

NORFOLK, VIRGINIA
ACTION OF THE COUNCIL
CITY COUNCIL MEETING
TUESDAY, JULY 19, 2022 – 7:00 P.M.

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	
Paul R. Riddick	Councilmember - Ward 4	Present	
Danica J. Royster	Councilmember - Superward 7	Present	
Thomas R. Smigiel Jr.	Councilmember - Ward 5	Present	
Kenneth Cooper Alexander	Mayor	Present	
Martin A. Thomas Jr.	Vice 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.

Mayor Alexander excused Councilman Smigiel from the remainder of the meeting.

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 HEARINGS

PH-1

PUBLIC HEARING scheduled this day, pursuant to State Law, to hear comments on an Ordinance Approving a Stadium Lease Agreement by and Between the City of Norfolk and Tides Baseball Club, LP for the Lease of Certain Portions of that Certain Ballpark Stadium and Improvements Known as Harbor Park Located at 150 Park Avenue in the City of Norfolk, Virginia, for the Operation of a Class AAA Baseball Team of the Professional Development League System and Authorizing the City Manager to Execute the Stadium Lease Agreement on Behalf of the City of Norfolk.

An Ordinance Approving a Stadium Lease Agreement By and Between the City of Norfolk and Tides Baseball Club, LP for the Lease of Certain Portions of that Certain Ballpark Stadium and Improvements Known as Harbor Park Located at 150 Park Avenue in the City of Norfolk, Virginia, for the Operation of a Class AAA Baseball Team of the Professional Development League System, and Authorizing the City Manager to Execute the Stadium Lease Agreement on Behalf of the City of Norfolk.

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

PH-2 PUBLIC HEARING scheduled this day, pursuant to State Law, to hear comments on an Ordinance Approving a Purchase and Development Agreement Between the City of Norfolk, as Seller, and Bruce Smith Enterprise, LLC, as Purchaser, for a Portion of that Certain Parcel of Real Property Located at 698 Saint Pauls Boulevard in the City of Norfolk, Virginia, and Authorizing the City Manager to Execute the Purchase and Development Agreement on Behalf of the City of Norfolk.

Vincent Hodges, 622 Raleigh Avenue, Apt 4, spoke in opposition to this matter.

Monet Johnson, 305 Argonne Avenue, spoke in opposition to this matter.

Ann Creesy, 1217 Colonial Avenue, spoke in opposition to this matter.

Vincent Lasalle, 1342 Reservoir Avenue, spoke in opposition to this matter.

Alton Robinson, 5116 E. Princess Anne Road, spoke in opposition to this matter.

Nikki Duncan Talley, 134 E. Little Creek Road, spoke in opposition to this matter.

Lisa Murphy, Attorney for the applicant, and Bruce Smith, the applicant, spoke in favor of this matter.

An Ordinance Approving a Purchase and Development Agreement Between the City of Norfolk, as Seller, and Bruce Smith Enterprise, LLC, as Purchaser, for a Portion of that Certain Parcel of Real Property Located at 698 Saint Paul's Boulevard in the City of Norfolk, Virginia, and Authorizing the City Manager to Execute the Purchase and Development Agreement on Behalf of the City of Norfolk. - **(Ordinance No. 48858)**

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

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, Riddick, Royster, Thomas Jr. Alexander.
ABSENT:	Smigiel Jr.

- C-1 An Ordinance Granting 415 Granby, LLC Permission to Encroach into the Right-of-Way at 411 Granby Street for the Purpose of Outdoor Dining and Approving the Terms and Conditions of the Encroachment Agreement. - **(Ordinance No. 48859)**

- C-2 An Ordinance Approving the City Of Norfolk To Enter Into An Agreement Bringing The Employees Of The Commissioner Of The Revenue Under The City's Personnel System For Purposes Of Accruing, Accumulating, And Using Annual Leave. - **(Ordinance No. 48860)**

- C-3 An Ordinance Granting a Conditional Use Permit to Authorize a Short-Term Rental Unit (Vacation Rental) on Property Located at 167 West Balview Avenue. - **(Ordinance No. 48861)**

- C-4 A Resolution Approving the Parks and Recreation Master Plan for the City of Norfolk. - **(Resolution No. 1871)**

