

NORFOLK, VIRGINIA
RESULTS OF THE COUNCIL
CITY COUNCIL MEETING
TUESDAY, FEBRUARY 13, 2024 – 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
Bernard Pishko	City Attorney	Present
Patrick Roberts	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, 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 Granting a Certificate of Appropriateness Authorizing Exterior Lighting, Including Landscape Lighting, at a Single-Family Dwelling Located at 542 Mowbray Arch in a Historic District.

An Ordinance Granting a Certificate of Appropriateness Authorizing Exterior Lighting, Including Landscape Lighting, at a Single-Family Dwelling Located at 542 Mowbray Arch in a Historic District. - **(Ordinance No. 49470)**

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, to hear comments on the issuance of up to \$23,000,000 in Wastewater System Revenue Bonds to finance, with respect to the City's wastewater system, certain costs of acquiring, constructing and equipping capital improvements for which bond proceeds have been appropriated pursuant to the City's Capital Improvement Plan.

An Ordinance Authorizing the Issuance and Sale by the City of Norfolk, Virginia of Wastewater System Revenue Bonds for Wastewater Improvements - **(Ordinance No. 49471)**

ACTION:

Adopted [Unanimous]

AYES:

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

PH-3

Public Hearing scheduled this day, pursuant to State Law, to hear comments on the issuance of up to \$22,000,000 in Storm Water System Revenue Bonds to finance, with respect to the City's storm water system, certain costs of acquiring, constructing and equipping capital improvements for which bond proceeds have been appropriated pursuant to the City's Capital Improvement Plan.

An Ordinance Authorizing the Issuance and Sale of Storm Water System Revenue Bonds by the City of Norfolk, Virginia. - **(Ordinance No. 49472)**

Nichole McGill, 3701 E. Princess Anne Road, spoke in support of this matter.

ACTION:

Adopted [Unanimous]

AYES:

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

PH-4

Public Hearing scheduled this day, pursuant to State Law, to hear comments Authorizing the Dedication of Certain City-Owned Property at 253 Grace Street as Public Right-of-Way.

An Ordinance Authorizing the Dedication of Certain City-Owned Property at 253 Grace Street as Public Right-of-Way. - **(Ordinance No. 49473)**

ACTION:

Adopted [Unanimous]

AYES:

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

PH-5

Public Hearing scheduled this day, pursuant to State Law, to hear comments Authorizing the Conveyance of a Temporary Construction Easement Over Property Located at 253 Grace Street and Authorizing the City Manager to Enter into an Appropriate Deed of Easement on Behalf of the City.

An Ordinance Authorizing the Conveyance of a Temporary Construction Easement Over Property Located at 253 Grace Street and Authorizing the City Manager to Enter Into an Appropriate Deed of Easement on Behalf of the City. - **(Ordinance No. 49474)**

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 Virginia Arts Festival, Inc. to Go Upon and Use City-Owned Property Located at 451 Bank Street and Known as "The Green Space" for Their 2024 Season. - **(Ordinance No. 49475)**

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

C-2 Letter from the Norfolk NATO Festival requesting use of the Mace and Police Honor Guard for the 71st Anniversary of the Norfolk NATO Festival Flag Raising Ceremony and April 18, 2024 at 5:00 p.m. and for the Parade of Nations on April 20, 2024 at 10:00 a.m.

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

C-3 An Ordinance directing the City Treasurer to issue a refund to HUDSON-NIA JV OF NORFOLK, INC. upon the overpayment of its Business Tangible Property Tax for the Tax Year 2023. - **(Ordinance No. 49476)**

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

C-4 An Ordinance Authorizing the City Manager to Enter Into a License Agreement with Virginia Polytechnic Institute and State University Regarding the Installation, Operation and Maintenance of a Greenhouse on the City's Property Located at 2839 Dana Street. - **(Ordinance No. 49477)**

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

C-5 An Ordinance Authorizing the Dedication of Certain City-Owned Property at 1200 E. Main Street as Public Right-of-Way. - **(Ordinance No. 49478)**

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

C-6 An Ordinance Granting a Conditional Use Permit to Authorize the Operation of a Religious Institution Named “Islamic Center” on Properties Located at 1442, 1434, 1516 49th Street and 1509 Melrose Parkway. - **(Ordinance No. 49479)**

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

C-7 An Ordinance Granting Conditional Use Permits to Authorize the Operation of a Restaurant with Extended Hours, the Sale of Alcoholic Beverages for Both On-Premises and Off-Premises Consumption, and Live Entertainment Named “The OV Beach Tavern” on Property Located at 9659 1st View Street. - **(Ordinance No. 49480)**

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

C-8 An Ordinance Authorizing the Granting of a Right of Entry to Virginia Natural Gas Over Property Located at 253 Grace Street and Authorizing the City Manager to Enter Into an Appropriate Right of Entry Agreement on Behalf of the City. - **(Ordinance No. 49481)**

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

C-9 A Resolution Providing Authorization for Norfolk Redevelopment and Housing Authority of up to \$56,800,000 Multifamily Revenue Bonds for Standard Lexington Park Venture LP.

