

NORFOLK, VIRGINIA
RESULTS OF THE COUNCIL
CITY COUNCIL MEETING
TUESDAY, JUNE 27, 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

APPROVAL OF MINUTES

Approve the minutes of the previous City Council meetings.

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

PUBLIC HEARINGS

PH-1 Public Hearing scheduled this day, pursuant to State Law, to hear comments approving the Conveyance by the City of the Property known as 601-609 W. 35th Street to the Norfolk Redevelopment and Housing Authority.

An Ordinance Approving the Conveyance by the City of the Property Known as 601-609 W. 35th Street to the Norfolk Redevelopment and Housing Authority - **(Ordinance No. 49228)**

Rodney Jordan, 304 W. 36th Street, spoke in opposition to this matter.

ACTION:	Adopted [5 to 3]
AYES:	McClellan, Paige, Smigiel Jr., Thomas Jr., Alexander
NAYS:	Doyle, Johnson, Royster

PH-2 Public Hearing scheduled this day, pursuant to State Law, to hear comments approving a Lease Agreement with TWP – The Youth Movement for the Lease of City owned property located at 700 E. Olney Road known as the Vivian C. Mason Arts & Technology Center.

An Ordinance Approving a Lease Agreement with TWP - The Youth Movement for the Lease of City Owned Property Located at 700 E. Olney Road Known as the Vivian C. Mason Arts & Technology Center. - **(Ordinance No. 49229)**

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 Approving a Right of Entry Permitting H.O.P.E. Foundation Inc. to go Upon and Use City-Owned Property Located at 901 Church Street, - **(Ordinance No. 49230)**
Nichole McGill, 400 E. Freemason Street, spoke in support of this matter.

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

C-2 An Ordinance directing the City Treasurer to issue a refund to American Funds Service Company upon the overpayment of its Business Tangible Property Tax for the Tax Year 2022. - **(Ordinance No. 49231)**

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

C-3 An Ordinance Granting a Conditional Use Permit to Authorize Short-Term Rental Units (Vacation Rental) on Property Located at 9530 6th Bay Street. - **(Ordinance No. 49232)**

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 a Short-Term Rental Unit (Vacation Rental) on Property Located at 2004 East Ocean View. - **(Ordinance No. 49233)**

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

REGULAR AGENDA

R-1

An Ordinance Accepting the Bid Submitted by Community Power Group LLC For Solar Facility Site Lease Agreements, with a Term of Approximately Twenty (20) Years, With the Options to Renew for Three (3) Additional Five Year Periods, in Order to Operate and Maintain a Solar Energy and Storage Facility at 2400 Berkeley Avenue Ext. - **(Ordinance No. 49234)**

Mike Borkowski, the applicant, 5636 Connecticut Avenue, Washington D.C., spoke in support of this matter.

Nichole McGill, 400 Freemason Street, spoke in support of this matter.

Alton Robinson, 5116 E. Princess Anne Road, spoke in support of this matter.

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

R-2

An Ordinance Granting a Conditional Use Permit to Authorize the Operation of a Solar Energy Collection Facility (Large-Scale) on Property Located at 2400 Berkley Avenue Extended. - **(Ordinance No. 49235)**

Mike Borkowski, the applicant, 5636 Connecticut Avenue, Washington D.C., spoke in support of this matter.

Nichole McGill, 400 Freemason Street, spoke in support of this matter.

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

R-3 An Ordinance Amending and Reordaining Ordinance No. 49,183 SO AS TO Amend the Title and Body of the Ordinance to Include an Additional Parcel Located at N S E. Princess Anne Road, Tax Account Number 0000-0225. - **(Ordinance No. 49236)**

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

R-4 An Ordinance to Cancel the City Council Meeting Scheduled on July 18, 2023. - **(Ordinance No. 49237)**

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

R-5 An Ordinance Amending the FY2023 Annual Appropriations Ordinance (No. 48,751) SO AS TO Accept, Appropriate and Authorize the Expenditure of Donated Funds Up to The Sum Of \$5,000 From the Friends of The Norfolk Public Libraries for The Purpose of Supporting the Slover Library's 2023 Summer Reading Program. - **(Ordinance No. 49238)**

Nichole McGill, 400 Freemason Street, spoke in support of this matter.

