

**NORFOLK, VIRGINIA**  
**ACTION OF THE COUNCIL**  
**CITY COUNCIL MEETING**

**TUESDAY, JANUARY 26, 2021 – 6:00 P.M.**

**ANNOUNCEMENT**

This meeting of the Norfolk City Council is being held by electronic communication means pursuant to Item 4-0.01 in House Bill 30 (Chapter 1289) of the 2020 Session.

The Governor of the Commonwealth of Virginia has declared a State of Emergency due to the public health danger of the novel coronavirus COVID-19 pandemic, which constitutes a disaster and emergency under Virginia Code Section 44-146.16.

The COVID-19 pandemic makes it impracticable or unsafe for the City Council to assemble in a single location.

The purpose of this meeting is to discuss or transact the business statutorily required or necessary to continue operations of this public body and the discharge of its lawful purposes, duties, and responsibilities.

This meeting will be conducted by the following electronic communication means: telephonically and electronically through WebEx. The public may participate by providing their comments in email to the Clerk's Office in advance of the hearing or by WebEx phone or video.

**MOMENT OF SILENCE**

Followed by the Pledge the Allegiance.

**ROLL CALL**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>
Courtney R. Doyle	Councilmember - Ward 2	Remote/Electronically
Mamie B. Johnson	Councilmember - Ward 3	Remote/Electronically
Andria P. McClellan	Councilmember - Superward 6	Remote/Electronically
Paul R. Riddick	Councilmember - Ward 4	Remote/Telephonically
Danica J. Royster	Councilmember - Superward 7	Remote/Electronically
Thomas R. Smigiel Jr.	Councilmember - Ward 5	Remote/Electronically
Martin A. Thomas Jr.	Vice Mayor	Remote/Electronically
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 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 CHILDREN’S HOSPITAL OF THE KINGS DAUGHTERS, to vacate a certain portion of the right-of-way of Hampton Boulevard at the southeast intersection of Redgate Avenue and Hampton Boulevard containing 0.192 acres, more or less. Rob Beamon, Attorney, 222 Central Park Avenue, was available by WebEx to answer questions in this matter.

An Ordinance Closing, Vacating and Discontinuing a Portion of Hampton Boulevard and Authorizing the Conveyance to the Abutting Property Owners of Any Interest the City has in the Said Portion of Hampton Boulevard. - **(Ordinance No. 48280)**

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

**PH-2** Public Hearing scheduled this day pursuant to State Law, to hear comments amending Ordinance Number 47,733 Authorizing the City Manager to Negotiate an Agreement for the Purchase of certain property on the South Side of Westminster Avenue for the Ohio Creek Watershed Improvement Project SO AS TO add additional Authorization to Acquire the same property by other lawful means including, if necessary, the exercise of Eminent Domain.

An Ordinance Amending Ordinance Number 47,733 Authorizing the City Manager to Negotiate an Agreement for the Purchase of Certain Property on the South Side of Westminster Avenue for the Ohio Creek Watershed Improvement Project SO AS TO add Additional Authorization to Acquire the Same Property by Other Lawful Means Including, if Necessary, the Exercise of Eminent Domain. - **(Ordinance No. 48281)**

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	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 BREEDEN INVESTMENT PROPERTIES, INC., for an Amendment to the Future Land Use Map within the City’s General Plan, planorfolk2030, from Single Family Suburban to Multifamily on properties located at 1040, 1060, 1080 and NS Kempsville Road and 6070 and 6090 Airway Lane.

Lisa Murphy, Attorney, 440 Monticello Avenue, spoke by WebEx in favor of this matter.

Charla Smith Worley, 1188 Kempsville Road, spoke by WebEx in favor of this matter.

Torrey Breeden, applicant, 560 Lynnhaven Parkway; Thomas G. Johnson, Jr., Attorney, 441 Monticello Avenue; Tim Faulkner, Architect, 5339 Alpha Road, Suite 300; Mitch Bowser, Engineer, 1001 Boulders Parkway; Kenneth Owen, 228 N. Lynnhaven Road, Suite 180 and Brian Revere, applicant, 228 N. Lynnhaven Road, Suite 108, were present by WebEx to answer any questions in this matter.

An Ordinance to Amend the City’s General Plan, Planorfolk2030, SO AS TO Change the Land Use Designation for Properties Located at 1040, 1060 and 1080 Kempsville Road, 6070 and 6090 Airway Lane, and an Unaddressed Parcel Located North of Kempsville Road from Single Family Suburban to Multifamily. - **(Ordinance No. 48282)**

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	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 BREEDEN INVESTMENT PROPERTIES, INC., to rezone from SF-2 (Single Family – 2) to Conditional MF-NS (Multi Family – Neighborhood Scale) on properties located at 1040, 1060, 1080 and NS Kempsville Road and 6070 and 6090 Airway Lane.