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

REGULAR AGENDA

R-1 An Ordinance to Amend and Reordain Subsection (b)(5) and (d) of Section 25-293 of the *Norfolk City Code, 1979*, so as to allow One Commercial Truck to Park per lot in Residential Driveways.

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

R-2 An Ordinance Granting a Conditional Use Permit to Authorize the Sale of Alcoholic Beverages for On-Premises Consumption at a Restaurant Named "Sharks on Granby" on Property Located at 4024 Granby Street. - **(Ordinance No. 49482)**

The applicant, Shana Dandridge, 4024 Granby Street, was present to answer any questions relative to this matter.

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

R-3 An Ordinance Approving an Agreement Permitting the United States Army Corps of Engineers to Go Upon Certain Rights-of-Way and Real Property Owned by the City for the Purposes of Sand Dune Restoration and Enhancing Storm Protection. - **(Ordinance No. 49483)**

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

R-4 An Ordinance Authorizing the Amendment to and Extension of Certain Financing Documents Related to the City of Norfolk, Virginia, General Obligation Variable Rate Demand Bonds, Series 2007. - **(Ordinance No. 49484)**

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

R-5 An Ordinance Amending The FY2024 Annual Appropriations Ordinance (No. 49,220) So As To Accept, Appropriate And Authorize The Expenditure Of Grant Funds Up To The Sum Of \$25,000 From Chesapeake Bay ENT Holdings, And Authorizing The Expenditure Of A Local Cash Match In The Amount of \$25,000 Previously Appropriated In The FY2024 Capital Improvement Plan For The Commissioning Of Public Art To Be Installed At 400 West Brambleton Avenue For The York Street Building. - **(Ordinance No. 49485)**

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

R-6 An Ordinance Amending The FY2024 Annual Appropriations Ordinance (No. 49,220) So As To Accept, Appropriate And Authorize The Expenditure Of Additional Grant Funds Up To The Sum Of \$359,164 From The Virginia Department of Transportation For The Lake Taylor Sidewalk Improvement Project Previously Created Under Ordinance No. 48,733. - **(Ordinance No. 49486)**

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

R-7 An Ordinance Amending The FY2024 Annual Appropriations Ordinance (No. 49,220) So As To Accept, Appropriate And Authorize The Expenditure Of Grant Funds Up To The Sum Of \$317,097 From The Department of Behavioral Health And Developmental Services For The Norfolk Community Services Board Infant And Toddler Connect Program To Provide Early Intervention Services. - **(Ordinance No. 49487)**

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

R-8 An Ordinance Amending The FY2024 Annual Appropriations Ordinance (No. 49,220) So As To Accept, Appropriate And Authorize The Expenditure Of Grant Funds Up To The Sum Of \$10,602 From The Department Of Behavioral Health And Developmental Services For Norfolk Community Services Board To Develop And Facilitate Peer Recovery Oriented Events. - **(Ordinance No. 49488)**

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

R-9 An Ordinance Amending The FY2024 Annual Appropriations Ordinance (No. 49,220) So As To Accept, Appropriate And Authorize The Expenditure Of Grant Funds Up To The Sum Of \$331,747 From The Department Of Behavioral Health And Services Board Workforce Salary And Personnel Cost Increases, Workforce Retention And Recruitment. - **(Ordinance No. 49489)**

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

R-10 An Ordinance Amending The FY2024 Annual Appropriations Ordinance (No. 49,220) So AS To Accept, Appropriate And Authorize The Expenditure Of Grant Funds Up To The Sum Of \$3,500 From The Virginia Department Of Emergency Management From The Radiological Emergency Preparedness Program (REPP) To Norfolk Fire-Rescue For The Purpose Of Supporting Activities Of Local Emergency Management Agencies In Establishing, Maintaining, And Operating Emergency Plans, Programs And Capabilities To Deal With Nuclear Accidents. - **(Ordinance No. 49490)**

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

R-11 An Ordinance Amending The FY2024 Annual Appropriations Ordinance (No. 49,220) So As To Accept, Appropriate And Authorize The Expenditure Of Grant Funds Up To The Sum Of \$1,065,000 From Virginia Department Of Environmental Quality For Stormwater Local Assistance Fund, And Authorizing The Expenditure Of Previously-Appropriated Matching Funds In The Amount Of \$1,202,500 From Virginia Department Of Conservation And Recreation Riverside Memorial Cemetery Grant And Further Authorizing The Expenditure Of Funds Previously-Appropriated In The Amount Of \$75,000 In The FY2024 Capital Improvement Plan For Storm Water For the Riverside Memorial Cemetery Shoreline Restoration And The Walters Drive Shoreline Restoration Water Quality Improvement Projects. - **(Ordinance No. 49491)**

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

R-12 An Ordinance Amending The FY2024 Annual Appropriations Ordinance (No. 49,220) So As To Accept, Appropriate And Authorize The Expenditure Of Grant Funds Up To The Sum Of \$200,000 From The Department Of Housing And Community Program (Program Year 2024) To Provide Eviction Prevention Services For Households At Imminent Risk Of Eviction. - **(Ordinance No. 49492)**

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

R-13 A Resolution appointing and reappointing 28 Members to 3 Commissions, 2 Boards, and 1 Committee for Certain Terms. - **(Resolution No. 1910)**

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