

NORFOLK, VIRGINIA
RESULTS OF THE COUNCIL

CITY COUNCIL MEETING

TUESDAY, DECEMBER 10, 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	
Patrick Roberts	City Manager	Present	
Bernard Pishko	City Attorney	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 on Amendments to the Norfolk Charter to Revise Sections 62, 63, 64 and 114, to Exempt the Position of Deputy Chief of Fire-Rescue from the Classified Service of the City.

A Resolution Expressing the Support of the City Council for Amendments to the Norfolk Charter to Revise Sections 62, 63, 64 and 114, to Exempt the Position of Deputy Chief of Fire-Rescue from the Classified Service of the City. - **(Resolution No. 1929)**

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 Approving a Purchase and Development Agreement by and Between the City of Norfolk, as Seller, and The Pathway Realty Group, LLC and Franklin Group Companies, LLC, Collectively as Developer, for those Certain Parcels of Real Property Containing 2.28 Acres, More or Less, and Located 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.

An Ordinance Approving a Purchase and Development Agreement by and Between the City of Norfolk, as Seller, and The Pathway Realty Group, LLC and Franklin Group Companies, LLC, Collectively as Developer, for Those Certain Parcels of Real Property Containing 2.28 Acres, More or Less, and Located 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.

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

- C-1 An Ordinance Granting Conditional Use Permits to Authorize the Operation of a Restaurant with Extended Hours, Production of Craft Beverages, a Banquet Hall, Live Entertainment, and the Sale of Alcoholic Beverages for Both On-Premises and Off-Premises Consumption Named “The Annex” on Property Located at 2500 Church Street and 2501 Fawn Street. - **(Ordinance No. 49801)**

- C-2 An Ordinance directing the City Treasurer to issue a refund to Vann-Virginia Center for Orthopaedics, P.C. upon the overpayment of its Business Tangible Personal Property Tax for Tax Year 2024. - **(Ordinance No. 49802)**

- C-3 An Ordinance Granting Natalie, LLC Permission to Encroach into the Rights-of-Way of Colley Avenue and 44th Street at 4314 Colley Avenue With Various Encroachments. - **(Ordinance No. 49803)**
- C-4 An Ordinance Granting Aaron May Permission To Encroach into the Right-Of-Way of 722 Yarmouth Street with a Driveway Access Gate - **(Ordinance No. 49804)**
- C-5 Letter from the City Clerk transmitting herewith from the General Registrar is an Abstract of Votes cast in the 2024 November General Election held on November 5, 2024, pursuant to Section 24.2-675 of the Code of Virginia.

REGULAR AGENDA

- R-1 An Ordinance Granting a Conditional Use Permit to Authorize the Construction of Multi-Family Dwelling Buildings on Properties Located at 2612 Monticello Avenue, 212 through 312 East 26th Street, 2600 Armistead Avenue, 2601 and 2615 Church Street, and 215 through 307 East 27th Street.

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

- R-2 An Ordinance Approving a Deed of Modification with the Norfolk Redevelopment and Housing Authority For the Modification of Certain Restrictive Covenants Encumbering City-Owned Properties Located at the Intersections of Monticello Avenue, E. 26th Street and E. 27th Street.

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

- R-3 An Ordinance to Amend and Reordain the Capital Improvement Plan Budget for the Fiscal Year Beginning July 1, 2024 and Ending June 30, 2025 so as to Reappropriate Previously Authorized But Unissued Bonds Up to the Amount of \$350,000 to Add Funding for the Renovate Selden Market Project. - **(Ordinance No. 49805)**

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

- R-4 An Ordinance Directing the City Manager to Provide a Resolution Requesting the General Assembly to Change Norfolk's Charter so as to Revise Sections 62, 63, 64 and 114, to Exempt the Position of Deputy Chief of Fire-Rescue from the Classified Service of the City. - **(Ordinance No. 49806)**

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

- R-5 A Resolution Supporting the 2025 Legislative Priorities for The City Of Norfolk. - **(Resolution No. 1930)**

