

**NORFOLK, VIRGINIA**  
**RESULTS OF THE COUNCIL**  
**CITY COUNCIL MEETING**  
**TUESDAY, MARCH 14, 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	
Bernard Pishko	City Attorney	Present	
Dr. Larry H. Filer II	City Manager	Present	
Richard A. Bull	City Clerk	Present	

**APPROVAL OF MINUTES**

Approve the minutes of the previous City Council meeting.

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	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.

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Doyle, Johnson, McClellan, Paige, 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      An Ordinance Granting a Conditional Use Permit to Authorize a Large-Scale Drive-through Facility on Property located at 3607 North Military Highway for a Restaurant Named "Asian Fusion." - **(Ordinance No. 49102)**

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

- C-2      An Ordinance Granting Conditional Use Permits to Authorize the Operation of a Restaurant with Extended Hours, the Sale of Alcoholic Beverages for On-Premises Consumption, and Live Entertainment Named "Underground" on Property Located at 2410 and 2412 Granby Street. - **(Ordinance No. 49103)**

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

- C-3      An Ordinance Granting Conditional Use Permits to Authorize the Operation of a Banquet Hall, Live Entertainment, and the Sale of Alcoholic Beverages for On Premises Consumption Named “Commune Norfolk” on Property Located at 759 Granby Street. - **(Ordinance No. 49104)**

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

- C-4      An Ordinance Granting Conditional Use Permits to Authorize the Operation of a Banquet Hall, Live Entertainment, and the Sale of Alcoholic Beverages for On Premises Consumption Named “Event Junkie Venue” on Property Located at 3308 Croft Street.

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

- C-5      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.

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

- C-6      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 “Legrand” on Property Located at 4226 Granby Street. - **(Ordinance No. 49105)**

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

- C-7      An Ordinance Granting a Conditional Use Permit to Authorize Smoking Products at a Retail Store Named “Walmart” on Property Located at 7530 Tidewater Drive. - **(Ordinance No. 49106)**

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

- C-8      An Ordinance Granting a Conditional Use Permit to Authorize the Sale of Smoking Products at a Retail Store Named “Walmart” on Property Located at 1170 North Military Highway. - **(Ordinance No. 49107)**

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

- C-9      An Ordinance Granting a Conditional Use Permit to Authorize a Short-Term Rental Unit (Homestay) on Property Located at 3901 East Ocean View Avenue. - **(Ordinance No. 49108)**

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	Doyle, Johnson, McClellan, Paige, 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 941 Hillside Avenue. - **(Ordinance No. 49109)**

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

- C-11      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. 1885)**

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

- C-12      An Ordinance Granting Robert W. Gardner and Carol M. Gardner Permission to Encroach into the Right-of-Way of Willoughby Bay Avenue at 555 W. Ocean View Avenue with an Existing Pier and Proposed Boatlift; and Approving the Terms and Conditions of the License Agreement. - **(Ordinance No. 49110)**

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

- C-13      An Ordinance Permitting Jim Izard and Patricia Izard to Encroach into the Right-of-Way at 6214 Sylvan Street with Two Brick Columns. - **(Ordinance No. 49111)**

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

- C-14      An Ordinance Accepting the Conveyance of a Permanent Easement Over Property Located at 6214 Sylvan Street by James J. Izard, II and Patricia T. Izard to the City of Norfolk; Authorizing the City Manager to Accept the Deed of Easement on Behalf of the City; and Authorizing the Expenditure of the Sum of Up to \$35,000.00 From Funds Heretofore Appropriated for Acquisition of the Easement. - **(Ordinance No. 49112)**

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

- C-15      An Ordinance Accepting the Dedication of a Utility Easement by 225 West Olney LLC and Approving the Terms of the Deed of Easement - **(Ordinance No. 49113)**

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

- C-16      An Ordinance to Amend and Reordain Subsection (C) Section 2-48 Of the Norfolk City Code, 1979, As Amended, Concerning Holidays Falling on Weekends, SO AS TO Provide for When Christmas Eve Falls on a Saturday or a Sunday. - **(Ordinance No. 49114)**

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

### **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 \$788,511 from the Virginia Department of Transportation, and to Appropriate and Authorize for Expenditure Local Matching Funds in the Amount of \$945,000 for the Reconstruction of Westminster Avenue and a Portion of Kimball Terrace/East End Avenue. - **(Ordinance No. 49115)**

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	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 \$394,256 from the Virginia Department of Transportation, and to Appropriate and Authorize the Expenditure of Local Matching Funds in the Amount of \$500,000 for Phase 5 of the Addition of Curb Ramps for ADA Compliance Throughout the City. - **(Ordinance No. 49116)**

<b>ACTION:</b>	<b>Adopted [Unanimous]</b>
<b>AYES:</b>	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 Up To The Sum Of \$50,000 From The Revenue Of Program Fees And Donations To Support The Norfolk Sheriff Department's Project Lifesaver Program, If And When Available. - **(Ordinance No. 49117)**

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

- R-4      An Ordinance Authorizing an Amendment to the Purchase and Sale Agreement Between the City as Seller and Newport Manor, LLC as Buyer

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