

**NORFOLK, VIRGINIA**

**MEETING OF COUNCIL**

**TUESDAY JANUARY 13, 2026**

Vice Mayor Martin A. Thomas, Jr., called the meeting to order at 4:00 p.m., with the following members present: Mr. Carlos J. Clanton, Mrs. Courtney R. Doyle, Mrs. Mamie B. Johnson, Mr. Jeremy D. McGee, Mr. John E. Paige, Mr. Thomas R. Smigiel Jr. Mayor Kenneth Cooper Alexander shortly thereafter.

**Agenda Overview**

City Manager Roberts outlined the agenda for the afternoon's work session.

**CLOSED SESSION**

Motion for a closed session was approved at **4:03 p.m.** for purposes which are set out in **Clauses 29, 29, 3 and 1** of subsection (A) of Section 2.2-3711 of the Virginia Freedom of Information Act, as amended:

- (29) Discussion of the award of a contract for property located in the Ward 4, Superward 7 area where discussion in an open meeting would adversely affect the negotiating strategy of the public body.
- (29) Discussion of a public contract lease agreement in Ward 2, Superward 7, where discussion in an open session would adversely affect the negotiating strategy of the public body.
- (3) Discussion of the disposition of property in Ward 4, Superward 7, where discussion in an open meeting would adversely affect the negotiating strategy of the public body.
- (1) Discussion of Board and Commission appointments and personnel matter.

Yes: Clanton, Doyle, Johnson, McGee, Paige, Smigiel, and Thomas.

No: None.

## **Norfolk International Airport – Private Activity Bonds**

Presenter: Mr. Mark Perryman, President & CEO, Norfolk International Airport

Mr. Perryman reported as follows:

### **Overview**

- The Norfolk Airport Authority is requesting assistance of the Norfolk City Council in connection with the Authority's plan of finance that includes the proposed issuance of tax-exempt Private Activity Bonds.
- This approval is required for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended.

### **Financing Airport Facilities**

- Federal tax regulations applicable to financings for airport facilities are complicated and result in potentially three different tax treatments for federal income tax purposes of revenue bond debt issued by the Authority:
  - Governmental Use Bonds: Tax-exempt bonds issued for Authority offices, public roadways, and other governmental and public use projects. These bonds are not subject to the federal alternative minimum tax (AMT).
  - Private Activity Bonds (AMT Bonds): Tax-exempt bond subject to the federal AMT that are used for projects primarily within the Airport terminal subject to the Authority's Airline Use Agreements or other facilities that have specific use by non-governmental entities (such as reserved non-public parking areas by ride-sharing companies).
  - Taxable Bonds: Issued to finance projects that are not otherwise eligible for tax-exempt financing either on an AMT or Non-AMT basis. This includes the majority of the planned consolidated rental car (ConRAC) facility.

### **TEFRA Approval**

- The Tax Equity and Fiscal Responsibility Act (TEFRA) of 1982 amended the Code and requires that Private Activity Bonds (AMT) must be approved by an elected official or body after the holding of a public hearing for which reasonable public notice is provided.
  - Public notice is considered reasonable if posted on an official website or published in a newspaper of general circulation, at least seven days prior to the public hearing.
  - Approval must be obtained from an elected official or body having jurisdiction of the financed projects. Because the Authority board members are appointed, rather than elected, this approval has to be obtained from the City Council or a higher elected body or official.

### **Authority's Plan of Finance for its Capital Program**

- The Authority updated its Master Plan for the Airport in 2021 to account for changes at the Airport, in the aviation industry, and in the region since the Airport's prior 2008 Master Plan.
- The Authority is now advancing its capital program which includes nearly \$1 billion of planned capital improvements from FY2026 through FY2030.
- The Authority's plan of finance will be funded by Airport cash, federal and state grants, passenger facility charges (PFC), customer facility charges (CFC) and Authority debt, which will include:

