

NORFOLK, VIRGINIA
RESULTS OF THE COUNCIL
CITY COUNCIL MEETING
TUESDAY, FEBRUARY 14, 2023 – 6:00 P.M.

A CITIZEN WHO WISHES TO ADDRESS COUNCIL CONCERNING AN AGENDA ITEM OR NEW BUSINESS MUST REGISTER TO SPEAK WITH THE CITY CLERK BY 3:00 PM THE DAY OF THE MEETING BY CALLING (757) 664-4253. REGISTER YOUR NAME, ADDRESS, PHONE NUMBER AND EMAIL ADDRESS.

MOMENT OF SILENCE

Followed by the Pledge of Allegiance.

ROLL CALL

Attendee Name	Title	Status
Courtney R. Doyle	Councilmember - Ward 2	Present
Mamie B. Johnson	Councilmember - Ward 3	Present
Andria P. McClellan	Councilmember - Superward 6	Present
John E. Paige	Councilmember - Ward 4	Present
Danica J. Royster	Councilmember - Superward 7	Present
Thomas R. Smigiel Jr.	Councilmember - Ward 5	Remote
Martin A. Thomas Jr.	Vice Mayor	Present
Kenneth Cooper Alexander	Mayor	Present
Bernard Pishko	City Attorney	Present
Dr. Larry H. Filer II	City Manager	Present
Richard A. Bull	City Clerk	Present

APPROVAL OF MINUTES

Approve the minutes of the previous City Council meeting.

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

INVITATION FOR BID

IB-1 Invitation for Bids and Notice of Public Hearing for a non-exclusive franchises to use and occupy the City's streets and public rights-of-way for the purpose of constructing, installing, and maintaining network facilities for telecommunications services within and through the City.

ACTION:	Continued to February 28, 2023 [Unanimous]
AYES:	Doyle, Johnson, McClellan, Paige, Royster, Smigiel Jr., Thomas Jr., Alexander

PUBLIC HEARINGS

PH-1 Public Hearing scheduled this day, pursuant to State Law, to hear comments to Amend and Reordain Section 1 of the Capital Improvement Plan Budget for the Fiscal Year Beginning July 1, 2022 and Ending June 30, 2023 SO AS TO Establish Funding in the Amount of up to \$6,000,000 to Support Citywide Resurfacing.

An Ordinance to Amend and Reordain Section 1 of the Capital Improvement Plan Budget for the Fiscal Year Beginning July 1, 2022 and Ending June 30, 2023 so as to Establish Funding in the Amount of up to \$6,000,000 to Support Citywide Resurfacing

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

PH-2 Public Hearing scheduled this day, pursuant to State Law, to hear comments approving an Amendment to Lease Agreement Between the City of Norfolk and Richardsons Enterprises Inc. t/a The Coffee Cafe for Space Located Within City Hall at 810 Union Street.

An Ordinance Approving an Amendment to Lease Agreement Between the City of Norfolk and Richardsons Enterprises Inc. t/a The Coffee Cafe for Space Located Within City Hall at 810 Union Street.

ACTION:	Adopted [Unanimous]
AYES:	Doyle, Johnson, McClellan, Paige, Royster, 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 Granting a Conditional Use Permit to Authorize a Short-Term Rental Unit (Vacation Rental) on Property Located at 1124 Virgilina Avenue.

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

C-2 An Ordinance Granting Conditional Use Permits to Authorize a Restaurant to Operate with Extended Hours and the Sale of Alcoholic Beverages for Off-Premises Consumption Named "Taco y Tequila" on Property Located at 1421 Colley Avenue.

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

C-3 An Ordinance Granting Conditional Use Permits to Authorize the Operation of an Automobile Sales Establishment and a Major Automobile Repair and Maintenance Facility named “Ready 2 Roll Motor Sports” on Property Located at 3345 North Military Highway.

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

C-4 An Ordinance Granting a Conditional Use Permit to Authorize Short-Term Rental Units (Vacation Rental) on Property Located at 358 West Freemason Street.

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

C-5 An Ordinance Granting a Conditional Use Permit to Authorize Short-Term Rental Units (Vacation Rental) on Property Located at 1976 East Ocean View Avenue.

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

C-6 An Ordinance Granting a Conditional Use Permit to Authorize a Short-Term Rental Unit (Vacation Rental) on Property Located at 2701 Pleasant Avenue.

ACTION:

Adopted [Unanimous]

AYES:

Doyle, Johnson, McClellan, Paige, Royster, Alexander

NAYES:

Smigiel Jr. and Thomas Jr.

C-7

An Ordinance Granting Conditional Use Permits to Authorize the Operation of a Banquet Hall, Live Entertainment, and the Sale of Alcoholic Beverages for On Premises Consumption Named “Marriott Residence Inn” on Property Located at 1590 North Military Highway.

ACTION:

Adopted [Unanimous]

AYES:

Doyle, Johnson, McClellan, Paige, Royster, Smigiel Jr., Thomas Jr., Alexander

C-8

Letter from the 2023 Saint Patrick’s Day Parade Committee requesting use of the Mace and Police Honor Guard for 56th Annual St. Patrick’s Day Parade on March 18, 2023, at 10:00 a.m.

