

NORFOLK, VIRGINIA
ACTION OF THE COUNCIL
CITY COUNCIL MEETING
TUESDAY, MARCH 28, 2023 – 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	
Dr. Larry H. Filer II	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

INVITATION FOR BIDS

IB-1 Invitation for Bids and Notice of Public Hearing for a Lease with a term of ten (10) years for the premises located at **13th View Street and Bayville Street** in the City of Norfolk.

A bid was received from Old Dominion University (“ODU”) and marked for identification as ODU.

The Motion was made by Councilwoman Johnson to continue this matter to April 11, 2023 and seconded by Councilwoman Doyle.

ACTION:	Continued to April 11, 2023 [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, on the application of **SITEONE LANDSCAPE SUPPLY**, for a change of zoning from IN (Institutional) to Conditional I-L (Industrial – Light) at **1132 Pickett Road and 1121 Harmony Road**.

Lisa Murphy, Attorney for the applicant, 440 Monticello Avenue, Suite 2200, was present to answer questions.

Brad Martin, Civil Engineer for the applicant, 242 Mustang Trail, Virginia Beach, was present to answer questions.

An Ordinance to Rezone Properties Located at **1132 Pickett Road and 1121 Harmony Road** from IN (Institutional) District to Conditional I-L (Industrial-Light) District. - **(Ordinance No. 49119)**

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, on the application of **DEPAUL VILLAGES, LLC**, for a Change of Zoning from IN-C (Institutional – Campus) to PD (Planned Development) at **100, 110, 150 and 160 Kingsley Lane, E S Newport Avenue, 6303 and 6401 Granby Street.**

Vince Mastracco, attorney for the applicant, 150 West Main Street, spoke in favor of this matter.

Ann Miller, 6073 River Road, addressed the concerns of the Riverpoint Civic League regarding this project.

Jake Young, 201 Oxford Street, submitted a letter that addressed the concerns of the Talbot Park Civic League regarding this project.

The following spoke in opposition to this matter:

Elise Peterson-McMath, 1300 Diamond Springs Road
Tiara Lassiter, 3045 Sewells Point Road
Alton Robinson, 5116 E. Princess Anne Road
Monet Johnson, 3505 Argonne Avenue
Javon Bennett, 1342 Reservoir Avenue

An Ordinance to Rezone Properties Located at **100, 110, 150, and 160 Kingsley Lane, 6303 and 6401 Granby Street**, and a Parcel having GPIN 1439141606 from IN-C (Institutional-Campus) District to PD (Planned Development) District named “DePaul Villages.” - **(Ordinance No. 49120)**

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

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 to Schedule a **Council Retreat on Friday, April 21, 2023**, and to Move the Location from the Council Chambers of the City Hall Building to the Jordan Newby Anchor Branch Library. - **(Ordinance No. 49121)**

- C-2 An Ordinance to Amend and Reordain Section 2-420 of the *Norfolk City Code, 1979*, SO AS TO change the name of the **Bicycling and Pedestrian Trails Commission to Bicycling, Pedestrian, and Active Transportation Commission**. - **(Ordinance No. 49122)**

- C-3 An Ordinance Granting Christopher J. Mais and Marsha C. Mais Permission to Encroach into the Rights-of-Way of Partridge Street and Quail Street with a Fence. - **(Ordinance No. 49123)**

- C-4 An Ordinance Approving a Right of Entry Permitting the Chrysler Museum of Art to go Upon and Use Certain City Owned Property Located at **358 Mowbray Arch**. - **(Ordinance No. 49124)**

REGULAR AGENDA

- R-1 An Ordinance Amending the FY2023 Annual Appropriations Ordinance (No. 48,751) SO AS TO Accept, Appropriate and Authorize the Expenditure of Grant Funds Up to The Sum of \$19,302.77 From the Virginia Department of Health Planning Region V For the **Norfolk Community Services Board to Provide Mental Health First Aid and Suicide Prevention Services**. - **(Ordinance No. 49125)**

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

R-2 An Ordinance Amending the FY2023 Annual Appropriations Ordinance (No. 48,751) SO AS TO Accept, Appropriate and Authorize the Expenditure of Grant Funds Up to The Sum Of \$149,948 From the Behavioral Department of Behavioral Health and Developmental Services for **The Norfolk Community Services Board to Operate or Contract the BRAVO (Behavioral Health Redesign for Access, Value and Outcomes) Start-Up Community Stabilization Program. - (Ordinance No. 49126)**

