



City of Hampton

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

Council Approved Minutes - Final 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 22, 2019

6:30 PM

Council Chambers

CALL TO ORDER/ROLL CALL

Vice Mayor Gray called the meeting to order at 6:30 p.m. All members of the City Council were present with the exception of Mayor Tuck who is attending two meetings tonight. The first is a ceremony recognizing the participants in NASA HUNCH which stands for High Schools United with NASA to Create Hardware. Over 100 schools nationwide, and specifically 7 from Virginia, participated in this competition. Vice Mayor Gray shared that Hampton and Phoebus High Schools had teams participating and the culinary team from Phoebus High School was selected for the finals for their "Harvest Hash." This is the second time Phoebus has won in the culinary challenge.

The second meeting is a public meeting being hosted by the Air Force where Mayor Tuck is to provide comments in support of the F22 Formal Training Unit Mission, better known as the Raptors, being relocated to Langley Air Force Base.

Present: 6 - Councilmember Eleanor Weston Brown, Councilmember Steven L. Brown, Councilmember Linda D. Curtis, Vice Mayor Jimmy Gray, Councilmember Billy Hobbs and Councilmember Chris Snead

Excused: 1 - Mayor Donnie R. Tuck

JIMMY GRAY PRESIDED

INVOCATION - Councilmember Steven Brown

Councilman Brown gave the invocation.

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

The meeting was interrupted by a band of pirates who came to share news of their festival which will take place in Downtown Hampton on June 1st and 2nd. The Pirate's Bash will take place at the Historic Post Office on May 31st from 7:30 to 10:30 p.m.

Vice Mayor Gray noted that this is the 20th year of the Black Beard Festival. The pirates presented the Vice Mayor with a special plaque in honor of the 20th Black Beard Festival being held in Hampton.

CONSENT AGENDA

Clerk of Council Katherine Glass read the protocol for the consent agenda and a summary of the consent items.

Approval of the Consent Agenda

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

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs and Councilmember Snead

1. [19-0153](#) Request for Approval of Refund of Certain Erroneously Assessed Real Estate Taxes
Item approved.

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs and Councilmember Snead

2. [19-0159](#) Resolution of the City of Hampton Virginia to increase the VRS Retirement multiplier for Hazardous Duty employees from 1.7% to 1.85%

Attachments: [Hazardous Duty FAQs](#)

[Guide Resolution](#)

Item approved.

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs and Councilmember Snead

3. [19-0167](#) Resolution Appropriating an Amount Not to Exceed \$90,743.00 from Committed Fund Balance (Hampton Roads Transit) to Departmental Support - Contractual to Fund the FY19 Fourth Quarter Payment to Hampton Roads Transit

Item approved.

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs and Councilmember Snead

4. [19-0168](#) Resolution to Amend the Fiscal Year 2019 Council Approved Budget and Accept and Approve the 2019 Virginia Homeless Reduction Grant awarded by the Virginia Department of Housing and Community Development to the City of Hampton, Virginia

Attachments: [Grant Packet](#)

[Agreement](#)

Item approved.

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs and Councilmember Snead

5. [19-0171](#) Resolution Approving Fiscal Year 2019 Third Quarter Budget Adjustments

Attachments: [FY19 3rd Quarter Adjustments for ACTION 1 \(002\)](#)

Item approved.

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs and Councilmember Snead

6. [19-0172](#) Resolution Appropriating \$50,000.00 in Insurance Money Paid by Progressive Corporation for Repairs to the Magruder Bridge from Account 20-57000 to the Fiscal Year 2019 Capital Budget of Public Works Engineering

Attachments: [Reimbursement Check](#)

Item approved.

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs and Councilmember Snead

7. [19-0177](#) Resolution to Approve an Encroachment Agreement Pursuant to Hampton City Code § 34-86 between the City of Hampton, Bonner M. Secrest, and Heather N. Secrest to Allow an Encroachment Into a Portion of a City of Hampton Drainage and Utility Easement for the Installation of a Wooden Privacy Fence

Attachments: [Presentation](#)
[Encroachment Agreement](#)

Item approved.

