

NORFOLK, VIRGINIA
ACTION OF THE COUNCIL
CITY COUNCIL MEETING
TUESDAY, JULY 20, 2021 – 6:00 P.M.

MOMENT OF SILENCE

Followed by the Pledge the 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	
Martin A. Thomas Jr.	Vice Mayor	Present	
Kenneth Cooper Alexander	Mayor	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 **LYDIA ROPER HOUSE**, for a change of zoning to amend the proffered conditions for property zoned MF-NS (Multi-Family – Neighborhood Scale) on property located at **127 E. 40th Street**.

David Dallman, Civil Engineer, 4525 Main Street, Virginia Beach was present to answer questions in this matter.

Patrick Gill, Real Estate Agent, 150 W. Main Street, was present to answer questions in this matter.

Thomas Dickey, Applicant, 1425 E. Cary Street, Portsmouth was present to answer questions.

An Ordinance to Rezone Property Located at **127 East 40th Street** in Order to Change Conditions on Property Zoned MF-NS (Multi-Family - Neighborhood Scale). - (**Ordinance No. 48439**)

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, on the application of the **CITY PLANNING COMMISSION**, for a General Plan Amendment to revise actions in the West Ocean View Area to support the redevelopment.

Marie Kirk, 260 B. Portview Avenue, was present in favor of this matter.

An Ordinance to Amend the City’s General Plan, *plaNorfolk2030*, SO AS TO Support the Redevelopment of the West Ocean View Area. - **(Ordinance No. 48440)**

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, on the application of the **CITY PLANNING COMMISSION**, for a General Plan Amendment to Appendix C within *plaNorfolk2030* to repeal the Broad Creek Revitalization and Implementation Plan Book and adopt the Broad Creek Refresh Plan: Building A Community of Choice.

An Ordinance to Amend the City’s General Plan, *plaNorfolk2030*, SO AS TO Adopt the “Broad Creek Refresh Plan: Building a Community of Choice” and to Repeal the “Broad Creek Revitalization and Implementation Plan Book.” - **(Ordinance No. 48441)**

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, on the application of **JOHN PORTER**, for a change of zoning from MF-NS (Multi-Family – Neighborhood Scale) and I-L (Industrial – Light) to Conditional C-C (Community – Commercial) on property located at **2512 Colonial Avenue**.

An Ordinance to Rezone Property Located at **2512 Colonial Avenue** from MF-NS (Multi-Family - Neighborhood Scale) to C-C (Community Commercial) District. - **(Ordinance No. 48442)**

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, on the application of **EDC HOMES, LLC**, for a change of zoning from C-N (Neighborhood Commercial) to Conditional SF-10 (Single Family – 10) on property located at **1039 Johnstons Road**.

An Ordinance to Rezone Property Located at **1039 Johnstons Road** from C-N (Neighborhood Commercial) to SF-10 (Single Family Residential) District. - **(Ordinance No. 48443)**

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

PH-6 PUBLIC HEARING scheduled this day, pursuant to State Law, to hear comments Approving a **Lease Agreement with Lyon Shipyard, Inc.** for the Lease of various Parcels of Property in the **South Brambleton Area**.

An Ordinance Approving a **Lease Agreement with Lyon Shipyard, Inc.** for the Lease of Various Parcels of Property in the **South Brambleton Area**. - **(Ordinance No. 48444)**

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

PH-7 PUBLIC HEARING scheduled this day, pursuant to State Law, to hear comments Approving a **Purchase and Development Agreement** Between the City of Norfolk, as Seller, and **Breeden Investment Properties, Inc.**, as Purchaser, for that Certain Parcel of Real Property Located at **5523 Pebble Lane** 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.

Tim Faulkner, Developer, 423 Fairfax Avenue, spoke in favor of this matter.

Richard George, Developer, 911 Mount Olive Cohoke Road, King William, Virginia was present to answer questions.

PH-7A The Motion was to Continue to August 24, 2021.

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

PH-7B An Ordinance Approving a **Purchase and Development Agreement** Between the City of Norfolk, as Seller, and **Breeden Investment Properties, Inc.**, as Purchaser, for that Certain Parcel of Real Property Located at **5523 Pebble Lane** 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. 48445)**

ACTION:	Adopted [5 to 3]
AYES:	Doyle, Johnson, McClellan, Smigiel Jr., Thomas Jr.
NAYS:	Riddick, Royster, Alexander

REGULAR AGENDA

R-1 An Ordinance Authorizing the City Manager to Enter into a Right of Entry Agreement with the Norfolk Redevelopment and Housing Authority Regarding the Properties Located at **2600 E. Princess Anne Road, 2620 E. Princess Anne Road, E S Kenton Road and N S E. Princess Anne Road** in Connection with the Community Connect 2021 Program. - **(Ordinance No. 48446)**

Carlos Clanton, 6126 Lenoir Circle, was present to answer questions in this matter.