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

- R-6 An Ordinance to Amend and Reordain Section 24-3 of the Norfolk City Code so as to Incorporate the Expansion of the Tangible Personal Property Tax Exemption Applicable to One Motor Vehicle that is Owned and Regularly Used by a Disabled Veteran, in Accordance with State Law. - **(Ordinance No. 49807)**

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

- R-7 An Ordinance Authorizing a Supplemental Grant Agreement by and Among the United States Department of Housing and Urban Development, Norfolk Redevelopment and Housing Authority, and the City of Norfolk, Regarding the Acceptance of Additional Grant Funds in the Amount of \$2,500,000.00 by Norfolk Redevelopment and Housing Authority to Further Support the Transformation Plan for Tidewater Gardens in the St. Paul's Area and Authorizing the City Manager to Execute the Supplement Grant Agreement. - **(Ordinance No. 49808)**

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

- R-8 An Ordinance to Amend and Reordain Sections 24-288 Through 24-307 of the Norfolk City Code so as to Update the Admissions Tax Regulations, to Eliminate Redundant Provisions, and to Include Specific Procedures for the Collection and Remittance of Admissions Taxes by Ticketing Intermediaries. - **(Ordinance No. 49809)**

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

- R-9 An Ordinance to Amend and Reordain Sections 32-73 and 33-62 of the Norfolk City Code so as to Conform the Existing Newspaper Advertising Requirements for Removal of Abandoned Vessels and Other Waterfront Nuisances and for the Sale of Unclaimed Property in the Possession of the Police Department to Match New Provisions of State Law. - **(Ordinance No. 49810)**

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

- R-10 An Ordinance Amending the FY2025 Annual Appropriations Ordinance (No. 49,590) so as to Accept, Appropriate, and Authorize the Expenditure of Grant Funds up to the sum of \$110,669 from the Virginia Department of Behavioral Health and Developmental Services to support the Workforce Salary and Personnel Cost Increases for the Norfolk Community Services Board, if and when received, and Amending the FY2025 Budget to add the same. - **(Ordinance No. 49811)**

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

- R-11 An Ordinance Amending the FY2025 Annual Appropriations Ordinance (No. 49,590) so as to Accept and Appropriate Grant Funds up to the sum of \$4,280 from the Virginia Department of Behavioral Health and Developmental Services for Norfolk Community Services Board's Projects Assisting in the Transition from Homelessness (PATH) Program for Staff Training, Travel, And Outreach Supplies, as set forth in the Notice of Award No. 3104.773, if and when received, and Amending the FY2025 Budget to Add the Same. - **(Ordinance No. 49812)**

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

- R-12 An Ordinance Amending the FY2025 Annual Appropriations Ordinance (No. 49,590) so as to Accept, Appropriate, and Authorize the Expenditure of Grant Funds up to the sum of \$95,339 from the Virginia Department of Behavioral Health and Developmental Services for the Norfolk Community Services Board Infant and Toddler Connection Program to Provide Early Intervention Services, if and when received, and Amending the FY2025 Budget to add the same. - **(Ordinance No. 49813)**

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

- R-13 An Ordinance Amending the FY2025 Annual Appropriations Ordinance (No, 49,590) so as to Accept, Appropriate and Authorize the Expenditure of Grant Funds up to the sum of \$169,647.51 from the Virginia Department of Behavioral Health and Developmental Services for the Norfolk Community Services Board to Expand its Community-Based Substance Use Treatment Services Program, if and when received, and Amending the FY2025 Budget to add the same. - **(Ordinance No. 49814)**

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

- R-14 An Ordinance Approving a First Amendment to Lease Agreement with Angeljo, Inc. For the City's Lease of 5585 Sabre Road in Order to Extend the Term; and Authorizing the Expenditure of the Sum of \$112,395.90 For Rent Payments For the Remainder of the Fiscal Year. - **(Ordinance No. 49815)**

