

NORFOLK, VIRGINIA
RESULTS OF THE COUNCIL
CITY COUNCIL MEETING
TUESDAY, MARCH 28, 2023 – 6:00 P.M.

A CITIZEN WHO WISHES TO ADDRESS COUNCIL CONCERNING A DOCKET 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 OR EMAILING CCOUNCIL@NORFOLK.GOV.

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 | Present |
| Martin A. Thomas Jr. | Vice Mayor - Ward 1 | Present |
| Kenneth Cooper Alexander | Mayor | Present |
| Dr. Larry H. Filer II | City Manager | Present |
| Bernard Pishko | City Attorney | 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 Lease with a term of ten (10) years for the premises located at 13th View Street and Bayville Street in the City of Norfolk.

A bid was received from Old Dominion University ("ODU") and marked for identification as ODU.

The Motion was made by Councilwoman Johnson to continue this matter to April 11, 2023 and seconded by Councilwoman Doyle.

| | |
|----------------|---|
| ACTION: | Continued to April 11, 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, on the application of SITEONE LANDSCAPE SUPPLY, for a change of zoning from IN (Institutional) to Conditional I-L (Industrial – Light) at 1132 Pickett Road and 1121 Harmony Road.

An Ordinance to Rezone Properties Located at 1132 Pickett Road and 1121 Harmony Road from IN (Institutional) District to Conditional I-L (Industrial-Light) District.

| | |
|----------------|---|
| 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, on the application of DEPAUL VILLAGES, LLC, for a Change of Zoning from IN-C (Institutional – Campus) to PD (Planned Development) at 100, 110, 150 and 160 Kingsley Lane, E S Newport Avenue, 6303 and 6401 Granby Street.

An Ordinance to Rezone Properties Located at 100, 110, 150, and 160 Kingsley Lane, 6303 and 6401 Granby Street, and a Parcel having GPIN 1439141606 from IN-C (Institutional-Campus) District to PD (Planned Development) District named “DePaul Villages.”

| | |
|----------------|--|
| ACTION: | Adopted [7 to 1] |
| AYES: | Doyle, Johnson, McClellan, Royster, Smigiel Jr., Thomas Jr., Alexander |
| NAYS: | Paige |

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

C-1 An Ordinance to Schedule a Council Retreat on Friday, April 21, 2023, and to Move the Location from the Council Chambers of the City Hall Building to the Jordan Newby Anchor Branch Library.

C-2 An Ordinance to Amend and Reordain Section 2-420 of the *Norfolk City Code, 1979*, SO AS TO change the name of the Bicycling and Pedestrian Trails Commission to Bicycling, Pedestrian, and Active Transportation Commission.

C-3 An Ordinance Granting Christopher J. Mais and Marsha C. Mais Permission to Encroach into the Rights-of-Way of Partridge Street and Quail Street with a Fence.

C-4 An Ordinance Approving a Right of Entry Permitting the Chrysler Museum of Art to go Upon and Use Certain City Owned Property Located at 358 Mowbray Arch.

REGULAR AGENDA

R-1 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 \$19,302.77 From The Virginia Department Of Health Planning Region V For The Norfolk Community Services Board To Provide Mental Health First Aid And Suicide Prevention Services.

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

R-2 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 \$149,948 From The Behavioral Department Of Behavioral Health And Developmental Services For The Norfolk Community Services Board To Operate Or Contract The BRAVO (Behavioral Health Redesign For Access, Value And Outcomes) Start-Up Community Stabilization Program.

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

R-3 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 \$4,517,686 From The United States Department Of Housing And Urban Development For The HOME Investment Partnerships-American Rescue Plan Grant Program (HOME-ARP) To Develop Affordable Rental Housing, Provide Supportive Services, And Conduct General Administration To Meet The Housing And Service Needs Of Homeless Populations And Other Vulnerable Populations In The City Of Norfolk.

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

R-4 An Ordinance Approving a First Amendment to Sublease Between the City of Norfolk, as Landlord, and Virginia Stage Company, as Tenant, for the Lease of Portions of the Monroe Building Located at 254 Granby Street in the City of Norfolk, Virginia, and Authorizing the City Manager to Execute the First Amendment to Sublease on Behalf of the City of Norfolk.

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

R-5 An Ordinance Granting a Conditional Use Permit to Authorize a Short-Term Rental Unit (Vacation Rental) on Property Located at 2428 East Ocean View Avenue.

| | |
|----------------|---|
| ACTION: | Lost [0 to 8] |
| NAYS: | Doyle, Johnson, McClellan, Paige, Royster, Smigiel Jr., Thomas Jr., Alexander |

R-6 An Ordinance Granting Conditional Use Permits to Authorize the Operation of a Craft Beverages Production Facility with Live Entertainment Named “COVA Brewing Company” on Property Located at 9529 Shore Drive.

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

R-7

An Ordinance Granting Conditional Use Permits to Authorize the Operation of an Automobile Sales Establishment, a Major Automobile Repair and Maintenance Facility, and an Automobile Rental Facility named “HM Enterprises” on Property Located at 3302 Croft Street.

| | |
|----------------|---|
| ACTION: | Adopted [7 to 1] |
| AYES: | Doyle, Johnson, McClellan, Paige, Royster, Smigiel Jr., Alexander |
| NAYS: | Thomas Jr. |

R-8

An Ordinance to Amend and Reordain Section 24-289 of the *Norfolk City Code, 1979*, regarding the levy and amount of Admissions Tax, to add subsection (c) that no tax shall be imposed or levied on the admissions charged for attendance at public and private elementary, middle and secondary school-sponsored events, including events sponsored by school-recognized student organizations.

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

R-9

A Resolution Appointing and Reappointing 64 Members to 1 Authority, 2 Committees, 6 Commissions, and 7 Boards for Certain Terms.

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

March 28, 2023