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

R-2 A Resolution Approving Applying for \$250,000.00 in **Port Host Communities Revitalization Grant Funds** for Upgrades to Existing Municipal Boat Launch Facilities to Allow for Maritime Autonomous Systems Testing. - **(Resolution No. 1834)**

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 \$450,000.00 from the **Virginia Department of Emergency Management** for the FY2020 Homeland Security Grant Program - Urban Area Security Initiative to Purchase a Bomb Robot and Training. – **(Ordinance No. 48447)**

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

R-4 An Ordinance Authorizing the Issuance and Sale by the City of Norfolk, Virginia, of **General Obligation Refunding Bonds** to Refund Earlier Bond Issues - **(Ordinance No. 48448)**

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

R-5 An Ordinance Approving the Performance Agreement by and among the City of Norfolk, **Breeze Aviation Group Inc.**, the Economic Development Authority of the City of Norfolk, and the Virginia Economic Development Partnership Authority, and Authorizing the City Manager to Execute the Performance Agreement on Behalf of the City of Norfolk. - **(Ordinance No. 48449)**

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

R-6 An Ordinance Authorizing the Acquisition of a Certain Parcel of Property Located at **1567 Norview Avenue** Needed for a Stormwater Quality Project Enhancement and Access Improvement Project, for the Sum of \$17,200.00, 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. 48450)**

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 a Donation of the sum of \$30,000.00 from **225 West Olney, LLC** for Site Improvements Around the Development known as Fusion, or **225 West Olney Road**. - **(Ordinance No. 48451)**

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 Additional Grant Funds up to the sum of \$66,140.00 from the U.S. Department of Housing and Urban Development (HUD) for the **Community Development Block Grant Program. - (Ordinance No. 48452)**

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, If and When Received From The **Virginia Department of Behavioral Health and Developmental Services**, in Amounts up to the Sum of \$270,283.00 for the MH STEP-VA Outpatient Services Program, \$141,340.00 for the MH STEP-VA Peer Support Services Program, \$84,924.00 for the MH STEP-VA Veteran's Services Program, and \$191,665.00 for the Discharge Planning Program Through Health Planning Region V. - **(Ordinance No. 48453)**

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

R-10 An Ordinance Amending the FY2021 Annual Appropriations Ordinance (No. 47,999) SO AS TO Accept, Appropriate and Authorize the Expenditure of Grant Funds up to the sum of \$125,000.00 from the **Virginia Department of Behavioral Health and Developmental Services for the Norfolk Community Services Board** to Support the Consumers with Developmental Disabilities in Moving into More Independent Community Settings. - **(Ordinance No. 48454)**

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 a Donation of the Sum of \$100,000.00 from **City Walk Three, LLC** for Site Improvements Around the Development known as Gravity, or **400 Waterside Drive. - (Ordinance No. 48455)**

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

- R-12 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 \$30,000.00 from the Virginia Department of Criminal Justice Services for the **Norfolk Police Department to Support Community-Based Training and Community Outreach, Engagement, and Involvement Efforts. - (Ordinance No. 48456)**

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

- R-13 An Ordinance Authorizing the Delay of the Maturity Date for the Balance of \$85,849.58 due to the City Under an Agreement for Repayment of Past Due Lease Amounts Between the City of Norfolk and **Virginia Symphony Orchestra** as Evidenced by that Certain Promissory Note Payable to the City of Norfolk Dated March 26, 2016, and Authorizing the City Manager to Accept an Amended and **Restated Promissory Note from the Virginia Symphony Orchestra. - (Ordinance No. 48457)**

Tim Faulkner, 423 Fairfax Avenue, Board Member, was present to answer questions in this matter.

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

- R-14 An Ordinance Approving the Conveyance to the City of Norfolk by the United States Postal Service of a Portion of that Certain Parcel of Property Located at **600 Church Street** in the City of Norfolk, Virginia; Approving the Acceptance of a Temporary Construction Easement in the Same Area; Authorizing the Expenditure of a Sum of up to \$15,000.00 from Funds Previously Appropriated for Acquisition of the Property and Easement and all Related Transactional Costs; and Authorizing the City Manager to Enter into such Agreements as are Necessary to Carry out the Intent of Council as set Forth Herein and to Accept the Deed and Deed of Easement on Behalf of the City. - **(Ordinance No. 48458)**

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

- R-15 An Ordinance Granting Blue Marble & Sun, L.L.C. Permission to Encroach into the Right-of-Way at **201-209 W. Ocean View Avenue** for the Purpose of Outdoor Dining and Approving the Terms and Conditions of the Encroachment Agreement. - **(Ordinance No. 48459)**

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

- R-16 A Resolution Directing the City Manager to Amend General Orders to Permit High Speed Pursuit of Stolen Vehicles.

ACTION:	Continued to August 24, 2021 [Unanimous]
AYES:	Doyle, Johnson, McClellan, Riddick, Royster, Smigiel Jr., Thomas Jr., Alexander

NEW BUSINESS

1. Mary Simpson Jones, Oakwood Community Civic League President, 7505 Paulin Court, commented on the Evelyn Butts artwork in the Oakwood Community, stating Ms. Butts was a pioneer of the Norfolk Community and the artwork looks elementary.

ADJOURNMENT