- Interim financing including an expected direct draw line of credit bank facility, expected to be established in FY2026
- Long-term airport revenue bonds, expected to be issued in FY2027/2028
- Long-term CFC revenue bonds, expected to be issued in FY2026

#### Authority's Plan of Finance for its Capital Program

- The Authority's plan of finance includes tax-exempt Private Activity Bonds for some or all of the following projects:
  - ConRAC, including roadways, a portion of the pedestrian bridge, utilities, surface ground transportation lots and other components of the project – bond issuance scheduled for March 2026
  - Departures Terminal Program
  - Administrative Offices Consolidation
  - Dedicated Deicing Facility
  - Parking Offices Building
  - Other airfield, terminal and landside capital improvement projects included in the capital plan
- The total plan of finance includes potential tax-exempt Private Activity Bond financing of approximately \$400 million over the next three years.  
(Total amount of all projects in the Capital Program is \$740,750,000.)

#### Request to the City

- The Authority will hold the required public hearing and submit a report of the hearing to the City, after which the Authority requests the City consider an ordinance that would provide the TEFRA approval required under the Section 147(f) of the Code, as well as satisfy any consent requirement under the Authority's Charter.
  - This TEFRA approval is solely for purposes of satisfying the requirements of the Code. This approval does not create financial liability for the City with respect to the Authority's bonds.
  - The Authority is a financially self-sustaining enterprise, funded solely from Airport revenues (which support Authority revenue bonds) and grants. No local tax dollars fund the Airport.

#### **City Planning Update**

Presenter: Mr. Bobby Tajan, Director of Planning

#### **1111 Harmony, LLC - Conditional Rezoning**

Location

- 1111 Harmony Road  
Existing Conditions
- Fraternal Order of Police site  
Request
- Rezone a portion of the parcel to allow for an office/warehouse development, from IN (Institutional) to Conditional I-L (Light Industrial).  
(A site plan was presented.)

City Planning Commission, by a vote of 6-0 recommends approval.

- Rezoning aligns NFK2050
- Proffers include conceptual site plan, building elevations and required parking agreement

#### **The Beaumont 759 – Conditional Use Permit**

Location

- 759 Granby Street

Existing Conditions

- Commercial

Request

- Allow a restaurant to sell alcoholic beverages for on-premises consumption, provide live entertainment, and allow the operation of a banquet hall

(Site plan, floor plan, hours of operation, capacity, and types of entertainment were presented.)

City Planning Commission, by a vote of 6-0 recommends approval.

- Limited hours to midnight except for New Year's Eve
- Proven operator with a known business in the district
- Two-year expiration of the CUP proposed

#### **Magnolia and Marlin Wine Bar – Conditional Use Permit**

Location

- 4201 Pleasant Avenue

Existing Conditions

- Commercial

Request

- Allow a restaurant to sell alcohol for on- and off- premises consumption, provide live entertainment, and operate a banquet hall

(Site plan, floor plan, hours of operation, capacity, and types of entertainment were presented.)

City Planning Commission, by a vote of 6-0 recommends approval.

- The proposed use replaces a similar use
- Limited hours of operation
- Two-year expiration of the CUP proposed

#### **ABC Supportive, LLC – Conditional Use Permit**

Location

- 1700 Kingston Avenue

Existing Conditions

- Vacant residential

Request

- Allow the renovation of a structure that does not meet the development and form standards
- Request to waive certain development criteria to allow the renovation of the property to a duplex:

- Fenestration
- Parking location and dimensions

- Parking area landscaped screening
- Duplex is a by-right use in the R-C (Residential Coastal) district
- Letter not objecting to the use received from Naval Station Norfolk. Review performed due to the site being located within an Accident Potential Zone  
(Photograph and site plan presented.)

City Planning Commission, by a vote of 4-2 recommends denial.

