

**NORFOLK, VIRGINIA**  
**RESULTS OF THE COUNCIL**  
**CITY COUNCIL MEETING**  
**TUESDAY, JULY 12, 2022 – 7:00 P.M.**

**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      | 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       |  |
| Dr. Kenneth Cooper Alexander | Mayor                       | Present       |  |
| Bernard Pishko               | City Attorney               | Present       |  |
| Dr. Larry "Chip" Flier       | City Manager                | 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, 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.

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

### **INVITATION FOR BID**

IB-1 Invitation to Bid and Notice of Public Hearing for a Long-Term Garage Parking Agreement, with a term of ten (10) years, with the option to extend the term for two (2) additional periods of five (5) years each, for parking for up to sixty-eight (68) residential parkers in the York Street garage located at 215 W. York street in the City of Norfolk, Virginia, subject to certain terms and conditions.

One bid was received from 142 West York LLC. and was submitted to the administration for review.

|                |  |
|----------------|--|
| <b>ACTION:</b> | <b>Continued to July 19, 2022 [Unanimous]</b>                          |
| <b>AYES:</b>   | Doyle, Johnson, McClellan, Riddick, Royster, Smigiel Jr.,<br>Alexander |

### **PUBLIC HEARINGS**

PH-1 Public Hearing scheduled this day, pursuant to State Law, to hear comments on an Ordinance Approving a Lease Agreement with Richardsons Enterprises Inc. t/a The Coffee Cafe for the Lease of Certain Space Within City-Owned Property Located at 810 Union Street.

An Ordinance Approving a Lease Agreement with Richardsons Enterprises Inc. t/a The Coffee Cafe for the Lease of Certain Space Within City-Owned Property Located at 810 Union Street. - **(Ordinance No. 48828)**

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

PH-2 Public Hearing scheduled this day, pursuant to State Law, to hear comments on an Ordinance Authorizing the Conveyance to Foreman Services LLC of That Certain Parcel of Property Located at 219 W. 27th Street in Accordance with the Terms and Conditions of the Purchase & Sale Agreement and Authorizing the Modification, Revision or Release of Certain Protective and Restrictive Covenants.

An Ordinance Authorizing the Conveyance to Foreman Services LLC of That Certain Parcel of Property Located at 219 W. 27th Street in Accordance with the Terms and Conditions of the Purchase & Sale Agreement and Authorizing the Modification, Revision or Release of Certain Protective and Restrictive Covenants. - **(Ordinance No. 48829)**

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

PH-3 Public Hearing scheduled this day, pursuant to State Law, to hear comments on an Ordinance Authorizing the Conveyance to Foreman Services LLC of That Certain Parcel of Property Located at 221 W. 27th Street in Accordance with the Terms and Conditions of the Purchase & Sale Agreement and Authorizing the Modification, Revision or Release of Certain Protective and Restrictive Covenants.

An Ordinance Authorizing the Conveyance to Foreman Services LLC of That Certain Parcel of Property Located at 221 W. 27th Street in Accordance with the Terms and Conditions of the Purchase & Sale Agreement and Authorizing the Modification, Revision or Release of Certain Protective and Restrictive Covenants. - **(Ordinance No. 48830)**

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

PH-4 Public Hearing scheduled this day, pursuant to State Law, to hear comments on an Ordinance Authorizing the Conveyance to Big Squirrel LLC of That Certain Parcel of Property Located at 2411 Barre Street in Accordance with the Terms and Conditions of the Purchase & Sale Agreement and Authorizing the Modification, Revision or Release of Certain Protective and Restrictive Covenants.

An Ordinance Authorizing the Conveyance to Big Squirrel LLC of That Certain Parcel of Property Located at 2411 Barre Street in Accordance with the Terms and Conditions of the Purchase & Sale Agreement and Authorizing the Modification, Revision or Release of Certain Protective and Restrictive Covenants. - **(Ordinance No. 48831)**

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

PH-5 Public Hearing scheduled this day, pursuant to State Law, to hear comments on an Ordinance Authorizing the Conveyance to Big Squirrel LLC of That Certain Parcel of Property Located at 2416 Middle Avenue in Accordance with the Terms and Conditions of the Purchase & Sale Agreement and Authorizing the Modification, Revision or Release of Certain Protective and Restrictive Covenants.