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

R-3 An Ordinance Amending The FY2023 Annual Appropriations Ordinance (No. 48,751) SO AS TO Accept, Appropriate And Authorize The Expenditure Of Grant Funds Up To The Sum Of \$4,517,686 From The United States Department Of Housing And Urban Development For The **HOME Investment Partnerships-American Rescue Plan Grant Program (HOME-ARP)** To Develop Affordable Rental Housing, Provide Supportive Services, And Conduct General Administration To Meet The Housing And Service Needs Of Homeless Populations And Other Vulnerable Populations In The City Of Norfolk. - **(Ordinance No. 49127)**

Alton Robinson, 5116 East Princess Anne Road, spoke in opposition to this matter.

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

R-4 An Ordinance Approving a First Amendment to Sublease Between the City of Norfolk, as Landlord, and Virginia Stage Company, as Tenant, for the Lease of Portions of the **Monroe Building** Located at **254 Granby Street** in the City of Norfolk, Virginia, and Authorizing the City Manager to Execute the First Amendment to Sublease on Behalf of the City of Norfolk. - **(Ordinance No. 49128)**

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

R-5 An Ordinance Granting a Conditional Use Permit to Authorize a Short-Term Rental Unit (Vacation Rental) on Property Located at **2428 East Ocean View Avenue**.

Bill Roy, 2024 Bay Oaks Avenue, spoke in opposition to this matter.

Jeanne Kruger, 2406 Bay Oaks Place, spoke in opposition to this matter.

Tanya Brooks, 9720 5th Bay Street, spoke in opposition to this matter.

Keyontae Willis, 2428 E. Oceanview Avenue, the Applicant, spoke in support of and answered questions relative to this matter.

ACTION:	Lost [0 to 8]
NAYS:	Doyle, Johnson, McClellan, Paige, Royster, Smigiel Jr., Thomas Jr., Alexander

R-6 An Ordinance Granting Conditional Use Permits to Authorize the Operation of a Craft Beverages Production Facility with Live Entertainment Named "COVA Brewing Company" on Property Located at **9529 Shore Drive. - (Ordinance No. 49129)**

Scott Bateman, 151 E. Evans Street, the Applicant, spoke in support of this matter.

Jeff Jenkins, 4200 B. Pretty Lake Avenue, spoke in opposition to this matter.

Jeff Wells, 208 E. Plume Street, the Applicant, spoke in support of this matter.

Brad Martin, 242 Mustang Trail, Virginia Beach, the Project Engineer, was present to answer any questions relative to this matter.

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

R-7 An Ordinance Granting Conditional Use Permits to Authorize the Operation of an Automobile Sales Establishment, a Major Automobile Repair and Maintenance Facility, and an Automobile Rental Facility named “HM Enterprises” on Property Located at **3302 Croft Street. - (Ordinance No. 49130)**

William Braun, 2557 Wingfield Road, the Applicant, was present to answer any questions relative to this matter.

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

R-8 An Ordinance to Amend and Reordain Section 24-289 of the *Norfolk City Code, 1979*, regarding the levy and amount of **Admissions Tax**, to add subsection (c) that no tax shall be imposed or levied on the admissions charged for attendance at public and private elementary, middle and secondary school-sponsored events, including events sponsored by school-recognized student organizations. - **(Ordinance No. 49131)**

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

R-9 A Resolution **Appointing and Reappointing** 64 Members to 1 Authority, 2 Committees, 6 Commissions, and 7 Boards for Certain Terms - **(Resolution No. 1886)**

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

NEW BUSINESS

Raytron White, 3149 Kimball Terrace, thanked the Mayor and Councilmembers Royster and Paige for their support of the NRHA/Home USA/CFF event and requested opening the community pool.

Helen Pryor, 1604 Dylan Drive, Virginia Beach, spoke regarding the School Board budget on behalf of the Education Association of Norfolk.

James Thompson, 1030 W. 37th Street #4, spoke regarding homelessness prevention and stopping gun violence.

Elise Peterson-McMath, 1300 Diamond Springs Road, spoke regarding community needs for affordable housing and educational opportunities.

Maryanna White, 600 North Shore Road, spoke regarding the School Board budget.

Alton Robinson, 5116 E. Princess Anne Road, spoke regarding community concerns regarding stopping the violence.

Tiara Lassiter, 3045 Sewells Point Road, spoke regarding the housing crisis and public housing options.

Monet Johnson, 3505 Argonne Avenue, spoke regarding public housing.

ADJOURNMENT