



City of Hampton, VA

Meeting Minutes

City Council

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

Randall A. Gilliland
Ross A. Kearney, II
Angela Lee Leary

Joseph H. Spencer, II
George E. Wallace
Paige V. Washington, Jr.
Molly Joseph Ward, Mayor

Staff:

Jesse T. Wallace Jr., City Manager
Cynthia Hudson, City Attorney
Katherine K. Glass, Clerk of Council
Brenda J. Vaccarelli, Deputy Clerk

Wednesday, September 24, 2008

7:24 PM

Council Chambers, 8th Floor, City Hall

CALL TO ORDER/ROLL CALL

Molly Joseph Ward presided

Present: Randall A. Gilliland, Ross A. Kearney, II, Angela Lee Leary,
Joseph H. Spencer, II, George E. Wallace, Paige V. Washington

INVOCATION - Vice Mayor Spencer

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

CONSENT AGENDA

Consent Items

1. 08-0375 Zoning Ordinance Amendment by the City of Hampton to allow nursing homes, with a Use Permit, in the Multiple Dwelling Districts (MD-2, MD-3 and MD-4).

APPROVED items 1 through 10 and 12 of the Consent Agenda.

Motion made by: Councilmember Randall A. Gilliland

Seconded by: Councilmember Paige V. Washington

Ayes: 7 - Randall A. Gilliland, Ross A. Kearney, II, Angela Lee Leary,
Joseph H. Spencer, II, George E. Wallace, Paige V. Washington,
Molly Joseph Ward

Nays: 0

2. 08-0378 Zoning Ordinance Amendment by the City of Hampton to amend Chapter 17.3 Article X (Special Public Interest - Chesapeake Bay Preservation District, SPI-CBPD) of the Zoning Ordinance to correct a citation.

APPROVED items 1 through 10 and 12 of the Consent Agenda.

Motion made by: Councilmember Randall A. Gilliland

Seconded by: Councilmember Paige V. Washington

Ayes: 7 - Randall A. Gilliland, Ross A. Kearney, II, Angela Lee Leary, Joseph H. Spencer, II, George E. Wallace, Paige V. Washington, Molly Joseph Ward

Nays: 0

3. 08-0384 AN ORDINANCE TO AMEND CHAPTER 9, ARTICLE IV, SECTION 9-131 OF THE CODE OF THE CITY OF HAMPTON, VIRGINIA, ENTITLED "BUILDING AND DEVELOPMENT REGULATIONS" TO CORRECT A CITATION.

APPROVED items 1 through 10 and 12 of the Consent Agenda.

Motion made by: Councilmember Randall A. Gilliland

Seconded by: Councilmember Paige V. Washington

Ayes: 7 - Randall A. Gilliland, Ross A. Kearney, II, Angela Lee Leary, Joseph H. Spencer, II, George E. Wallace, Paige V. Washington, Molly Joseph Ward

Nays: 0

4. 08-0385 AN ORDINANCE TO AMEND CHAPTER 35, 35-1, OF THE CODE OF THE CITY OF HAMPTON, VIRGINIA, ENTITLED "SUBDIVISIONS" TO CORRECT A CITATION.

APPROVED items 1 through 10 and 12 of the Consent Agenda.

Motion made by: Councilmember Randall A. Gilliland

Seconded by: Councilmember Paige V. Washington

Ayes: 7 - Randall A. Gilliland, Ross A. Kearney, II, Angela Lee Leary, Joseph H. Spencer, II, George E. Wallace, Paige V. Washington, Molly Joseph Ward

Nays: 0

5. 08-0386 AN ORDINANCE TO AMEND CHAPTER 33.1-4 (5) OF THE CODE OF THE CITY OF HAMPTON, VIRGINIA, ENTITLED "STORMWATER MANAGEMENT" TO CORRECT A CITATION.

APPROVED items 1 through 10 and 12 of the Consent Agenda.

Motion made by: Councilmember Randall A. Gilliland

Seconded by: Councilmember Paige V. Washington

Ayes: 7 - Randall A. Gilliland, Ross A. Kearney, II, Angela Lee Leary, Joseph H. Spencer, II, George E. Wallace, Paige V. Washington, Molly Joseph Ward

Nays: 0

6. 08-0387 AN ORDINANCE TO AMEND CHAPTER 5 OF THE CODE OF THE CITY OF HAMPTON, VIRGINIA, ENTITLED "ANIMALS" TO UPDATE THE CITATION TO THIS VIRGINIA CODE.

APPROVED items 1 through 10 and 12 of the Consent Agenda.