REGULAR AGENDA

- R-1 An Ordinance Accepting the Bid Submitted by 142 West York LLC for a Long-Term Garage Parking Agreement with a Term of Ten (10) Years, With the Option to Extend the Term for Two (2) Additional Periods of Five (5) Years Each, for Parking for up to Sixty-Eight (68) Residential Parkers in the York Street Garage Located at 215 W. York Street in the City of Norfolk, Virginia, and Authorizing the City Manager to Execute the Garage Parking Agreement on Behalf of the City. - **(Ordinance No. 48862)**

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

- R-2 An Ordinance Approving a Lease Agreement Between Monticello Avenue, L.L.C., as Lessor, and the City of Norfolk, as Lessee, for the Lease of Property Owned by Monticello Avenue, L.L.C. Located at 861 Monticello Avenue; 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 \$45,714.46 from Funds Heretofore Appropriated to Cover the Rent Payments for the Remainder of the Fiscal Year 2022-2023. - **(Ordinance No. 48863)**

Alton Robinson, 5116 E. Princess Anne Road, spoke in opposition to this matter.

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

- R-3 An Ordinance Authorizing the Amendment of the Land Disposition and Development Contract Between the City and the Pathway Realty Group, LLC. - **(Ordinance No. 48864)**

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

R-4 An Ordinance Granting a Conditional Use Permit to Authorize the Operation of a Smoke or Vape Shop Named “The CBD Shoppe” on Property Located at 345 Granby Street.

CJ Upton and Andru Bazemore, 345 Granby Street, were available to answer any questions regarding this matter.

ACTION:	Lost [0 to 7]
NAYS:	Doyle, Johnson, McClellan, Riddick, Royster, Alexander, Thomas Jr.
ABSENT:	Smigiel Jr.

R-5 An Ordinance Granting a Conditional Use Permit to Authorize a Short-Term Rental Unit (Vacation Rental) on Property Located at 9565 16th Bay Street. - **(Ordinance No. 48865)**

Abbie Dean spoke in support of short term rentals.

Alton Robinson, 5116 E. Princess Anne Road, spoke in opposition to this matter.

Aradia Robinson, 9620 20th Bay Street, spoke against short term rentals.

Moria Kimmel, property manager for the applicant, spoke in favor of this matter.

ACTION:	Adopted [6 to 1]
AYES:	Doyle, Johnson, McClellan, Royster, Alexander, Thomas Jr.
NAYS:	Riddick
ABSENT:	Smigiel Jr.

- R-6 An Ordinance Granting a Conditional Use Permit to Authorize a Short-Term Rental Unit (Vacation Rental) on Property Located at 1212 Little Bay Avenue. - **(Ordinance No. 48866)**

ACTION:	Adopted [6 to 1]
AYES:	Doyle, Johnson, McClellan, Royster, Alexander, Thomas Jr.
NAYS:	Riddick
ABSENT:	Smigiel Jr.

- R-7 An Ordinance Granting a Conditional Use Permit to Authorize a Short-Term Rental Unit (Vacation Rental) on Property Located at 9523 17th Bay Street. - **(Ordinance No. 48867)**

Aradia Robinson 9620 20th Bay Street, spoke in opposition to this matter.

Andrea Kobylinski, applicant, spoke in favor of this matter.

ACTION:	Adopted [6 to 1]
AYES:	Doyle, Johnson, McClellan, Royster, Alexander, Thomas Jr.
NAYS:	Riddick
ABSENT:	Smigiel Jr.

- R-8 An Ordinance Granting a Conditional Use Permit to Authorize a Short-Term Rental Unit (Vacation Rental) on Property Located at 9615 17th Bay Street. - **(Ordinance No. 48868)**

Aradia Robinson 9620 20th Bay Street, spoke in opposition to this matter.

Nicole Case, property manager, spoke in favor of this matter.

ACTION:	Adopted [6 to 1]
AYES:	Doyle, Johnson, McClellan, Royster, Alexander, Thomas Jr.
NAYS:	Riddick
ABSENT:	Smigiel Jr.

- R-9 A Resolution Regarding Hampton Roads Ventures, L.L.C. - **(Resolution No. 1872)**
Alton Robinson, 5116 E. Princess Anne Road, spoke in opposition to this matter.

ACTION:	Adopted [6 to 1]
AYES:	Doyle, Johnson, McClellan, Royster, Alexander, Thomas Jr.
NAYS:	Riddick
ABSENT:	Smigiel Jr.