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

- R-15 An Ordinance Amending and Reordaining Section 1 of the FY2025 Annual Appropriations Ordinance (No. 49,590), as Amended, so as to Increase the Golf Operations Fund by the amount of \$73,685.00, and Authorized its Expenditure for the Ocean View Golf Course's Roof Replacement Project, and Amending the FY2025 Budget to Reflect Same. - **(Ordinance No. 49816)**

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

- R-16 A Resolution Authorizing the Issuance by Norfolk Redevelopment and Housing Authority of up to \$25,000,000 Student Housing Revenue Bonds for E2F Student Housing I, LLC - **(Resolution 1932)**

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

- R-17 An Ordinance Authorizing the Acquisition of Property from Three Parcels of Land Owned by the American Heart Association, Inc., all for the Purpose of Widening and Enhancing the Public Right of Way Along East Virginia Beach Boulevard and Authorizing the Expenditure of a Sum of Up to \$28,000.00 from Funds Heretofore Appropriated for Acquisition of the Property and all Related Transactional Costs. - **(Ordinance No. 49818)**

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

- R-18 An Ordinance Authorizing the Acquisition of a Strip of Land Owned by WHLR-Janaf, LLC, and Authorizing the Acquisition of Temporary Construction Easements Across Land Owned by WHLR-Janaf, LLC for the Purpose of Widening and Enhancing the Public Right of Way Along East Virginia Beach Boulevard, and Authorizing the Expenditure of a Sum of up to \$21,000.00 from Funds Heretofore Appropriated for Acquisition of the Property and all Related Transactional Costs - **(Ordinance No. 49819)**

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

- R-19 An Ordinance to Amend Sections 25-302 and 25-601 of the Norfolk City Code, 1979, regarding Removal and Storage of Towed Vehicles so as to Increase Towing Fees. - **(Ordinance No. 49820)**

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

- R-20 An Ordinance Approving a Memorandum of Understanding By and Between the Transportation District Commission of Hampton Roads, d/b/a Hampton Roads Transit, and the City of Norfolk and Authorizing the City Manager to Execute the Memorandum of Understanding on Behalf of the City of Norfolk. - **(Ordinance No. 49821)**

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

- R-21 An Ordinance Approving a Memorandum of Understanding by and Between Cities for Financial Empowerment Fund, Inc. and the City of Norfolk Regarding the Financial Empowerment Center Planning Grant and Authorizing the City Manager to Execute the Memorandum of Understanding on Behalf of the City of Norfolk. - **(Ordinance No. 49822)**

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

- R-22 An Ordinance Amending the FY2025 Annual Appropriations Ordinance (No. 49,590) so as to Accept, Appropriate and Authorize the Expenditure of Grant Funds up to the Sum of \$20,000 from the Cities for Financial Empowerment Fund, Inc. for the Development of a Financial Empowerment Center - **(Ordinance No. 49823)**

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

- R-23 An Ordinance Authorizing the Acquisition of an Easement Over Property Known as Nansemond Parkway Elementary School Located at 3012 Nansemond Parkway the City of Suffolk as Part of the Commonwealth Railway Project For the Sum of \$12,000.00 and Authorizing the Expenditure of a Sum of Up to \$17,000.00 From Funds Heretofore Appropriated for Acquisition of the Easement and All Related Transactional Costs. - **(Ordinance No. 49824)**

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

- R-24 An Ordinance Granting Conditional Use Permits to Authorize the Operation of a Restaurant with Live Entertainment and the Sale of Alcoholic Beverages for On-Premises Consumption Named “Uno Pizzeria and Grill” on Property Located at 5700 East Virginia Beach Boulevard.

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

- R-25 An Ordinance to Schedule Council Meeting Dates for 2025. - **(Ordinance No. 49825)**

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

R-26 A Resolution appointing and reappointing 37 members to 9 Commissions, 3 Boards, 2 Authorities, and 2 Committees for certain terms. - **(Resolution No. 1931)**

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

R-27 An Ordinance Granting an Additional Full Day of Holiday Leave to all City Employees on December 23, 2024. - **(Ordinance No. 49826)**

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