

NORFOLK, VIRGINIA
ACTION OF THE COUNCIL
CITY COUNCIL MEETING

TUESDAY, SEPTEMBER 28, 2021 – 6:00 P.M.

MOMENT OF SILENCE

Followed by the Pledge the Allegiance.

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	
Richard A. Bull	City Clerk	Present	
Bernard Pishko	City Attorney	Present	
Dr. Larry H. Filer II	City Manager	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 HEARINGS

PH-1 Public Hearing scheduled this day pursuant to State Law, on the application of the **CITY PLANNING COMMISSION** for a Zoning Text Amendment to the Norfolk Zoning Ordinance to revise and remove inconsistent definitions and fix clerical errors.

An Ordinance to Amend the *Norfolk Zoning Ordinance* SO AS TO Clarify Processes for Approval of Substantial Improvements to Historic Properties, Use of Shared Driveways, and Measurement of Fence Height, to Correct Various References and Internal Citations, to Normalize Language for Signage in the O (Office) Zoning District, and to Allow for Limited Development on Nonconforming, Non-residential Lots. - **(Ordinance No. 48506)**

ACTION:	Adopted [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 approving a Lease Agreement with Garden of Hope, Inc., as Lessee, for the Mezzanine Floor of City Hall at **810 Union Street** in the City of Norfolk.

An Ordinance Approving a Lease Agreement with Garden of Hope, Inc. as Lessee, for the Mezzanine Floor of City Hall at **810 Union Street** in the City of Norfolk. - **(Ordinance No. 48507)**

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

PH-3 Public Hearing scheduled this day, pursuant to State Law, to hear comments Approving a Lease Agreement with Garden of Hope, Inc., as Lessee, for the second floor of the property known as Stanhope House at **2709-2721 Stanhope Avenue** in the City of Norfolk.

An Ordinance Approving a Lease Agreement with Garden of Hope, Inc. as Lessee, for the Second Floor of the Property known as Stanhope House at **2709-2721 Stanhope Avenue** in the City of Norfolk. - **(Ordinance No. 48508)**

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

PH-4 Public Hearing scheduled this day, pursuant to State Law, to hear comments Authorizing the Conveyance to Norfolk Redevelopment and Housing Authority of those Certain Portions of **Fenchurch Street and Charlotte Street** that were recently Closed, Abandoned and Vacated.

Brian Cooper 1518 Shelton Avenue commented on the St. Paul's Redevelopment and the relocation of the residents.

An Ordinance Authorizing the Conveyance to Norfolk Redevelopment and Housing Authority of those Certain Portions of **Fenchurch Street and Charlotte Street** That Were Recently Closed, Abandoned and Vacated. - **(Ordinance No. 48509)**

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

PH-5 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, 2021 and ending June 30, 2022 SO AS TO establish funding in an amount up to \$4,500,000 for the acquisition of the Property Known as **1050 Tidewater Drive**.

An Ordinance to Amend and Reordain Section 1 of the **Capital Improvement Plan Budget** for the Fiscal Year Beginning July 1, 2021 and Ending June 30, 2022 so as to Establish Funding in an Amount up to \$4,500,000 for the Acquisition of the Property Known as **1050 Tidewater Drive**. - **(Ordinance No. 48510)**

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

REGULAR AGENDA

R-1 An Ordinance Authorizing the Acquisition of a Certain Parcel of Property Located at **1050 Tidewater Drive** for the Sum of \$4,400,000.00; Approving the Terms and Conditions of the Purchase and Sale Agreement; and Authorizing the Expenditure of a Sum of Up to \$4,500,000.00 from Funds Heretofore Appropriated for Acquisition of the Property and All Related Transactional Costs. - **(Ordinance No. 48511)**

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

R-2 An Ordinance to Amend and Reordain Section 42-201 of the Norfolk City Code, 1979, regarding Special Numbering Provisions as to Certain Buildings, SO AS TO add one new subsection numbering CMA CGM WAY as **One CMA CGM WAY**. - **(Ordinance No. 48512)**

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

R-3 An Ordinance Granting a Conditional Use Permit to Authorize the Operation of a Smoke or Vape Shop Named “70 East Tobacco” on Property Located at **1827 East Little Creek Road**.

John M. McCormick, 101 Granby Street, Suite 200, attorney for the applicant, spoke in favor of this matter.

ACTION:	Defeated [0 to 8]
NAYS:	Doyle, Johnson, McClellan, Riddick, Royster, Smigiel Jr., Thomas Jr., Alexander

R-4 An Ordinance Granting a Conditional Use Permit to Authorize the Operation of a Smoke or Vape Shop Named “Rayan Tobacco” on Property Located at **4027 East Little Creek Road**.

John M. McCormick, 101 Granby Street, Suite 200, attorney for the applicant, was present to answer questions in favor of this matter.