- R-10 An Ordinance Granting a Development Certificate, With Waivers, to Permit the Construction of a New Apartment Building on Property Located at 698 Saint Paul's Boulevard. - **(Ordinance No. 48869)**
Vincent Hodges, 622 Raleigh Avenue, Apt 4, spoke in opposition to this matter.

Monet Johnson, 305 Argonne Avenue, spoke in opposition to this matter.

Alton Robinson, 5116 E. Princess Anne Road, spoke in opposition to this matter.

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

- R-11 An Ordinance Amending and Reordaining Section 1 Of The FY2023 Annual Appropriation Ordinance (No. 48,751), As Amended, To Add \$200,000 To The General Fund, Central And Outside Agency Appropriations, If And When Available From Savings Through The ARPA/SLFRF Revenue Loss Provisions, And Authorizing The Expenditure Thereof For The Purpose Of Establishing A Mini-Grant Program Operated By The Norfolk Police Foundation and to Correct Typographical Errors in the Original Ordinance Regarding the Wastewater Utility Fund and the Towing Recovery Operations Fund, Such Corrections Having No Effect on the Total Operating Funds. - **(Ordinance No. 48870)**

Alton Robinson, 5116 E. Princess Anne Road, spoke in opposition to this matter.

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

R-12 A Resolution appointing 4 members to 1 Authority and 1 Board for certain terms. - **(Resolution No. 1873)**

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

R-13 An Ordinance Amending and Reordaining Section 2.1-26.5 of the Norfolk City Code, 1979, as Amended, in its Entirety SO AS TO Add One New Subsection (D) Concerning Employing Retired Norfolk Police Officers on a Part-Time Basis. - **(Ordinance No. 48871)**

ACTION:	Adopted [6 to 1]
AYES:	Doyle, Johnson, McClellan, Royster, Alexander, Thomas Jr.
NAYS:	Riddick
ABSTAIN:	Smigiel Jr.

R-14 An Ordinance Declaring the Continuation of the State of Local Emergency due to the Imminent Public Health Threat COVID-19 pursuant to Virginia Code Section 44-146.21. - **(Ordinance No. 48872)**

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

R-15

Letter from the City Clerk requesting the appointment of Noell L. Saunders to the position of Deputy City Clerk/Executive Assistant to the Mayor - effective July 18, 2022, in Plan 1, Grade 20 of the City Compensation Plan, to serve at the pleasure of the City Clerk.

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

NEW BUSINESS

Mary Simpson Jones, 7505 Paulin Court, spoke regarding Oakwood community concerns.

Julie Ann Basco, 1214 E. Oceanview Avenue, Apt 6, spoke regarding elections in Norfolk.

Megan Miller, 8554 Executive Drive, Apt 103, spoke regarding gun violence.

Larry Faulks, 5440 Sweetwater Court, Virginia Beach, spoke regarding recreation center openings and athletics.

Latonya Snow spoke regarding youth development skills.

Melanie Cornelisse of Chesapeake spoke regarding gun violence and public safety.

Steve Baggarly, 2616 Boden Ferry Road, spoke regarding the treaty on the prohibition of nuclear weapons.

Lily Berz, 251 N. Blake Road, spoke regarding the treaty on the prohibition of nuclear weapons.

Elisa Dickson, 741 Graydon Avenue, spoke regarding the treaty on the prohibition of nuclear weapons.

Tim Seibles, 40 Rader Street, Apt 305, spoke regarding the treaty on the prohibition of nuclear weapons.

Susan Loesberg, 1177 Starr Way, Virginia Beach, spoke regarding gun violence.

Annie Bosse, 1051 Hanover Avenue, spoke regarding gun violence.

Pat Gadzinski, 2005 Plowshare Court, Virginia Beach, spoke regarding gun violence.

Melissa Reese, 1340 Graydon Avenue, spoke regarding gun violence.

Sauda Speede, 8600 Glen Myrtle Avenue, spoke regarding community centers and youth activities.

Alton Robinson, 5116 E. Princess Anne Road, spoke regarding shootings and killings.

Bethany Tillett, 3581 Westminster Avenue, spoke regarding recreation centers.

Rhena Hicks spoke regarding public safety.

Phillip Hawkins, 3597 Mississippi Avenue, spoke regarding Ingleside's 2-year strategic goals.

ADJOURNMENT