145,000.00 from the Virginia Department of Behavioral Health and Developmental Services for the Norfolk Community Services Board to Implement the SOR Logic Model to Address Opioid Misuse.

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

R-9 An Ordinance Authorizing the City of Norfolk to Enter into a Sub-Agreement for Relocation of Municipal Water Lines at the Commonwealth Railway Marshalling Yard with the Virginia Port Authority; and Authorizing the Expenditure of the Total Sum of \$19,512,119.00 Previously Appropriated for this Project, Subject to and in Accordance with the Terms and Conditions of the Aforesaid Agreement.

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

R-10 A Resolution requesting that the Virginia Department of Transportation Establish the Project for the NEPA review of the St. Paul's Neighborhood Redevelopment Project in accordance with the VDOT Project Administration Agreement between the City of Norfolk and the Virginia Department of Transportation; and Authorizing the City Manager to execute the Agreement on behalf of the City of Norfolk.

ACTION:	Adopted [Unanimous]
AYES:	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 Grant Funds up to the Sum of \$1,425,000.00 from Virginia Department of Transportation, and to Authorize the Expenditure of Previously-Appropriated Local Matching Funds in the Amount of \$1,425,000.00 for the Five Points Intersection Rehabilitation Project.

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

R-12 An Ordinance to Amend and Reordain Article IV of Chapter 37 of the Norfolk City Code, 1979, As Amended, Concerning Optional Allowances and Death Benefits After Retirement.

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

R-13 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 \$10,188,971.43 from the Virginia Department of Housing and Community Development as Authorized by the Coronavirus Aid, Relief, and Economic Security (CARES) Act for the COVID-19 Municipal Utility Relief Program.

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

R-14 An Ordinance Approving a First Amendment to Encroachment Agreement Between the City of Norfolk and 500 Granby, LLC, and Authorizing the City Manager to Execute the First Amendment to Encroachment Agreement on Behalf of the City of Norfolk.

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

R-15 An Ordinance Authorizing the Expenditure of \$549,900 and Authorizing a Cooperation Agreement Between the City of Norfolk and the Economic Development Authority of the City of Norfolk for the Purposes of Allowing the Economic Development Authority to Administer Revolving Loan Funds to Provide Assistance to Businesses Located in The City of Norfolk Facing Sudden and Severe Economic Dislocation Caused by the Covid-19 Pandemic, to Provide Permanent Resources to Support Economic Resiliency, and to Further the Long-Term Economic Adjustment Objectives of the Region.

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

R-16 A Resolution appointing and reappointing 56 members to 5 Boards, 8 Commissions, and 1 committee for certain terms.

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

ADJOURNMENT