ACTION:	Defeated [0 to 8]
NAYS:	Doyle, Johnson, McClellan, Riddick, Royster, Smigiel Jr., Thomas Jr., Alexander

R-5 An Ordinance Granting a Conditional Use Permit to Authorize the Development of a Single-Family Dwelling on a Flag Lot Located at **1162 Corbell Avenue**.

Charla Smith-Worley, 1188 Kempsville Road, spoke in opposition to this matter.

Janyce McLin, 1223 Corbell Avenue, spoke in opposition to this matter.

Mary Cornio, 1170 Corbell Avenue, Steve Mirman speaking on her behalf read her statement in opposition to this matter.

Steve Mirman, 6032 Prince Avenue, spoke in opposition to this matter.

Gregory Greene, 533 Harton Circle, Virginia Beach, applicant, spoke in favor of this matter.

ACTION:	Defeated [0 to 8]
NAYS:	Doyle, Johnson, McClellan, Riddick, Royster, Smigiel Jr., Thomas Jr., Alexander

R-6

An Ordinance to Amend Section 17.1-2 of the Code of the *Norfolk City Code, 1979*, to amend and Reordain Article V of Chapter 17.1 of the *Norfolk City Code, 1979*, SO AS TO Change the Name of the Division of Paramedical Services to Emergency Medical Services and to Designate it as the City's Emergency Response Agency - **(Ordinance No. 48513)**

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

R-7

An Ordinance to Amend and Reordain Sections 34.1-19 and 34.1-60 of the *Norfolk City Code, 1979*, regarding the **Trade Name of a Taxi Certificate Holder** to be displayed on its vehicles and increasing Taxicab Rates. - **(Ordinance No. 48514)**

Judy Swystun, 6304 Sewells Point Road, spoke in favor of this matter.

Trevor Hunter, 6304 Sewells Point Road, spoke in favor of this matter.

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

- R-8 A Resolution in Support of the City's Application for the Allocation of \$6,520,742.00 from the Virginia Department of Transportation ("VDOT") Transportation Alternatives Set-Aside Program for the **Roland Park Overpass Sidewalk and East Little Creek Road Phase I Bike Lanes Improvement Projects - (Resolution No. 1839)**

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

- R-9 A Resolution in Support of the City's Application for the Allocation of \$20,000,000 from the **Virginia Department of Transportation Revenue Sharing Program** for Fiscal Years 2026-2027 and 2027-2028, for Various Transportation Projects in the City. - **(Resolution No. 1840)**

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

- R-10 An Ordinance directing the City Treasurer to issue a refund to **NPC International, Inc.** based upon the overpayment of its Business License Tax for the Tax Year 2021. - **(Ordinance No. 48515)**

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

- R-11 The Second Ordinance Amending and Reordaining the Fiscal Year **2022 Compensation Plan Ordinance** and its Incorporated Attachments so as to Revise its Alphabetical Classification List of the Officers and Employees of the City, its Pay Tables for the Clerk of Circuit Court, the Commissioner of the Revenue and the Treasurer, Transition the Sheriff's Sworn Employees into City Employee Public Safety Plan Pay Number 5, and to add One New Classification Title to Section (12)(4) of the Regulations, Governing Positions eligible for the Automatic Reclassification. - **(Ordinance No. 48516)**

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

R-12

A Resolution Appointing and Reappointing 37 Members to 2 Boards, 6 Commissions, 1 Committee, and 2 Authorities for Certain Terms. - **(Resolution No. 1841)**

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

NEW BUSINESS

1. Mary Simpson-Jones, 7505 Paulin Court, spoke in favor of people with disabilities. She stated seating in Military Circle Mall had been removed and that disabled people like to walk there and need the seating from time to time.
2. Tanterrian Taylor, 5920 Poplar Hall Drive, Apt. E 304, commented that Norfolk is not wheelchair friendly. There are no sidewalks on Military Highway or Poplar Hall Drive. She calls the city constantly about the overhanging trees on the sidewalks that make it impossible for wheelchairs to pass.
3. Yasmine Charles, 815 Pecan Point Road, Apt. 11, commented on the Haitian migrants that occupy are city because of the Navy. She stated the border police officers should be dismissed of their duties and Title 42 should be repealed.
4. Barrett Hicks, 4853 Kennebeck Avenue, spoke about getting the young folks in Oakleaf Forest and Diggs Town mental health counseling.
5. Greg Thompson, 4102 Newport Avenue, spoke in support of the Granby Bike Lanes and stated that the City of Norfolk had great bike infrastructure.
6. Brandon Randleman, 1006 Truman Road, Suffolk, spoke regarding the Police and Ebony Holmes incident and asked the council to investigate the situation.

ADJOURNMENT