ACTION:

Adopted [Unanimous]

AYES:

Doyle, Johnson, McClellan, Paige, Royster, Smigiel Jr., Thomas Jr., Alexander

C-9

An Ordinance Accepting the Conveyance of a Temporary Construction Easement and a Permanent Drainage Easement from John Martin and Ruth Martin and Authorizing the City Manager to Accept the Deed of Easement on Behalf of the City.

ACTION:

Adopted [Unanimous]

AYES:

Doyle, Johnson, McClellan, Paige, Royster, Smigiel Jr., Thomas Jr., Alexander

C-10

An Ordinance Permitting John Hadjikakos to Encroach into the Right-of-Way of 9th View Street at 902 W. Ocean View Avenue with a Wooden Walkway, a Wooden Deck, a Concrete and Gravel Driveway, a Covered Wooden Patio, a Wooden Fence and Authorizing the Encroachment Agreement.

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

C-11 An Ordinance to Amend and Reordain Section 25-654 of the Norfolk City Code, 1979, so as to add Nine New Stop Intersections.

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

C-12 An Ordinance directing the City Treasurer to issue a refund to Tidewater Convenience, Inc. based upon the overpayment of its Business License Tax for the Tax Year 2022.

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

REGULAR AGENDA

R-1 An Ordinance to Amend Section 3.9.19 of the Norfolk Zoning Ordinance, Establishing Regulations for Properties in the URO (Upland Resilience Overlay) District, so as to Correct Terminology and Modify the Process for a Voluntary Extinguishment of Development Rights to Benefit Development Outside the URO District.

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

R-2 An Ordinance Authorizing the Acquisition of the Property Located at 550 E. Plume Street and Authorizing the City Manager to Enter into an Appropriate Deed to Transfer the Property to the City.

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

R-3 An Ordinance Amending and Reordaining Ordinance No. 48,849 so as to Increase the Funds Appropriated for the Purchase of the Property Due to an Increase in Transactional Costs.

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

R-4 An Ordinance Amending The FY2023 Annual Appropriations Ordinance (No. 48,751) so as to Accept, Appropriate and Authorize the Expenditure of Grant Funds up to the Sum of \$27,500 from Virginia Department of Housing and Community Development to Support Norfolk Community Services Board's Emergency Shelter Operations and the Homeless Management Information System (HMIS).

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

R-5 An Ordinance Authorizing a Project Administration Agreement With the Virginia Department of Transportation ("VDOT") for the St. Paul's Roadway Improvements Phase 2 Project. - **(Resolution No. 1880)**

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

R-6 An Ordinance Amending the FY2023 Annual Appropriations Ordinance (No. 48,751) so as to Accept, Appropriate and Authorize the Expenditure of Grant Funds up to the sum of \$51,308.50 from the Virginia Department of Environmental Quality for the Keep Norfolk Beautiful Program from the Litter Prevention and Recycling Program Grant.

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

R-7 A Resolution to Expand the Greater St. Paul's Revitalization Area Previously Established by Resolution No. 1,635 and Expanded by Resolutions No. 1,823 and No. 1,853.

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

R-8 An Ordinance Amending the FY2023 Annual Appropriations Ordinance (No. 48,751) so as to Accept, Appropriate and Authorize the Expenditure of Grant Funds up to the Sum of \$154,800 from Sentara Healthcare/Optima Health/Virginia Premier (Sentara) to Support Norfolk Community Services Board's Healthy Hotel Program Extension Initiative.

ACTION:	Adopted [Unanimous]
AYES:	Johnson, McClellan, Paige, Royster, Smigiel Jr., Thomas Jr., Alexander
ABSTAIN:	Doyle

R-9 An Ordinance Amending the FY2023 Annual Appropriations Ordinance (No. 48,751) so as to Accept, Appropriate and Authorize the Expenditure of Grant Funds up to the Sum of \$687,599 from the Virginia Department of Environmental Quality for Stormwater Local Assistance Fund, and Previously-Appropriated Local Matching Funds in the Amount of \$687,602 for Three Water Quality Improvement Projects.

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

R-10 An Ordinance Amending the FY2023 Annual Appropriations Ordinance (No. 48,751) so as to Accept, Appropriate and Authorize the Expenditure of Grant Funds up to the Sum of \$50,000 from the Virginia Economic Development Partnership, Virginia Resources Authority and Department of Environmental Quality through the Virginia Brownfields Restoration and Economic Redevelopment Assistance Fund, and Previously-Appropriated Local Matching Funds in the Amount of \$5,520,000 for the Project at 1416 Cary Avenue (Former Globe Iron Property).

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

R-11 An Ordinance Approving a Lease Agreement Between Taejin Christina Pendleton, as Lessor, and the City of Norfolk, as Lessee, for the Lease of Property Located at 1500 E. Little Creek Road; Authorizing the City Manager to Execute the Lease Agreement on Behalf of the City of Norfolk; and Authorizing the Expenditure of a Sum of Up to \$47,311.44 From Funds Heretofore Appropriated to Cover the Rent Payments for the Remainder of Fiscal Year 2023.

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

R-12 A Resolution Adding an Item To the 2023 Legislative Priorities For The City Of Norfolk.

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

R-13 The Fourth Ordinance Amending and Reordining the Fiscal Year 2023 Compensation Plan Ordinance so as to delete One Title and add Two new Titles to the Plan with Salary and other Status Indicated and adding the Job Codes attached to Five Position Titles.

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

R-14 A Resolution Appointing and Reappointing 2 Members to 1 Authority and 1 Committee for Certain Terms

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