



City of Hampton

22 Lincoln Street
Hampton, VA 23669
www.hampton.gov

Notice of Action City Council Legislative Session

Mayor Donnie R. Tuck
Vice Mayor Jimmy Gray
Councilmember Chris L. Bowman
Councilmember Steven L. Brown
Councilmember Hope L. Harper
Councilmember Billy Hobbs
Councilmember Martha Mugler

STAFF: Mary Bunting, City Manager
Courtney R. Sydnor, City Attorney
Katherine K. Glass, MMC, Clerk of Council

Wednesday, November 13, 2024

6:30 PM

Council Chambers

CALL TO ORDER/ROLL CALL

Mayor Tuck called the meeting to order at 6:30 p.m. All members of the City Council were present except for Councilwoman Harper who is attending the National League of Cities conference in Florida.

Present: 6 - Councilmember Chris L. Bowman, Councilmember Steven L. Brown, Vice Mayor Jimmy Gray, Councilmember Billy Hobbs, Councilmember Martha Mugler and Mayor Donnie R. Tuck

Excused: 1 - Councilmember Hope L. Harper

INVOCATION - Vice Mayor Jimmy Gray

Vice Mayor Gray gave the invocation.

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

Mayor Tuck congratulated Mayor-Elect Jimmy Gray on his election. He also congratulated Carolyn Campbell, Michelle Ferebee, and Randy Bowman on their election and Councilwoman Hope Harper on her re-election. He also extended thanks to the outgoing members of City Council.

Council recognized the following individuals for their recent service following Hurricane Helene and Tropical Storm Milton:

Capt. Chris Marshall, Hazmat Specialist
Lt. Chris Reavis, Planning Team Manager
Lt. Edward Van Es Jr., Rescue Specialist
Deputy Chief Craig Topping, Health Care Technician/Paramedic
Battalion Chief Charlie Kempton, Program Manager
Lt. Mike Zoladkiewicz, Comm-T (may not be present)
Medic Firefighter Brian Skinner, Comm-T
Lt. Wilbert Flores, Division Group Supervisor
Civilian Randy Price, Comm-T and
Civilian Scott Doggette, Planning Section Chief

Fire Chief Jason Monk also gave brief remarks.

Mayor Tuck also shared that Councilwoman Harper, on behalf of the City, will be receiving an award from the Center for Digital Government as a Digital Cities award winner for the 22nd time.

Mayor Tuck also complimented the following individuals for a wonderful job on Hampton's first Veterans Day Parade: Mary Fugere - Director of Hampton Convention & Visitor Bureau & Hampton Marketing & Outreach; Dacia Scott – Marketing & Development Manager; Yuri Milligan – Director of Media & Community Relations; Jody Madaras – Hampton Artistic Art Director; Clint Ross - Federal Facilities and Community Affairs; Ryan Gregory – Parks & Recreation Special Events Supervisor; Sunny Deming – Parks & Recreation Special Events Coordinator; Aaron Whittington – Fort Monroe Authority; and Jaci Wells and Aaron Firth – National Park Service.

CONSENT AGENDA

Approval of the Consent Agenda

Motion made by Councilmember Mugler, seconded by Councilmember Brown, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

1. [24-0480](#) Resolution to Amend the Fiscal Year 2025 Council Approved Budget to Accept and Appropriate the Federal Emergency Management Agency (FEMA) Flood Mitigation Assistance Program (FMAP) Grant Award through the Virginia Department of Emergency Management (VDEM) for the Central Newmarket Creek Flood Mitigation Study [EMP-2022-FM-008-0003]

Item approved.

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

2. [24-0476](#) Resolution to Approve an Encroachment Agreement Pursuant to Hampton City Code § 34-86 Between the City of Hampton and Elora Danen Kelsey and Caitlin Elizabeth Godwin, to Allow an Encroachment into a Portion of a City of Hampton Drainage Easement for the Installation of a Fence.

Item approved.

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

3. [24-0475](#) Resolution to Request the Virginia Department of Transportation to Program Eight State of Good Repair Projects into its Six-Year Improvement Plan; to Amend the City Manager's Council Approved FY2025 Capital Fund (Capital Projects Fund) Budget to Incorporate each of those Projects; to Appropriate \$3,100,522 of Available VDOT State of Good Repair Funds to the Capital Projects Fund for each of those Projects; and to Authorize the City Manager or Her Designee to Execute any Necessary Agreements

Item approved.