An Ordinance Authorizing the Conveyance to Big Squirrel LLC of That Certain Parcel of Property Located at 2416 Middle Avenue in Accordance with the Terms and Conditions of the Purchase & Sale Agreement and Authorizing the Modification, Revision or Release of Certain Protective and Restrictive Covenants. - **(Ordinance No. 48832)**

**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 on an Ordinance to Amend and Reordain Section 1 of the Capital Improvement Plan Budget for the Fiscal Year Beginning July 1, 2022 and Ending June 30, 2023 SO AS TO Establish Funding in an Amount Up to \$3,215,000 for the Acquisition of the Properties Known as 358 Mowbray Arch, 720 Botetourt Street and 740 Botetourt Street.

An Ordinance to Amend and Reordain Section 1 of the Capital Improvement Plan Budget for the Fiscal Year Beginning July 1, 2022 and Ending June 30, 2023 so as to Establish Funding in an Amount Up to \$3,215,000 for the Acquisition of the Properties Known as 358 Mowbray Arch, 720 Botetourt Street and 740 Botetourt Street. - **(Ordinance No. 48833)**

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

### **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.**

C-1 A Resolution approving and adopting an updated plan addressing Hazard Mitigation Actions to protect People and Property known as the "2022 Hampton Roads Hazard Mitigation Plan". - **(Resolution No. 1869)**

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

C-2            An Ordinance to Amend and Reordain Section 25-660 of the Norfolk City Code, 1979, so as to add Two Automated Traffic Signals. - **(Ordinance No. 48834)**

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

C-3            An Ordinance Granting Robert Walter Gardner and Carol M. Gardner Permission to Encroach Onto City Property Located at 555 W. Ocean View Avenue with a Fence. - **(Ordinance No. 48835)**

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

C-4            An Ordinance Permitting Chesapeake Bay ENT Holdings, LLC to Encroach into the Right-of-Way at 130 York Street with a Sign and Lettering. - **(Ordinance No. 48836)**

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

C-5            An Ordinance Granting Conditional Use Permits to Authorize the Operation of a Restaurant Operating Until Midnight with Live Entertainment Named "District Apizza" on Property Located at 2411 Granby Street.

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

C-6

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

C-7

An Ordinance Granting a Development Certificate, With Waivers, to Permit the Renovation of an Existing Bank Building on Property Located at 777 West 21st Street. - **(Ordinance No. 48838)**

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

C-8

An Ordinance Granting a Conditional Use Permit to Authorize a Large-Scale Drive-through Facility on Property located at 777 West 21st Street for a Bank Named "Chase Bank." - **(Ordinance No. 48839)**

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

C-9

An Ordinance Granting a Conditional Use Permit to Authorize a Short-Term Rental Unit (Vacation Rental) on Property Located at 209 West 28th Street. - **(Ordinance No. 48840)**

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

C-10        An Ordinance Granting a Conditional Use Permit to Authorize a Short-Term Rental Unit (Vacation Rental) on Property Located at 7425 Evelyn T. Butts Avenue. - **(Ordinance No. 48841)**

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

C-11        An Ordinance Granting a Conditional Use Permit to Authorize Short-Term Rental Units (Vacation Rental) on Property Located at 1912 Hampton Boulevard. - **(Ordinance No. 48842)**

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

C-12        An Ordinance Granting a Conditional Use Permit to Authorize Short-Term Rental Units (Vacation Rental) on Property Located at 358 West Freemason Street. - **(Ordinance No. 48843)**

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



- C-13 An Ordinance Granting a Conditional Use Permit to Authorize a Short-Term Rental Unit (Vacation Rental) on Property Located at 1540 Chela Avenue. - **(Ordinance No. 48844)**

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

- C-14 An Ordinance to Amend Conditional Use Permits so as to Approve a Change of Managers for an Existing Restaurant Operating after Midnight with Live Entertainment and the Sale of Alcoholic Beverage for Off-Premises Consumption Named “Grace O’Malley’s Irish Pub & Restaurant” on Property Located at 207 Granby Street, Suites 211 and 213. - **(Ordinance No. 48845)**

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

- C-15 An Ordinance Granting a Conditional Use Permit to Authorize the Construction of new Multi-Family Dwelling Units on Property Located at 6659 East Virginia Beach Boulevard. - **(Ordinance No. 48846)**

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

- C-16 An Ordinance Granting Blue Marble & Sun, L.L.C. Permission to Encroach into the Right-of-Way at 9647 1st View Street for the Purpose of Outdoor Dining and Approving the Terms and Conditions of the Encroachment Agreement. - **(Ordinance No. 48847)**

