

NORFOLK, VIRGINIA
ACTION OF THE COUNCIL
CITY COUNCIL MEETING
TUESDAY, MAY 24, 2022 – 7:00 P.M.

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	
Paul R. Riddick	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	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, Riddick, 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, Riddick, Royster, Smigiel Jr., Thomas Jr., Alexander

PUBLIC HEARING

PH-1 Public Hearing scheduled this day, pursuant to State Law, to hear comments on an Ordinance Approving a Second Amendment to Lease Agreement Between the City of Norfolk, as Lessor, and Hornblower Cruises and Events, LLC, as Lessee, for the Lease of a Portion of the City's "Face of Pier" Berthing Area on the Downtown Norfolk Waterfront and Authorizing the City Manager to Execute the Second Amendment to Lease Agreement on Behalf of the City of Norfolk.

An Ordinance Approving a Second Amendment to Lease Agreement Between the City of Norfolk, as Lessor, and Hornblower Cruises and Events, LLC, as Lessee, for the Lease of a Portion of the City's "Face of Pier" Berthing Area on the Downtown Norfolk Waterfront and Authorizing the City Manager to Execute the Second Amendment to Lease Agreement on Behalf of the City of Norfolk. - **(Ordinance No. 48766)**

ACTION:	Adopted [Unanimous]
AYES:	Doyle, Johnson, McClellan, Riddick, 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 the Operation of an Inn Named "Page House Inn" on Property Located at 323 Fairfax Avenue. - **(Ordinance No. 48767)**

Lisa Murphy, Esq., Willcox and Savage, 440 Monticello Avenue, was present to answer any questions on this matter.

Christina Goode, 1536 Cloncurry Road, was present to answer any questions on this matter.

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

- C-2 An Ordinance Granting a Conditional Use Permit to Authorize Short-Term Rental Units (Vacation Rental) on Property Located at 3510 Pleasant Avenue. - **(Ordinance No. 48768)**

ACTION: Adopted [Unanimous]
AYES: Doyle, Johnson, McClellan, Riddick, 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 3516 Pleasant Avenue. - **(Ordinance No. 48769)**

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

- C-4 An Ordinance Granting a Conditional Use Permit to Authorize a Large-Scale Drive-through Facility on Property located at 1113 North Military Highway for a Restaurant Named "Taco Bell." - **(Ordinance No. 48770)**

Anthony Barchanowicz, 1228 Euclid Avenue, Ohio, was present to answer questions in this matter.

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

- C-5 An Ordinance Granting Conditional Use Permits to Authorize the Operation of a Restaurant Operating After Midnight with Live Entertainment Named “The OV Beach Tavern” on Property Located at 9659 1st View Street. - **(Ordinance No. 48771)**

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

- C-6 An Ordinance Establishing Certain Public Areas and Streets of the City of Norfolk as the "Festival Area" and Setting Forth the Regulations Applicable to Such Festival Area for the Patriotic Festival Event. - **(Ordinance No. 48772)**

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

- C-7 An Ordinance Granting 455 Granby, LLC Permission to Encroach into the Right-of-Way at 455 Granby Street Approximately 130 Square Feet for the Purpose of Outdoor Dining and Approving the Terms and Conditions of the Encroachment Agreement. - **(Ordinance No. 48773)**

Sullivan Callahan, Attorney for the applicant, 329 Duke Street, was present to answer questions in this matter.

