



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 Eleanor Weston Brown
Councilmember Steven L. Brown
Councilmember Linda D. Curtis
Councilmember W.H. "Billy" Hobbs
Councilmember Chris Snead

STAFF: Mary Bunting, City Manager
Cheran Cordell Ivery, City Attorney
Katherine K. Glass, CMC, Clerk of Council

Wednesday, May 8, 2019

6:30 PM

Council Chambers

Second Reading / Final Approval of the Budget

CALL TO ORDER/ROLL CALL

Mayor Tuck called the meeting to order at 6:30 p.m. with all members of the City Council present.

Present: 7 - Councilmember Eleanor Weston Brown, Councilmember Steven L. Brown, Councilmember Linda D. Curtis, Vice Mayor Jimmy Gray, Councilmember Billy Hobbs, Councilmember Chris Snead and Mayor Donnie R. Tuck

INVOCATION - Councilmember Eleanor Weston Brown

Councilwoman Brown gave the invocation.

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

Mayor Tuck noted that Patricia Melochick, Senior Deputy City Attorney, is sitting in the place of City Attorney Cheran Ivery, who is traveling.

Mayor Tuck introduced Investigator Gomes and K-9 Taylor on the occasion of K-9 Taylor's retirement as Hampton's accelerant detection dog.

Mayor Tuck also acknowledged the staff of the Budget Division

of the City Manager's Office for receiving the Government Finance Officers Association's Distinguished Budget Presentation Award.

CONSENT AGENDA

19-0161 Motion to removed item #19-0130 from the consent agenda.

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

Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

1. [19-0130](#) Resolution to Amend the Fiscal Year 2019 Council Approved Budget and Accept and Appropriate the FY 2017 State Criminal Alien Assistance Program ("SCAAP") Payment Awarded by the U. S. Department of Justice Bureau of Justice Assistance

A motion was made by Councilmember Linda Curtis and seconded by Vice Mayor Jimmy Gray, that this Resolution-Budget be deferred to the City Council Legislative Session, due back on 6/12/2019. The motion carried by the following vote:

Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

Approval of the Consent Agenda

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

Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

2. [19-0138](#) Resolution Approving the City of Hampton, Virginia's Participation in and Appropriation of the 2019 Virginia Help Eliminate Auto Theft (HEAT) Program Grant through the Virginia

State Police

Item approved.

Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

3. [19-0158](#) Resolution to Amend and Restate the City's Request to the Virginia Department of Transportation to Program Two (2) Capital Projects into its 6-Year Improvement Plan with Transportation Alternatives Set Aside Funds

Item approved.

Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

4. [19-0160](#) Resolution Authorizing the Execution of a Programmatic Project Administration Agreement for Revenue Sharing Program Projects with the Virginia Department of Transportation

Item approved.

Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

5. [19-0166](#) Approval of the minutes from the work sessions of April 10 and 24, 2019, and the ceremonial and legislative sessions of April 24, 2019.

Item approved.

Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

PRESENTATIONS, PROCLAMATIONS, AWARDS

PUBLIC HEARINGS

6. [19-0150](#) Use Permit by Mellen Street Properties LLC to Allow for a Proposed Boundary Line Adjustment at 110 E Mellen Street

[LRSN: 12001341] and 118 E Mellen Street [LRSN: 12001340]

Presented by Ana Elezovic, City Planner.

Following a public hearing with no speakers present, a motion was made by Councilmember Linda Curtis and seconded by Councilmember Billy Hobbs, that this Use Permits be approved with four (4) conditions. The motion carried by the following vote:

Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

7. [19-0151](#) Use Permit Application by Pastor Gretchen Nelson to Permit a Commercial Day Care 2 Use Within the Church at 2510 and 2512 Armistead Ave. [LRSNs: 7001643 and 7001642]

Presented by Corey Block, City Planner.

Following a public hearing with no speakers present, a motion was made by Councilmember Linda Curtis and seconded by Councilmember Billy Hobbs, that this Use Permits be approved with eleven (11) conditions. The motion carried by the following vote:

Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

Ordinances

PUBLIC COMMENT

Linda Seely and Regina Quinn spoke on animal issues.

GENERAL ITEMS

Ordinances

Mayor Tuck asked the City Manager to explain the actions Council would be taking in connection with adoption of the City's FY 2020 budget. Ms. Bunting did so.