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

**REGULAR AGENDA**

R-1        An Ordinance Amending Subsection (16) of Section 2-48 of the Norfolk City Code 1979 so as to Clarify Usage by Fire-Rescue Employees on a Twenty-Four (24) Hour Shift Schedule. - **(Ordinance No. 48848)**

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

R-2        An Ordinance Authorizing the City of Norfolk to Acquire the Property Located at 358 Mowbray Arch, and 720 and 740 Botetourt Street for the Sum of \$3,200,000.00; Approving the Terms and Conditions of the Purchase and Sale Agreement; and Authorizing the Expenditure of a Sum of Up to \$3,215,000.00 from Funds Heretofore Appropriated for Acquisition of the Property. - **(Ordinance No. 48849)**

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

R-3        An Ordinance Approving the Donation from The Chrysler Museum, Incorporated of \$1,600,000.00 as its Contribution Toward the City's Acquisition of the Properties Located at 358 Mowbray Arch, and 720 and 740 Botetourt Street; Authorizing the City Manager to Accept the Donation on Behalf of the City; and Authorizing the Execution of a Memorandum of Agreement Detailing the Donation and its Acceptance. - **(Ordinance No. 48850)**

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

R-4 An Ordinance Approving a Purchase Agreement by and Amongst Chao & Yun Inc., as Seller, Riddle Associates, Inc., as Agent, and the City of Norfolk, as Purchaser, for that Certain Parcel of Real Property Located at 2707 Granby Street in the City of Norfolk, Virginia; Authorizing the City Manager to Accept a General Warranty Deed on Behalf of the City of Norfolk; and Authorizing the Expenditure of a Sum of up to \$1,150,000.00 From Funds Heretofore Appropriated for Acquisition of the Property and all Related Transactional Costs. - **(Ordinance No. 48851)**

|                |  |
|----------------|--|
| <b>ACTION:</b> | <b>Adopted [6 to 1]</b>  |
| <b>AYES:</b>   | Doyle, Johnson, McClellan, Royster, Smigiel Jr., Thomas Jr., Alexander |
| <b>NAYS:</b>   | Riddick  |

R-5 An Ordinance Amending The FY2023 Annual Appropriations Ordinance (No. 48,751) So As To Accept, Appropriate And Authorize The Expenditure Of Donation Funds Up To The Sum Of \$400,000 From Healthy Neighborhood Enterprises, A Community Development Corporation, Using Proceeds Contributed By The Landmark Foundation And Hampton Roads Community Foundation To Assist With The Costs To Purchase The Property Located At 2707 Grant Street. - **(Ordinance No. 48852)**

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

R-6 An Ordinance Authorizing a Project Administration Agreement with the Virginia Department of Transportation ("VDOT") for the Reconstruction of Westminster Avenue and a Portion of Kimball Terrace/East End Avenue; and Authorizing the Expenditure of an Amount up to \$1,733,511.00 for the Project - **(Ordinance No. 48853)**

**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 Grant Funds Up To The Sum Of \$275,660 From The Virginia Department Of Behavioral Health and Developmental Services to Support Permanent Supportive Housing Program's Unmet Program Needs, Staffing Recruitment and Retention Initiatives. - **(Ordinance No. 48854)**

**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 Grant Funds Up To The Sum Of \$405,280 From The Virginia Department Of Behavioral Health And Developmental Services Substance Abuse Prevention And Treatment Block Grant Through The American Rescue Plan Act (ARPA) To Support Norfolk Community Services Board In Recruiting, Training, Interning, Supervising and Preparing Individuals For Testing To Become Certified Peer Recovery Specialists. - **(Ordinance No. 48855)**

**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 Up To The Sum Of \$488,600 From The Virginia Department of Behavioral Health Services Block Grant Through The American Rescue Plan Act (ARPA) For Norfolk Community Services Board To Support Medicaid Billing For Peer/Family Support Services. - **(Ordinance No. 48856)**

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

R-10        An Ordinance to Increase the Number of Norfolk Redevelopment and Housing Authority's Commissioners from Seven to Nine. - **(Ordinance No. 48857)**

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

R-11        A Resolution Appointing and Reappointing 47 Members to 8 Commissions, 8 Boards, and 4 Authorities for Certain Terms - **(Resolution No. 1870)**

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