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

- C-8 An Ordinance Permitting PABP Apartments, LP to Encroach into the Right-of-Way at 1148 E. Princess Anne Road with a Sign. - **(Ordinance No. 48774)**

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

- C-9 An Ordinance Granting Cantina Colley LLC Permission to Encroach into the Right-of-Way at 1316 Colley Avenue for the Purpose of Outdoor Dining and Approving the Terms and Conditions of the Encroachment Agreement. - **(Ordinance No. 48775)**

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

- C-10 An Ordinance Accepting the Conveyance of a Utility Easement Over Property Located at 2200 Norview Avenue by Norfolk Airport Authority to the City of Norfolk and Authorizing the City Manager to Accept the Deed of Easement on Behalf of the City. - **(Ordinance No. 48776)**

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

- C-11 A Resolution Requesting the Virginia Department of Transportation to Accept Eligible City Streets for Municipal Assistance Payments and to Remove Ineligible Streets from the Eligible List Pursuant to Section 33.1-41.1 of the Code of Virginia, 1950, as Amended. - **(Resolution No. 1864)**

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

REGULAR AGENDA

- R-1 An Ordinance Granting a Conditional Use Permit to Authorize a Short-Term Rental Unit (Vacation Rental) on Property Located at 4040 East Ocean View Avenue. - **(Ordinance No. 48777)**

CK Wei, 4040 E. Ocean View Avenue, applicant, was present to answer questions in this matter.

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

- R-2 An Ordinance to Amend the *Norfolk City Code, 1979*, SO AS TO Move the Right of Way Functions from the Department of Transit to the Department of Public Works by Amending Section 2-221 and by Adding a Subsection to Section 2-130 - **(Ordinance No. 48778)**

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

- R-3 An Ordinance Amending The FY2022 Annual Appropriations Ordinance (No. 48,379) SO AS TO Accept, Appropriate And Authorize The Expenditure Of Grant Funds Up To The Sum Of \$50,000.00 From The Virginia Economic Development Partnership 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 \$5,569,428.00 For The Project At 1525 Saint Julian Avenue (Former Globe Iron Property). - **(Ordinance No. 48779)**

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

- R-4 An Ordinance to Amend and Reordain Articles I, II and III of Chapter 32 of the Code of the *City of Norfolk, 1979, as Amended*, SO AS TO Update the Chapter. - **(Ordinance No. 48780)**

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

- R-5 An Ordinance Approving a Deed of Lease by and Between 741 Monticello, LLC, as Landlord, and the City of Norfolk, as Tenant, for the Lease of Office Space for the City's Department of Human Services in the Office Building Located at 741 Monticello Avenue in the City of Norfolk, Virginia, and Authorizing the City Manager to Execute the Deed of Lease on Behalf of the City of Norfolk. - **(Ordinance No. 48781)**

Sullivan Callahan, Attorney, 327 Duke Street, was present to answer questions in this matter.

Alton Robinson, 5116 E. Princess Anne Road, commented on the

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

- R-6 An Ordinance Amending the FY2022 Annual Appropriations Ordinance (No. 48,379) SO AS TO Accept, Appropriate and Authorize the Expenditure of Donation Funds Up to The Sum Of \$19,370.00 From the Hampton Roads Community Foundation for The Support of Services and Programs of Norfolk Public Libraries. - **(Ordinance No. 48782)**

Barrett Hicks, 1515 E. Indian River Road, spoke in support of programs in the libraries.

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

R-7 An Ordinance Amending the FY2022 Annual Appropriations Ordinance (No. 48,379) SO AS TO Accept, Appropriate and Authorize the Expenditure Of Grant Funds Up To The Sum Of \$86,104.00 From Virginia Department Of Behavioral Health And Developmental Services American Rescue Plan Act (ARPA) For The Norfolk Community Services Board Infant Toddler Connection Program To Provide Early Intervention Services. - **(Ordinance No. 48783)**

Barrett Hicks, 1515 E. Indian River Road, spoke in support on this matter and the need for mental health crisis intervention programs.

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

R-8 An Ordinance Amending the FY2022 Annual Appropriations Ordinance (No. 48,379) SO AS TO Accept, Appropriate and Authorize the Expenditure of Grant Funds Up to the Sum Of \$12,222.00 From Virginia Department of Behavioral Health and Developmental Services Through the Health Planning Region V MH STEP-VA Fund for The Norfolk Community Services Board to Preview Outpatient and Peer Support Services. - **(Ordinance No. 48784)**

Barrett Hicks, 1515 E. Indian River Road, spoke in support on this matter and the need for audits to assure funds are getting to communities.

