

NORFOLK, VIRGINIA
ACTION OF THE COUNCIL
CITY COUNCIL MEETING
TUESDAY, OCTOBER 24, 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.

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	Absent
Thomas R. Smigiel Jr.	Councilmember - Ward 5	Present
Martin A. Thomas Jr.	Vice Mayor - Ward 1	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, Paige, Smigiel Jr., Thomas Jr., Alexander
ABSENT:	Royster

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, Smigiel Jr., Thomas Jr., Alexander
ABSENT:	Royster

PUBLIC HEARINGS

PH-1 Public Hearing scheduled this day pursuant to State Law to hear comments Reauthorizing the Issuance and Sale by the City of Norfolk, Virginia, of General Obligation Notes on a Revolving Credit Line Basis.

An Ordinance Reauthorizing the Issuance and Sale by the City of Norfolk, Virginia, of General Obligation Notes on a Revolving Credit Line Basis - **(Ordinance No. 49372)**

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

PH-2 Public Hearing scheduled this day, pursuant to State Law, to hear comments Approving a Lease Agreement with Verizon Virginia, LLC for the Lease of Property Located at 1411 Kempsville Road.

An Ordinance Approving a Lease Agreement with Verizon Virginia, LLC for the Lease of Property Located at 1411 Kempsville Road. - **(Ordinance No. 49373)**

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

PH-3 Public Hearing scheduled this day, pursuant to State Law, on the application of SMITH PACKETT MED COM, LLC, for a change of zoning from C-C to Conditional IN at 235 North Military Highway.

An Ordinance to Rezone Property Located at 235 North Military Highway from C-C (Community-Commercial) District to Conditional IN (Institutional) District.

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

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

C-1 An Ordinance authorizing the City Manager to enter into a Non-Exclusive Revocable License Agreement with the United States of America regarding Removal and Replacement of certain Trees in the Right of Way for the Safe Operation of Chambers Field at Naval Station Norfolk. - **(Ordinance No. 49374)**

C-2 An Ordinance Accepting the Conveyance of a Drainage Easement Over Property Located at 7532 Yorktown Drive by EDC Homes I, LLC and Authorizing the City Manager to Accept the Deed of Easement on Behalf of the City. - **(Ordinance No. 49375)**

- C-3 An Ordinance Granting a Conditional Use Permit to Authorize a Fuel Oil or Bottled Gas Distribution Facility Operating Under the Name “Bogue Oil” on Property Located at 5839 Adderley Street. - **(Ordinance No. 49376)**
- C-4 An Ordinance Granting Conditional Use Permits to Authorize the Sale of Alcoholic Beverages for Both On-Premises and Off-Premises Consumption at a Restaurant Named “The General Public” on Property Located at 147 Granby Street. - **(Ordinance No. 49377)**
- C-5 An Ordinance Granting Conditional Use Permits to Authorize the Operation of a Restaurant Live Entertainment and the Sale of Alcoholic Beverages for On-Premises Consumption Named “Union Taco” on Property Located at 218 and 220 West 25th Street. - **(Ordinance No. 49378)**
- C-6 An Ordinance Granting a Conditional Use Permit to Authorize a Large-Scale Drive-through Facility on Property located at 7725 Tidewater Drive for a Restaurant Named “Panera Bread.” - **(Ordinance No. 49379)**
- The applicant, Sam Baraki, 5267 Greenwich Road, Virginia Beach, was present to answer any questions relative to this matter.
- C-7 An Ordinance Granting a Conditional Use Permit to Authorize a Short-Term Rental Unit (Vacation Rental) on Property Located at 3706 Newport Avenue. - **(Ordinance No. 49380)**
- The property manager, Abel Cortez, 3706 Newport Avenue, was present to answer any questions relative to this matter.
- The property owner, Emily Darling, 3706 Newport Avenue, was present to answer any questions relative to this matter.
- C-8 An Ordinance to Amend Conditional Use Permits so as to Approve an Alteration of an Outdoor Dining for a Craft Beverages Production Facility with Live Entertainment Named “Cova Brewing Company” on Property Located at 9529 Shore Drive. - **(Ordinance No. 49381)**

REGULAR AGENDA

- R-1 An Ordinance to Amend and Reordain Sections 23-1 and 23-10, Article III of Chapter 23 and Subsection (4) of Section 33.1-23 of the Norfolk City Code, 1979, as Amended, so as to Change the Name of the Slover Library to The Slover and Amend the Rental Fees for The Slover Third Floor Business Center and Terrace. - **(Ordinance No. 49382)**

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

- R-2 An Ordinance Amending The FY2024 Annual Appropriations Ordinance (No. 49,220) So As To Accept, Appropriate And Authorize The Expenditure Of Grant Funds Up To The Sum Of \$621,260 From The U.S. Department Of Homeland Security Federal Emergency Management Agency, Port Security Grant, And Previously-Appropriated Local Matching Funds In The Amount Of \$155,315 For The Purchase Of Police Equipment And Training. - **(Ordinance No. 49383)**

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

- R-3 An Ordinance Amending The FY2024 Annual Appropriations Ordinance (No. 49,220) So As To Accept, Appropriate And Authorize The Expenditure Of Donated Funds Up To The Sum Of \$2,000 From Metronet For The Sponsorship Of Entertainment And Food For the Five Points Park/Civic Plaza Grand Opening Event On October 21, 2023. - **(Ordinance No. 49384)**

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

R-4 An Ordinance Approving a Lease Agreement Between The Hermitage Foundation, as Lessor, and the City of Norfolk, as Lessee, for the Lease of a Portion of Property Located at 7637 North Shore Road and Authorizing the City Manager to Execute the Lease Agreement on Behalf of the City. - **(Ordinance No. 49385)**

Barrett Hicks, 4853 Kennebeck Avenue, spoke in support of this matter and had questions relative to this matter.