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 \$20,606.35 From Virginia Marine Resources Commission For The Purpose Of Reimbursing The City For The Environmental Containment, Removal And Disposal Of A Sunken 29-Foot Coastal Cruiser At The Willoughby Bay Boat Ramp. - **(Ordinance No. 49239)**

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

R-7 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 Program and Previously-Appropriated Local Matching Funds in the amount of \$5,520,000 for the Project at 1401 & 1445 Maltby Avenue (Former Globe Iron Property). - **(Ordinance No. 49240)**

Nichole McGill, 400 Freemason Street, spoke in support of this matter.

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 Opioid Settlement Funds In The Sum Of Up To \$1,154,701 As Directed By Settlement Agreements To Provide Treatment, Prevention, And Intervention Services To Reduce Opioid Use Disorder And Misuse Of Opioids. - **(Ordinance No. 49241)**

Nichole McGill, 400 Freemason Street, spoke in support of this matter.

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

R-9 An Ordinance Authorizing an Amendment to the Purchase and Sale Agreement Between the City as Seller and Newport Manor, LLC as Buyer.

Kelvin Hanson, the applicant, 600 W. 35th Street, spoke in support of this matter.

Ismael Saleem, 130 W. 35th Street, spoke in support of this matter.

Reverend Nathan Butler, 500 W. 28th Street, spoke in support of this matter.

Columbus Grant, Park Place Business Association President, 7652 Twin Eagles Road, spoke in support of this matter.

Alton Robinson, 5116 E. Princess Anne Road, spoke in support of this matter.

ACTION:	Lost [4 to 4]
AYES:	McClellan, Paige, Smigiel Jr., Alexander
NAYS:	Doyle, Johnson, Royster, Thomas Jr.

R-10 An Ordinance Granting Conditional Use Permits to Authorize the Operation of a Convenience Store with the Sale of Smoking Products Named "Evans Grab and Go" on Property Located at 3409 Chesapeake Boulevard.

Vaneshia Evans, the applicant, 3509 Brest Avenue, spoke in support of this matter.

Charles Brooks, 2408 Arkansas Avenue, spoke in support of this matter.

Alfred Evans, 3509 Brest Avenue, spoke in support of this matter.

Erica Jones, 1215 N. Military Highway, spoke in support of this matter.

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

R-11 An Ordinance Granting a Conditional Use Permit to Authorize a Short-Term Rental Unit (Vacation Rental) on Property Located at 849 34th Street.

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

R-12 An Ordinance Granting a Conditional Use Permit to Authorize Short-Term Rental Units (Vacation Rental) on Property Located at 594 West Ocean View. - **(Ordinance No. 49242)**

Nicole Pace, the property manager, 1600 Granby Street, spoke in support of this matter and requested an extension of the permit period from two to five years.

Bin Tao Feng, the applicant, 705 Riverside Drive, spoke in support of this matter and requested an extension of the permit period from two to five years.

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

R-13 An Ordinance Granting a Conditional Use Permit to Authorize Short-Term Rental Units (Vacation Rental) on Property Located at 1282 West Ocean View Avenue. - **(Ordinance No. 49243)**

Nicole Pace, the property manager, 1600 Granby Street, spoke in support of this matter and requested the matter to be referred to the City Planning Commission

for reconsideration.

Bin Tao Feng, the applicant, 705 Riverside Drive, was present to answer any questions relative to this matter.

ACTION:	Referred back to the Planning Commission [Unanimous]
AYES:	Doyle, Johnson, McClellan, Paige, Royster, Smigiel Jr., Thomas Jr., Alexander

R-14 The First Ordinance Amending and Reordaining the FY24 Compensation Plan Ordinance and its attachments incorporated herein by reference so as to provide for the possibility of General Wage Increases as necessary notwithstanding the maximum salaries authorized for each City position by Council by Amending Sections 2 and 3 of the Compensation Plan Ordinance and Section 1 of the Compensation Plan Regulations and so as to Correct a Clerical Error in Plan 2, by amending Exhibit E of the Ordinance, containing Pay Plans 1 and 2. - **(Ordinance No. 49244)**

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

R-15 An Ordinance Providing Employees an Additional Day of Holiday Leave on Monday, July 3, 2023. - **(Ordinance No. 49245)**

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

R-16 An Ordinance Appointing Patrick Roberts as City Manager. - **(Ordinance No. 49246)**

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

June 27, 2023

Jr., Alexander