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

4. [24-0478](#) Resolution Authorizing the Acceptance of a Gift of a Sensory

Activation Vehicle Valued at \$50,000 from the Coliseum Central Business Improvement District, Inc., Pursuant to City Code § 2-134

Item approved.

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

5. [24-0464](#) Approval of the minutes from the work sessions of September 11 and 25, 2024, the ceremonial sessions of September 25, 2024, and October 23, 2024, and the legislative sessions of September 25, 2024, and October 9 and 23, 2024

Item approved.

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

PRESENTATIONS, PROCLAMATIONS, AWARDS

PUBLIC HEARINGS

Rezoning

6. [24-0278](#) Rezoning Application by D.R. Horton, Inc. to Rezone Four Parcels Located at 31, 39, 41, and 49 Semple Farm Road [LRSN: 6001077, 6000966, 6001076, and 6001075] Totaling +/- 7.93 Acres, from One-Family Residential (R-11) District to Townhouse Multifamily Residential (MD-1) District with Conditions to Construct Townhomes on Fee-Simple Lots

The City Manager explained that the applicant had requested a deferral of this item to the December meeting and explained to Council that typically staff wouldn't make the presentation when an item is deferred but could make the presentation if Council wished. Mayor Tuck indicated that Council will probably honor the request for deferral but those signed up to speak will be allowed to.

The following individuals spoke in opposition to the application:

Stephanie Winder, Marilyn Leeper, Mathew Winder, and Delvin Whitlock. The Mayor closed the public hearing.

A motion was made by Councilmember Brown and seconded by Councilmember Hobbs, that this Zoning Ordinance - Map be deferred to the City Council Legislative Session, due back on 12/11/2024. The motion carried by the following vote:

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

7. [24-0430](#) Rezoning Application No. 24-0430 By Armia Real Estate LLC to Rezone the Parcel Located at 1721 N King Street [LRSN: 8005028], Totaling +/- 0.88 acres, from Multiple Residential (R-M) District and Neighborhood Commercial (C-1) District to Neighborhood Commercial (C-1) District with Conditions Presented by Mike Hayes, Planning and Zoning Division Manager. The Mayor opened the public hearing. There were no speakers signed up so the Mayor closed the public hearing.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Steven Brown, that this Zoning Ordinance - Map be approved with seven (7) conditions. The motion carried by the following vote:

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

Use Permits

8. [24-0435](#) Use Permit Application No. 24-0435 by Virginia Peninsula Foodbank for a community center on a +/-4.5 acre portion of 112 Research Drive [LRSN 6000988] Presented by Mike Hayes, Planning and Zoning Division Manager. In response to a question by Councilwoman Mugler, Robert "Bob" Latvis, Jr., CEO of the Foodbank shared information on the services which will be provided. The Mayor opened the public hearing. There were no speakers signed up

so the Mayor closed the public hearing. The Mayor opened the public hearing. There were no speakers signed up so the Mayor closed the public hearing.

A motion was made by Councilmember Chris Bowman and seconded by Councilmember Martha Mugler, that this Use Permit be approved with six (6) conditions. The motion carried by the following vote:

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

9. [24-0437](#) Use Permit Application No. 24-0437 by Hampton University to amend the conditions of previously approved Use Permit No. 23-0350, which permits a private university at a portion of 2 Eaton St. [LRSN: 2003199]
- Presented by Mike Hayes, Planning and Zoning Division Manager. In response to a question from Councilwoman Mugler regarding the capacity, Nicole Wells with the applicant's architecture firm, responded that the capacity will be 400. Councilman Bowman posed a question about railings for safety and Ms. Wells indicated that won't happen now but as a portion of Phase 2 which will be to code.

The Mayor opened the public hearing. There were no speakers signed up so the Mayor closed the public hearing.

A motion was made by Councilmember Chris Bowman and seconded by Councilmember Steven Brown, that this Use Permit be approved with thirteen (13) conditions. The motion carried by the following vote:

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

Comprehensive Plan Amendment

10. [24-0414](#) Comprehensive Plan Amendment to Adopt the 2024 Natural

Infrastructure Resilience Plan by Reference into the Hampton Community Plan (2006, as amended)

Presented by Olivia Askew, Interim Resilience Officer. The Mayor opened the public hearing. There were no speakers signed up so the Mayor closed the public hearing.