Lisa Murphy, Attorney, 440 Monticello Avenue, Charla Smith Worley, 1188 Kempsville Road, Torrey Breeden, applicant, 560 Lynnhaven Parkway; Thomas G. Johnson, Jr., Attorney, 441 Monticello Avenue; Tim Faulkner, Architect, 5339 Alpha Road, Suite 300; Mitch Bowser, Engineer, 1001 Boulders Parkway; Kenneth Owen, 228 N. Lynnhaven Road, Suite 180, Brian Revere, applicant, 228 N. Lynnhaven Road, Suite 108, and John Ward, 1210 Kempsville Road, were present in favor of this matter by WebEx to answer any questions.

An Ordinance to Rezone Properties Located at 1040, 1060 and 1080 Kempsville Road, 6070 and 6090 Airway Lane, and an Unaddressed Parcel Located North of Kempsville Road from SF-2 (Single-Family Residential) District to Conditional MF-NS (Multi-Family - Neighborhood Scale) District. - **(Ordinance No. 48283)**

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

### **REGULAR AGENDA**

**R-1** An Ordinance Granting A Conditional Use Permit to Authorize Multi-Family Dwelling Units on Properties located at 1040, 1060 and 1080 Kempsville Road, 6070 and 6090 Airway Lane, and an Unaddressed Parcel Located North of Kempsville Road. - **(Ordinance No. 48284)**

Lisa Murphy, Attorney, 440 Monticello Avenue, Charla Smith Worley, 1188 Kempsville Road, Torrey Breeden, applicant, 560 Lynnhaven Parkway; Thomas G. Johnson, Jr., Attorney, 441 Monticello Avenue; Tim Faulkner, Architect, 5339 Alpha Road, Suite 300; Mitch Bowser, Engineer, 1001 Boulders Parkway; Kenneth Owen, 228 N. Lynnhaven Road, Suite 180, and Brian Revere, applicant, 228 N. Lynnhaven Road, Suite 108, were present in favor of this matter by WebExt to answer any questions.

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

**R-2** An Ordinance to Amend and Reordain Sections 49-3, 49-5.1 and subsection (b) of Section 49-6 of the Norfolk City Code, 1979, regarding Wetlands and Living Shorelines SO AS TO conform with State Code changes to Chapter 13 of Title 28.2 of the Code of Virginia. - **(Ordinance No. 48285)**

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

R-3 A Resolution in Support of the Redesign of the Public Bus Network of the City of Norfolk by Hampton Roads Transit

<b>ACTION:</b>	<b>Continued to February 9, 2021 [Unanimous]</b>
<b>AYES:</b>	Doyle, Johnson, McClellan, Riddick, Royster, Smigiel Jr., Thomas Jr., Alexander

R-4 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 \$74,804.00 from the U.S. Department of Homeland Security Federal Emergency Management Agency Through the Virginia Department of Emergency Management for Supporting the Planning and Operational Readiness of the COVID-19 Response Project, and Appropriating and Authorizing the Expenditure of Local Matching Funds in the Amount of \$74,804.00 for the Project. - **(Ordinance No. 48286)**

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

R-5 An Ordinance to Amend and Reordain the City's Appropriations Budget for Fiscal Year 2021 to add \$185,696 to the Budget, to Amend and Reordain Section 1 of the Ordinance No. 47,999 (Operating Budget Ordinance for Fiscal Year 2021) so as to Appropriate and Authorize the Expenditure of Funds from the Commonwealth Compensation Board for the Norfolk Sheriff's Office. - **(Ordinance No. 48287)**

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

- R-6 A Resolution to Initiate the Process of Vacating the Public Rights-of-Way of Certain Portions of Fenchurch Street and Wood Street. - **(Resolution No. 1820)**

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

- R-7 A Resolution Appointing Councilwoman Danica J. Royster to 1 Committee and 1 Commission for Certain Terms. - **(Resolution No. 1821)**

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

- R-8 An Ordinance Authorizing a Cooperation Agreement with the Economic Development Authority of the City of Norfolk for the Purpose of Incentivizing a Grocery Store to Open and Operate in the Berkley Section of the City of Norfolk. - **(Ordinance No. 48288)**

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

## **ADJOURNMENT**