- Property has been vacant for multiple years
- Community opposition noting that the building's need for waivers does not align with the Coastal Pattern Book
- Commissioners voting for the application noted the building being vacant and this being a feasible request to allow the reasonable re-use of the existing building

January 13, 2026

**NORFOLK, VIRGINIA**

**ACTION OF THE COUNCIL**

**CITY COUNCIL MEETING**

**TUESDAY, JANUARY 13, 2026 – 6:00 P.M.**

**A CITIZEN WHO WISHES TO ADDRESS COUNCIL CONCERNING A CONSENT, REGULAR OR PUBLIC HEARING MATTER ON THE AGENDA, OR NEW BUSINESS (HELD ON THE FIRST MEETING OF THE MONTH) SHOULD 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.

Attendee Name	Title	Status
Kenneth Cooper Alexander	Mayor	Present
Carlos J. Clanton	Councilmember-Superward 7	Present
Courtney R. Doyle	Councilmember - Ward 2	Present
Mamie B. Johnson	Councilmember - Ward 3	Present
Jeremy D. McGee	Councilmember-Superward 6	Present
John E. Paige	Councilmember - Ward 4	Present
Thomas R. Smigiel Jr.	Councilmember - Ward 5	Present
Martin A. Thomas Jr.	Vice Mayor - Ward 1	Present

**APPROVAL OF MINUTES**

Approve the Minutes of the Previous City Council Meeting.

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Alexander, Clanton, Doyle, Johnson, McGee, Paige, Smigiel Jr., Thomas Jr.

**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.

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Alexander, Clanton, Doyle, Johnson, McGee, Paige, Smigiel Jr., Thomas Jr.

## PUBLIC HEARINGS

**PH-1** Public Hearing scheduled this day, pursuant to State Law on the application of the CITY PLANNING COMMISSION, to Amend Section 4.2.3.F(4) of the Norfolk Zoning Ordinance SO AS TO Allow Houseboat Rental as an Activity Included in the Use Known as "Marina," Either by Right or By Conditional Use Permit Depending on Certain Performance Standards.

An Ordinance to Amend Section 4.2.3.F(4) of the Norfolk Zoning Ordinance so as to Allow Houseboat Rental as an Activity Included in the Use Known as "Marina," Either by Right or By Conditional Use Permit Depending on Certain Performance Standards. - **(Ordinance No. 50235)**

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Alexander, Clanton, Doyle, Johnson, McGee, Paige, Smigiel Jr., Thomas Jr.

**PH-2** Public Hearing scheduled this day, pursuant to State Law, on the application of CITY PLANNING COMMISSION, to Amend Section 2.3.1.B(1) of the Norfolk Zoning Ordinance SO AS TO Prohibit Submission of Substantially the Same Application within One Year of the Denial of an Application for a Conditional Use Permit.

An Ordinance to Amend Section 2.3.1.B(1) of the Norfolk Zoning Ordinance so as to Prohibit Submission of Substantially the Same Application within One Year of the Denial of an Application for a Conditional Use Permit. - **(Ordinance No. 50236)**

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Alexander, Clanton, Doyle, Johnson, McGee, Paige, Smigiel Jr., Thomas Jr.

**PH-3** Public Hearing scheduled this day, pursuant to State Law, to hear comments on an Ordinance Approving a Lease Agreement with Empowered Lounge Foundation as Lessee, for the Ingleside Recreation Center at 948 Ingleside Road in the City of Norfolk.

An Ordinance Approving a Lease Agreement with Empowered Lounge Foundation as Lessee, for the Ingleside Recreation Center at 948 Ingleside Road in the City of Norfolk.  
- **(Ordinance No. 50237)**

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Alexander, Clanton, Doyle, Johnson, McGee, Paige, Smigiel Jr., Thomas 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.**

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Alexander, Clanton, Doyle, Johnson, McGee, Paige, Smigiel Jr., Thomas Jr.

**C-1** A Resolution Requesting the Virginia Department of Transportation to Accept Certain Additional City Streets for Municipal Assistance Payments and to Remove Some Streets from the Eligible List Pursuant to Section 33.1-41.1 of the Code of Virginia, 1950, as Amended. - **(Resolution No. 1963)**

**C-2** Letter from the City Attorney requesting confirmation Lindsay Keeler as an Assistant City Attorney I-LD, effective February 23, 2026, in the Law Department Pay Plan, Grade L14 of the City's Compensation Plan, to serve at the pleasure of the City Attorney.