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

R-5 An Ordinance Authorizing the Acquisition of a Certain Parcel of Property Known as Tax Parcel No. 19*19A in the City of Suffolk as Part of the Commonwealth Railway Project For the Sum of \$1,000.00 and Authorizing the Expenditure of a Sum of Up to \$6,000.00 From Funds Heretofore Appropriated for Acquisition of the Property and All Related Transactional Costs. - **(Ordinance No. 49386)**

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

R-6 An Ordinance Authorizing the Acquisition of a Certain Parcel of Property Known as Tax Parcel No. 19*91 in the City of Suffolk as Part of the Commonwealth Railway Project For the Sum of \$1,000.00 and Authorizing the Expenditure of a Sum of Up to \$6,000.00 From Funds Heretofore Appropriated for Acquisition of the Property and All Related Transactional Costs. - **(Ordinance No. 49387)**

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

R-7 An Ordinance Authorizing the Acquisition of a Certain Parcels of Property Located at 312 Clay and E S Clay Avenue for the Sum of \$289,000.00 and Authorizing the Expenditure of a Sum of up to \$315,000.00 from Funds Heretofore Appropriated for Acquisition of the Properties and all Related Transactional Costs. - **(Ordinance No. 49388)**

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

R-8 A Resolution in Support of the Application to the Virginia Department of Transportation ("VDOT") to Request Funding in the Amount of \$200,000.00 from the Fiscal Year 2025 Highway Safety Improvement Program for Three Curve Delineation Improvement Projects: Azalea Garden Road at Oleo Road, Little Creek Road at Hampton Boulevard and Indian River Road at Waltham Street. - **(Resolution No. 1903)**

Barrett Hicks, 4853 Kennebeck Avenue, had questions relative to this matter.

Jazmine Garcia, 1455 E. Indian River Road, had questions relative to this matter.

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

R-9 An Ordinance Granting a Conditional Use Permit to Authorize Short-Term Rental Units (Vacation Rental) on Property Located at 1282 West Ocean View Avenue. - **(Ordinance No. 49389)**

Eric Oravits, 1286 W. Ocean View Avenue, spoke in opposition to this matter.

The applicant, David Zybak, 716 Parker Road, Chesapeake, spoke in support of this matter.

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

R-10 An Ordinance Granting a Conditional Use Permit to Authorize Short-Term Rental Units (Vacation Rental) on Property Located at 2032 East Ocean View Avenue. - **(Ordinance No. 49390)**

A representative of the applicant, Ken Paulson, 2071 E. Ocean View Avenue, spoke in support of this matter.

ACTION:	Adopted [6 to 1]
AYES:	Doyle, Johnson, McClellan, Paige, Smigiel Jr., Alexander
NAYS:	Thomas Jr.
ABSENT:	Royster

R-11 An Ordinance Amending The FY2024 Annual Appropriations Ordinance (No. 49,220) So As To Accept, Appropriate And Authorize The Expenditure Of Donated Funds Up To The Sum Of \$281,600 From The Chrysler Museum For The Demolition Of The Smith-Rogers Hall Building Located At 358 Mowbray Arch. - **(Ordinance No. 49391)**

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

R-12 An Ordinance Granting Conditional Use Permits to Authorize the Operation of a Retail Goods Establishment with More than 50,000 Square Feet of Floor Area and to Permit Alternative Signage on Property Located at 201 and 217 East Little Creek Road.

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

R-13 An Ordinance Approving a Right of Entry Agreement with Mason Counseling Group, LLC for Use of City-Owned Property Located at 698 Saint Paul's Boulevard for a Public Community Thanksgiving Event on November 11, 2023, and Authorizing the City Manager to Execute the Right of Entry on Behalf of the City. - **(Ordinance No. 49392)**

Barrett Hicks, 4853 Kennebeck Avenue, spoke in support of this matter and had questions relative to this matter.

Jazmine Garcia, 1455 E. Indian River Road, had questions relative to this matter.

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

R-14 A Resolution appointing and reappointing 5 members to 1 commission, 2 boards and 1 committee for certain terms. - **(Resolution No. 1904)**

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

R-15 An Ordinance Authorizing the Submission of a Grant Application by the City of Norfolk to the Virginia Department of Housing and Community Development, Seeking an Industrial Revitalization Fund Grant of up to \$5,000,000.00, to Support the Transformation of the Vacant Church Street Shopping Center into "The Village" Project. - **(Ordinance No. 49393)**

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

NEW BUSINESS

Lindsey Anderson, Executive Director of Vision Driven 757, a youth-focused non-profit, spoke regarding a special event at the Slover Library.

Barrett Hicks, 4853 Kennebeck Avenue, spoke regarding mental health support on the ground in the community for gun violence-related trauma in southside.

Jazmine Garcia, 1455 E. Indian River Road, spoke regarding resilient recovery for families touched by mental health issues and streamlining service delivery.

Gregory Paulemon, 7508 Evelyn Butts Avenue, spoke regarding improvements to the permitting and planning process.

Stephen Devery, no address given, spoke regarding safety issues and gun violence.

Sherrie Adefenwa, 130 Thames Drive, Virginia Beach, spoke regarding incarceration of innocent people.

Krystal Long, 955 Reservoir Avenue, spoke regarding public safety and the need for police protection.

Sasha Simmons, 836 Wide Street, spoke regarding Jim Crowism, segregation, and community scars from racial discrimination of the past.

The Mayor, City Council, and Chief Mark Talbot recognized Jennifer Smith, Criminal Intelligence Unit, for her years of service with the City of Norfolk.

ADJOURNMENT