Tax (Non-Coded) Ordinances Requiring Two Readings

8. [19-0046](#) Ordinance to Adopt the Tax Rate Applicable to Real Estate and Improvements Thereon in the City of Hampton, Virginia for the Fiscal Year Beginning July 1, 2019 and Ending June 30, 2020
A motion was made by Councilmember Linda Curtis and seconded by Councilmember Eleanor Weston Brown, that this Ordinance-Budget-Non-Coded be approved on second and final reading. The motion carried by the following vote:
Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck
9. [19-0047](#) Ordinance to Adopt Tax Rates Applicable to All Classifications of Tangible Personal Property Liable for Such Levy in the City of Hampton, Virginia for the Calendar Year Beginning January 1, 2020
A motion was made by Councilmember Eleanor Weston Brown and econded by Councilmember Steven Brown, that this Ordinance-Budget-Non-Coded be approved on second and final reading. The motion carried by the following vote:
Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

Tax (Coded) Ordinance Requiring Two Readings

10. [19-0152](#) Ordinance to Amend and Reenact the City Code of the City of Hampton, Virginia by Amending Chapter 37, Titled "Taxation," Article VIII, Titled "Transient Lodging Tax and Hotel Fee," Section 37-251, Titled "Definitions" and Section 37-252, Titled "Levied; Amount"
A motion was made by Councilmember Steven Brown and seconded by Vice Mayor Jimmy Gray, that this Ordinance-Coded be approved on second and final reading. The motion carried by the following vote:

Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

Fees and Fines (Coded) Ordinances Requiring One Reading

11. [19-0048](#) Ordinance to Amend and Reenact the City Code of the City of Hampton, Virginia by Amending Certain Sections of Chapter 21, Titled "Motor Vehicles and Traffic," Article V, Titled "Stopping, Standing and Parking," Division I, Titled "Generally"
- A motion was made by Vice Mayor Jimmy Gray and seconded by Councilmember Billy Hobbs, that this Ordinance-Coded be approved. The motion carried by the following vote:
- Aye:** 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck
12. [19-0049](#) Ordinance to Amend and Reenact the City Code of the City of Hampton, Virginia by Amending Chapter 32.1, Titled "Solid Waste," Article II, Titled "Collection by the City," Section 32.1-41, Titled "Solid Waste Rate Determination"
- A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Chris Snead, that this Ordinance-Coded be approved. The motion carried by the following vote:
- Aye:** 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck
13. [19-0050](#) Ordinance to Amend and Reenact the City Code of the City of Hampton, Virginia by Amending Chapter 33.2, Titled "Stormwater Management," Article IV, Titled "Service Charges and Revenues," Section 33.2-35, Titled "Same-Billing, Payment, Interest, Fee and Lien"
- A motion was made by Councilmember Chris Snead and seconded by Councilmember Linda Curtis, that this Ordinance-Coded be approved. The motion carried by the

following vote:

Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

Appropriation (Non-Coded) Ordinances Requiring Two Readings

Before voting on Item 19-0051, Councilman Brown made a statement indicating that he is also employed by the Hampton Roads Community Action Program, which is one of the outside agencies receiving funding through the Manager's Recommended Budget. The City's funding of that agency is not restricted or directed for use in any specific way. He stated that because he is an employee of that agency, he may receive an indirect benefit from that funding, but does not have a conflict of interest in this matter. He stated that he is able to participate fairly, objectively, and in the public interest in the discussion and vote regarding the adoption of the City's General Fund budget and appropriation.

The Clerk read the amendments to Item 19-0051 which will be incorporated into the minutes.

14. [19-0051](#) Ordinance to Adopt a Budget and Appropriate Monies for the General Fund of the City of Hampton (City and School Operations) for Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020

A motion was made by Councilmember Linda Curtis and seconded by Councilmember Eleanor Weston Brown, that this Ordinance-Budget-Non-Coded be amended as read by the Clerk. The motion carried by the following vote:

Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

A motion was made by Councilmember Linda Curtis and

seconded by Councilmember Eleanor Weston Brown, that this ordinance be approved, on second and final reading, as amended. The motion carried by the following vote:

Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

15. [19-0052](#) Ordinance to Adopt a Budget and Appropriate Monies for the Capital Improvement Fund (Capital Budget) of the City of Hampton for Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020

A motion was made by Councilmember Eleanor Weston Brown and seconded by Councilmember Steven Brown, that this Resolution-Budget be approved on second and final reading. The motion carried by the following vote:

Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

16. [19-0053](#) Ordinance to Adopt a Budget and Appropriate Monies for the Hampton Coliseum - Arts Commission Fund of the City of Hampton for Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020

A motion was made by Councilmember Steven Brown and seconded by Vice Mayor Jimmy Gray, that this Ordinance-Budget-Non-Coded be approved on second and final reading. The motion carried by the following vote:

Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

17. [19-0054](#) Ordinance to Adopt a Budget and Appropriate Monies for the Hampton Roads Convention Center Fund of the City of Hampton for Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020

A motion was made by Vice Mayor Jimmy Gray and seconded by Councilmember Billy Hobbs, that this

Ordinance-Budget-Non-Coded be approved on second and final reading. The motion carried by the following vote:

Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

18. [19-0057](#) Ordinance to Adopt a Budget and Appropriate Monies for the Fleet Services Fund of the City of Hampton for Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Chris Snead, that this Ordinance-Budget-Non-Coded be approved on second and final reading. The motion carried by the following vote:

Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

19. [19-0060](#) Ordinance to Adopt a Budget and Appropriate Monies for the Risk Management Fund of the City of Hampton (City and Schools) for Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020

A motion was made by Councilmember Chris Snead and seconded by Councilmember Linda Curtis, that this Ordinance-Budget-Non-Coded be approved on second and final reading. The motion carried by the following vote:

Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

20. [19-0061](#) Ordinance to Adopt a Budget and Appropriate Monies for the Solid Waste Management Fund for Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020

A motion was made by Councilmember Linda Curtis and seconded by Councilmember Eleanor Weston Brown, that this Ordinance-Budget-Non-Coded be approved on second and final reading. The motion carried by the following vote:

Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

21. [19-0062](#) Ordinance to Adopt a Budget and Appropriate Monies for the Steam Plant Fund of the City of Hampton for Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020

A motion was made by Councilmember Eleanor Weston Brown and seconded by Councilmember Steven Brown, that this Ordinance-Budget-Non-Coded be approved on second and final reading. The motion carried by the following vote:

Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

22. [19-0063](#) Ordinance to Adopt a Budget and Appropriate Monies for the Stormwater Management Fund of the City of Hampton for Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020

A motion was made by Councilmember Steven Brown and seconded by Vice Mayor Jimmy Gray, that this Ordinance-Budget-Non-Coded be approved on second and final reading. The motion carried by the following vote:

Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

23. [19-0064](#) Ordinance to Adopt a Budget and Appropriate Monies for the Wastewater Management Fund of the City of Hampton for Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020

A motion was made by Vice Mayor Jimmy Gray and seconded by Councilmember Billy Hobbs, that this Ordinance-Budget-Non-Coded be approved on second and final reading. The motion carried by the following vote:

Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

Appropriation (Non-Coded) Ordinances Requiring One Reading

24. [19-0055](#) Ordinance to Adopt a Budget and Appropriate Monies for the Hamptons Golf Course Fund of the City of Hampton for Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020
A motion was made by Councilmember Hobbs and seconded by Councilmember Snead, that this Ordinance-Budget-Non-Coded be approved . The motion carried by the following vote:
Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck
25. [19-0056](#) Ordinance to Adopt a Budget and Appropriate Monies for the Woodlands Golf Course Fund of the City of Hampton for Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020
A motion was made by Councilmember Chris Snead and seconded by Councilmember Linda Curtis, that this Ordinance-Budget-Non-Coded be approved. The motion carried by the following vote:
Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck
26. [19-0058](#) Ordinance to Adopt a Budget and Appropriate Monies for the Fleet Services - Equipment Replacement Fund of the City of Hampton for Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020
A motion was made by Councilmember Linda Curtis and seconded by Councilmember Eleanor Weston Brown, that this Ordinance-Budget-Non-Coded be approved. The motion carried by the following vote:
Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck
27. [19-0059](#) Ordinance to Adopt a Budget and Appropriate Monies for the Information Technology Fund of the City of Hampton for Fiscal

Year 2020 beginning July 1, 2019 and ending June 30, 2020

A motion was made by Councilmember Eleanor Weston Brown and seconded by Councilmember Steven Brown, that this Ordinance-Budget-Non-Coded be approved. The motion carried by the following vote:

Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

28. [19-0065](#) Ordinance to Adopt a Budget and Appropriate Monies for the Community Development Block Grant and HOME Investment Partnership Program Fund of the City of Hampton for the Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020

A motion was made by Councilmember Steven Brown and seconded by Vice Mayor Jimmy Gray, that this Ordinance-Budget-Non-Coded be approved. The motion carried by the following vote:

Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

29. [19-0066](#) Ordinance to Adopt a Budget and Appropriate Monies for the Economic Development Fund of the City of Hampton for Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020

A motion was made by Vice Mayor Jimmy Gray and seconded by Councilmember Billy Hobbs, that this Ordinance-Budget-Non-Coded be approved. The motion carried by the following vote:

Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

30. [19-0067](#) Ordinance to Adopt a Budget and Appropriate Monies for the Grant Fund of the City of Hampton for Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Chris Snead, that this

Ordinance-Non-coded be approved. The motion carried by the following vote:

Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

Resolutions

Appointments

31. [19-0142](#) Consideration of appointments to Thomas Nelson Community College Board of Trustees

A motion was made by Councilmember Eleanor Weston Brown that Mary Bunting be reappointed to her first full term which will expire on June 30, 2023, and that Dr. Donna Woods be appointed to serve a first term until June 30, 2023. The motion carried by the following vote:

Aye: 7 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

MISCELLANEOUS NEW BUSINESS

Councilwoman Brown shared that she had participated in the Virginia Walkability Institute with the Virginia Department of Health.

Vice Mayor Gray stated that Hampton Roads Transit is working on a project to improve public transit and public meetings will be held for input on May 14th at 5:30 at the Historic Post Office and on June 4th at 5:30 at the Hampton Roads Transit location at 3400 Victoria Boulevard.

Councilman Brown complimented the staff of Hampton Conventions and Tourism for an excellent program at the Hampton History Museum yesterday.

Mayor Tuck gave remarks about several Bike Week activities

during the past week and reminded citizens of the Hampton Police Division memorial service which will be held on May 13th at 10 a.m.

ADJOURNMENT

The meeting adjourned at 7:24 p.m.

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