Tanawah Downing and Jessica Saxton, 152 Wayne Place, Washington, D.C., spoke in opposition to this matter.

## REGULAR AGENDA

**R-1** An Ordinance Granting a Conditional Use Permit to Authorize the Operation of a Restaurant with Extended Hours Named “Americas Best Wings” on Property Located at 5802 East Virginia Beach Boulevard, Suites 142 and 143.

<b>ACTION:</b>	<b>Motion Lost [0 to 8]</b>
<b>NAYS:</b>	Alexander, Clanton, Doyle, Johnson, McGee, Paige, Smigiel Jr., Thomas Jr.

**R-2** An Ordinance Granting a Conditional Use Permit to Authorize a Short-Term Rental Unit (Vacation Rental) on Property Located at 9621 9th Bay Street. - **(Ordinance No. 50238)**  
The applicant, Valentin Fedorenco, 3868 Larchwood Drive, Virginia Beach, spoke in support of this matter.

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Alexander, Clanton, Doyle, Johnson, McGee, Paige, Smigiel Jr., Thomas Jr.

**R-3** An Ordinance Approving an Amendment to the Agreement with Nederlander National Markets LLC to Allow the Use of the Harrison Opera House for the Broadway Shows Series in Seasons 2026-2027 and 2027-2028 During the Renovation of Chrysler Hall

<b>ACTION:</b>	<b>Continued [Unanimous]</b>
<b>AYES:</b>	Alexander, Clanton, Doyle, Johnson, McGee, Paige, Smigiel Jr., Thomas Jr.

**R-4** An Ordinance Approving the Supplemental Agreement for Services Between the City of Norfolk and Norfolk Southern Railway Company. - **(Ordinance No. 50239)**

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Alexander, Clanton, Doyle, Johnson, McGee, Paige, Smigiel Jr., Thomas Jr.

**R-5** An Ordinance Authorizing the City to Acquire From the Virginia Department of Transportation a Parcel of Property Located Adjacent to 1114 Water Street and 1101 E. Main Street. - **(Ordinance No. 50240)**

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Alexander, Clanton, Doyle, Johnson, McGee, Paige, Smigiel Jr., Thomas Jr.

**R-6** An Ordinance Amending Section 16 Subsections (gggg), (hhhh), and (iii) Of The FY2026 Annual Appropriations Ordinance (No. 49,966) So As To Revise And Appropriate The Additional Sums of \$1,951 For Project UPC 127701, \$4,336 For Project UPC 127693, And \$1,951 For Project UPC 127692 Respectively, As A Local Cash Match; And Amending The Annual Grants Plan In The FY2026 Budget To Reflect These Changes. - **(Ordinance No. 50241)**

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Alexander, Clanton, Doyle, Johnson, McGee, Paige, Smigiel Jr., Thomas Jr.

**R-7** An Ordinance Amending The FY2026 Annual Appropriations Ordinance (No. 49,966) So As To Accept And Appropriate Grant Funds Up To The Sum Of \$17,735 From The Virginia Department Of Behavioral Health And Developmental Services, For The Norfolk Community Services Board To Support Crisis Services For Individuals With Developmental Disabilities, Including Residential And Therapeutic Supports, If And When Received; And Amending The Annual Grants Plan In The FY2026 Budget To Add The Grant Information. - **(Ordinance No. 50242)**

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Alexander, Clanton, Doyle, Johnson, McGee, Paige, Smigiel Jr., Thomas Jr.