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs and Councilmember Snead

8. [19-0178](#) Resolution to Authorize the City of Hampton's Participation in the Commonwealth of Virginia's Group Long Term Care Insurance Program

Item approved.

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs and Councilmember Snead

9. [19-0169](#) Approval of the minutes from the special meeting of May 1, 2019, and the work and legislative sessions of May 8, 2019.
item approved.

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs and Councilmember Snead

PRESENTATIONS, PROCLAMATIONS, AWARDS

PUBLIC HEARINGS

There were no public hearings.

Ordinances

PUBLIC COMMENT

The Clerk read the protocol for the public comment period.

Mr. David Born greeted those on the dais and made the following statement: I was here last month talking about Otley Road, it's a private lane. The ordinance you all passed in 2011 restricting the building on private lanes, I just finally found out last month why you passed that ordinance. What I would like to ask now is to have a meeting with the powers that be. What I would like is to make an amendment to this ordinance, let the City inspectors, let the fire inspectors, the State - whoever inspectors go to these roads that are in question and see if the fire trucks and City trucks can get up and down them. On Otley Road, the fire trucks - I sit in my kitchen (I'm right behind Otley Road and right behind Moss Avenue) or in my yard all the time - the fire trucks come off Ivey Home Road, down Moss Avenue, they take a right on Otley Road and go out to Ivey Home Road. They do not turn around on Moss Avenue. It is hard to do, so they make that right and go right on down Otley Road. When they come in off of Ivey Home Road onto Otley Road, they go right on down Otley Road and take a left on Moss Avenue and head out of there. There's easy access. Your City trash trucks come down there every Friday. They don't have no problem. You'll have landlocked us and many other roads that are private lanes in Hampton with this ordinance. I work all over the City. If you will drive down North King Street, City roads - there's Beverly Street, Lamington Road, and other roads - I can't turn my pickup truck around in those roads. I've got to back up in somebody's driveway to get out of there. Those are City roads. You'll have made an ordinance on us. We can't build on a private lane because of that reason. On Otley Road, you can do it. I see them do it all the time. I would like to have a meeting with whoever the powers be so that we can discuss this and not take three minutes and give us the option to let your inspectors come in there, issue us a permit if the fire trucks and City trucks can go down there. Look for yourself. This ordinance that you've put on us land locks everybody. You'll made some mistakes in the past. I've been getting permits in Hampton since 1972. You'll do a lot of

research before you issue permits. You've issued permits on some private lanes where it's hard to get the fire trucks in and out. It ain't hard to get out on Otley Road, I will tell you that, because I see them all the time. Thank you much. Please, please give me an opportunity to have a meeting with whoever so we can get this done. I've got a buyer who wants to get this property.

Mr. Andrew Stith greeted those on the dais and made the following statement: I came here a couple of times - lots of times. The issue that I want to speak about is very dear to my heart and hopefully it will happen in my lifetime. Two great Americans that I think that need streets named after or renamed after them are President Obama and the late Harriet Tubman. President Obama is very important, not just because he was the former President of the United States, he basically got the permission or got the approval and the approval went through Congress to make a way that Fort Monroe, that is closed now, could be a National Park and (he) also basically put Hampton on the map. Hampton's already been on the map already, but I think that he should have a street named after him. I think for the State of Virginia, since we are a first of everything, I think we should be the first to name a street after him. Also, Harriet Tubman, yes through history, she was a slave freeing lots of slaves through the Underground Railroad, dismal swamp and etc. But, being born and raised here, I didn't know that she was a nurse at Fort Monroe for the Army to heal and to serve soldiers while they were wounded during the war. So, I think that these two Americans should have streets named after them here in the City. I think we should give them something because they are a part of our history, not just black history, but they are part of our history, worldwide history.

GENERAL ITEMS

There were no general items.

Ordinances

Resolutions

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

There were no reports.

MISCELLANEOUS NEW BUSINESS

There was no new business.

ADJOURNMENT

The meeting adjourned at 6:58 p.m.

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

Donnie R. Tuck
Mayor

Katherine K. Glass, CMC
Clerk of Council

Date approved by Council _____