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

R-9 An Ordinance Amending the FY2022 Annual Appropriations Ordinance (No. 48,379) SO AS TO Accept, Appropriate and Authorize the Expenditure of Grant Funds Up to The Sum Of \$871,300.00 From the Virginia Department of Transportation Highway Safety Improvement Project for The Princess Anne Road Improvements Project. - **(Ordinance No. 48785)**

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

R-10 An Ordinance Requesting the Virginia Department of Transportation to Establish a Project for Princess Anne Road Improvements, in Accordance with the Project Administration Agreement Between the City of Norfolk and the Virginia Department of Transportation; and Authorizing the Expenditure of the Total Sum of \$871,300.00 for the Project, Subject to and in Accordance with the Terms and Conditions of the Aforesaid Agreement. - **(Ordinance No. 48786)**

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

R-11 An Ordinance Amending the FY2022 Annual Appropriations Ordinance (No. 48,379) SO AS TO Accept, Appropriate and Authorize the Expenditure of Grant Funds Up to The Sum of \$35,000.00 From the National League of Cities for The Southern Cities Economic Inclusion Initiative to Support the City's Efforts to Help Small, Women, And Minority Owned Businesses Start and Grow. - **(Ordinance No. 48787)**

Barrett Hicks, 1515 E. Indian River Road, spoke in favor of this matter and asked, "how are funds distributed."

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

R-12 An Ordinance Amending and Reordaining Section 1 of Ordinance No. 48,728 SO AS TO Correct the Restriction of Public Access to Docks During the Harborfest 2022 Celebration. - **(Ordinance No. 48788)**

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

NEW BUSINESS

Victor Doctor, P.O. Box 41446, Norfolk, spoke regarding injustice and bullying of school bus drivers.

Cora Johnson, P.O. Box 41446, Norfolk, spoke regarding injustice and bullying of school bus drivers.

Wilford Bellamy, P.O. Box 41446, Norfolk, spoke regarding injustice and bullying of school bus drivers.

Libby Bishop, 27 Twilley Street, spoke regarding the public art statue in Bay Oaks Park.

Lisa L. Majors, 436 Lenox Avenue, spoke regarding parking at City Hall for employees.

Monet Johnson, 3505 Argonne Avenue, commented on NRHA transparency.

Barrett Hicks, 1515 E. Indian River Road, spoke regarding issues in the community.

Deryk Rubio, 761 Stell Lane, Virginia Beach, spoke in support of community outreach through the EDL Fest.

Shawnice Hernandez-Noye, 5536 Deepdale Drive, spoke in support of community outreach through the Heal before you Hustle program.

Alton Robinson, 5116 E. Princess Anne Road, spoke regarding gun violence in the City of Norfolk.

Lelia Vann, President of the Downtown Norfolk Civic League, spoke regarding the safety of Downtown Norfolk residents.

Sauda Speede, 8600 Glen Myrtle Avenue, spoke regarding crime.

John Miller, 200 College Place, spoke regarding the temporary casino.

Amina Matheny Willard, 999 Waterside Dr #2525, commented that Michelle Naughton-Epps should be considered for Chief of Police.

Melissa Garman, Norfolk Public Schools Teacher, spoke regarding a School Board issue.

Sheronda Conyers, Norfolk Public Schools Teacher, spoke regarding a School Board issue.

Thomas Calhoun, Norfolk Public Schools Teacher, spoke regarding a School Board issue.

Rickita Robinson, Norfolk Public Schools Teacher, spoke regarding a School Board issue.

Katie Romeo, 1736 Columbia Avenue, spoke regarding mismanagement of funds at the recreation centers.

ADJOURNMENT