**R-8** An Ordinance Amending Section 16, Subparagraph (aaaa) of the FY2026 Annual Appropriations Ordinance (No. 49,966) so as to Accept and Appropriate Additional Grant Funds for a total sum of \$1,400,962 from the Virginia Department of Transportation ("VDOT") for the Raised Crosswalk Improvements Project UPC 127829 ("the Project"), if and when received; Providing Additional Local Funds for a total sum of \$104,200 from Previously Appropriated Funds; Amending the Annual Grants Plan in the FY2026 Budget to Amend the Grant Information for the Project; and Authorizing the Agreement with VDOT for this Project. - **(Ordinance No. 50243)**

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Alexander, Clanton, Doyle, Johnson, McGee, Paige, Smigiel Jr., Thomas Jr.

**R-9** An Ordinance to Schedule a Council Retreat on January 30, 2026, and to Move the Location from the Council Chambers of the City Hall Building to The Slover, Sgt. Memorial Room. - **(Ordinance No. 50244)**

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Alexander, Clanton, Doyle, Johnson, McGee, Paige, Smigiel Jr., Thomas Jr.

**R-10** An Ordinance Amending The FY2026 Annual Appropriations Ordinance (No. 49,966) So As To Accept And Appropriate Grant Funds Up To The Sum Of \$149,193.30 From The Virginia Department Of Behavioral Health And Developmental Services For The Norfolk Community Services Board For Supplemental Community Services Board Workforce Funding As Set Forth In Contract No. D3258.773, If and When Received; And Amending The Annual Grants Plan In The FY2026 Budget To Add The Grant Information. - **(Ordinance No. 50245)**

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Alexander, Clanton, Doyle, Johnson, McGee, Paige, Smigiel Jr., Thomas Jr.

**R-11** An Ordinance Amending The FY2026 Annual Appropriations Ordinance (No. 49,966) So As To Accept And Appropriate Grant Funds Up To The Sum Of \$600,000 From The Virginia Department of Behavioral Health And Developmental Services, For The Norfolk Community Services Board To Plan and Implement the MARCUS Alert System, If And When Received; And Amending The Annual Grants Plan In The FY2026 Budget To Add The Grant Information. - **(Ordinance No. 50246)**

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Alexander, Clanton, Doyle, Johnson, McGee, Paige, Smigiel Jr., Thomas Jr.

**R-12** A Resolution Approving and Authorizing the City Manager to Enter Into a Design-Build Contract for the UPC 115244 Virginia Beach Boulevard Widening Phase 2 Project. - **(Resolution No. 1964)**

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Alexander, Clanton, Doyle, Johnson, McGee, Paige, Smigiel Jr., Thomas Jr.

**R-13** An Ordinance Authorizing the Acquisition of Easements Over and Under the Properties Located at 3501 Westminster Avenue and 500 Stapleton Street as Part of the Westminster Avenue Reconstruction Project For the Sum of \$10,000.00 and Authorizing the Expenditure of a Sum of Up to \$15,000.00 From Funds Heretofore Appropriated For Acquisition of the Easement and All Related Transactional Costs. - **(Ordinance No. 50247)**

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Alexander, Clanton, Doyle, Johnson, McGee, Paige, Smigiel Jr., Thomas Jr.

**R-14** An Ordinance to Amend and Reordain Chapter 30, Article VII of the Norfolk City Code, 1979, regarding Regulations governing Beaches so as to add on new Subsection 30-102 Prohibiting Fires on Beaches and Sand Dunes except for Grilling in Designated Areas. - **(Ordinance No. 50248)**

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Alexander, Clanton, Doyle, Johnson, McGee, Paige, Smigiel Jr., Thomas Jr.

**R-15** A Resolution Appointing 7 members to 1 Commission, 2 Boards and 3 Authorities for certain terms - **(Resolution No. 1965)**

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Alexander, Clanton, Doyle, Johnson, McGee, Paige, Smigiel Jr., Thomas Jr.

### **NEW BUSINESS**

Susan Matousek, 8214 Andrew Lane, spoke regarding open government and public safety concerns.

Vincent Hodges, 117 Poplar Avenue #2, spoke regarding equal access to government. James Fry, 1004 Assembly Drive, Virginia Beach, spoke regarding the issue of suicide and the conflict in the Middle East.

### **ADJOURNMENT**