A motion was made by Councilmember Martha Mugler and seconded by Councilmember Billy Hobbs, that this Community Plan be approved. The motion carried by the following vote:

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

Other Public Hearings

11. [24-0472](#) Resolution Authorizing the Execution of a Use Agreement for The 200+ Men Foundation, Inc., and The Hampton Roads Committee of 200+ Men, Inc. to Use a Portion of the Y. H. Thomas Community Center Located at 1300 Thomas Street (LRSN 8000281)

Presented by the City Manager. The Mayor opened the public hearing. There were no speakers signed up so the Mayor closed the public hearing.

A motion was made by Councilmember Martha Mugler and seconded by Councilmember Steven Brown, that this Resolution be approved. The motion carried by the following vote:

Aye: 5 - Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

Abstained: 1 - Councilmember Bowman

12. [24-0474](#) Resolution Authorizing the Execution of a Use Agreement for the Y.H. Thomas Athletic Association, Inc. to Use a Portion of the Y. H. Thomas Community Center Located at 1300 Thomas Street (LRSN 8000281)

Presented by the City Manager. The Mayor opened the public hearing. There were no speakers signed up so the Mayor

closed the public hearing.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Martha Mugler, that this Resolution be approved. The motion carried by the following vote:

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

13. [24-0473](#) Resolution Authorizing the Execution of a Use Agreement for the Urban League of Hampton Roads, Inc. to Use a Portion of the Y. H. Thomas Community Center Located at 1300 Thomas Street (LRSN 8000281)

Presented by the City Manager. The Mayor opened the public hearing. There were no speakers signed up so the Mayor closed the public hearing.

A motion was made by Councilmember Steven Brown and seconded by Councilmember Billy Hobbs, that this Resolution be approved. The motion carried by the following vote:

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

14. [24-0471](#) Resolution Authorizing the Execution of a Lease Between the City of Hampton and the Downtown Hampton Development Partnership, Inc. for the Lease of Approximately 2,144 Square Feet on the Second Floor of the Building Located at 710 Settler's Landing Road and Known as the "Hampton Maritime Center"

Presented by the City Manager. The Mayor opened the public hearing. There were no speakers signed up so the Mayor closed the public hearing.

A motion was made by Councilmember Martha Mugler and seconded by Councilmember Billy Hobbs, that this Resolution be approved. The motion carried by the following vote:

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

PUBLIC COMMENT

The following individuals spoke during the public comment period: Teresa Roundy, Brenda Marks, Dawn Mann, Kristin Schultz, Joan Weaver, and Craig Knopp.

Mayor Tuck shared some of his past experience in campaigning and running for office.

The City Manager, Mary Bunting, also provided comments responsive to speakers.

GENERAL ITEMS

15. [24-0483](#) Approval of the City of Hampton 2025 General Assembly Legislative Priorities
- Presented by the City Manager. A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Martha Mugler, that Hampton's 2025 General Assembly Legislative Priorities be approved. The motion carried by the following vote:
- Aye:** 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

Resolutions

16. [24-0479](#) Resolution to Approve a Commonwealth's Development Opportunity Fund Performance Agreement among the City of Hampton, Virginia, the City of Newport News, Virginia, the Economic Development Authority of the City of Newport News, Virginia, the Economic Development Authority of the City of Hampton, Virginia, the Virginia Economic Development Partnership, and Liebherr-America, Inc. and Related Documents and to Amend the City Council Approved Fiscal Year 2025 Budget to Appropriate the Local Matching Funds Required under

that Agreement

A motion was made by Councilmember Martha Mugler and seconded by Councilmember Steven Brown, that this Resolution be approved. The motion carried by the following vote:

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

Appointments

17. [24-0072](#) Consideration of Appointments to the Virginia Air and Space Science Center Board

A motion was made by Councilmember Brown and seconded by Councilmember Hobbs that Dr. William Moore be appointed to a first full term until November 30, 2028. The motion carried by the following vote:

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

There were no reports.

MISCELLANEOUS NEW BUSINESS

There were no items of new business.

ADJOURNMENT

The meeting adjourned at 8:06 p.m.

Contact Info:
Clerk of Council, 757-727-6315, council@hampton.gov