Motion made by: Councilmember Randall A. Gilliland

Seconded by: Councilmember Paige V. Washington

Ayes: 7 - Randall A. Gilliland, Ross A. Kearney, II, Angela Lee Leary, Joseph H. Spencer, II, George E. Wallace, Paige V. Washington, Molly Joseph Ward

Nays: 0

7. 08-0388 AN ORDINANCE TO AMEND CHAPTER 5 OF THE CODE OF THE CITY OF HAMPTON, VIRGINIA, ENTITLED "ANIMALS" BY ADDING THERETO A NEW ARTICLE VII ENTITLED "CANINE HYBRIDS."

APPROVED items 1 through 10 and 12 of the Consent Agenda.

Motion made by: Councilmember Randall A. Gilliland

Seconded by: Councilmember Paige V. Washington

Ayes: 7 - Randall A. Gilliland, Ross A. Kearney, II, Angela Lee Leary, Joseph H. Spencer, II, George E. Wallace, Paige V. Washington, Molly Joseph Ward

Nays: 0

8. 08-0399 Resolution Authorizing the City Manager to Execute a Project Administration Agreement with VDOT for Two (2) New Transportation System Improvement Projects in the VDOT 6 Year Plan

WHEREAS, in accordance with the Virginia Department of Transportation(VDOT) construction allocation procedures, it is necessary that a request by a City Council resolution be made in order that VDOT program a transportation system project in the city of Hampton; and

WHEREAS, VDOT is prepared to allocate approximately \$355,000 of HSIP (Highway Safety Improvement Program) funds for two(2) new transportation system improvement projects in the city of Hampton; and

WHEREAS, VDOT requires that City Council grant authority for the City Manager to execute project administration agreements and City/State Agreements for implementation of these projects; and

WHEREAS, through local administration by City staff, projects can be completed in a more efficient manner with less administrative expense.

NOW, THEREFORE, BE IT RESOLVED that the City of Hampton, Virginia, requests the Virginia Department of Transportation to program the following projects in the 6 Year Plan:

<u>Upgrade span wire traffic signals to mast arms (FY09)</u>	<u>VDOT UPC#</u>
---	-------------------------

- | | |
|--|-------|
| 1) Mercury Boulevard/Mallory Street Intersection | 89902 |
| 2) Todds Lane/Winchester Drive Intersection | 89899 |

BE IT FURTHER RESOLVED that the City Manager is authorized to execute Project Administration Agreements with VDOT for City administration and construction of these projects.

APPROVED items 1 through 10 and 12 of the Consent Agenda.

Motion made by: Councilmember Randall A. Gilliland

Seconded by: Councilmember Paige V. Washington

Ayes: 7 - Randall A. Gilliland, Ross A. Kearney, II, Angela Lee Leary, Joseph H. Spencer, II, George E. Wallace, Paige V. Washington, Molly Joseph Ward

Nays: 0

9. 08-0400 Resolution Approving the City of Hampton, Virginia's Participation and Appropriation of the Department of Criminal Services Grant through the Commonwealth of Virginia

WHEREAS, the City of Hampton has been awarded the Department of Justice, Office of Justice Programs Grant in the amount of \$32,990 in Federal funds, with no required local match from the Hampton Police Division's budget.

WHEREAS, the grant award covers the period 10/01/2007 through 09/30/2011;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hampton accepts and appropriates the DJS Grant Program in the amount of \$32,990 awarded made by the Department of Justice in accordance with the grant agreement;

BE IT FURTHER RESOLVED that the City Council authorizes the City Manager or his designee to take the necessary steps to implement this grant award.

APPROVED items 1 through 10 and 12 of the Consent Agenda.

Motion made by: Councilmember Randall A. Gilliland

Seconded by: Councilmember Paige V. Washington

Ayes: 7 - Randall A. Gilliland, Ross A. Kearney, II, Angela Lee Leary, Joseph H. Spencer, II, George E. Wallace, Paige V. Washington, Molly Joseph Ward

Nays: 0

10. 08-0404 Resolution to Appropriate \$600,000 from Unappropriated Interest Earned on the Proceeds of City of Hampton Public Improvement Bonds to the City's Capital Project Fund-Phase 2 Virginia Air and Space Center Roof Replacement.

BE IT RESOLVED by the City Council of the City of Hampton, Virginia that \$600,000 be appropriated from Unappropriated Interest Earned on the Proceeds of City of Hampton Public Improvement Bonds to the City's Capital Project Fund-Phase 2 Virginia Air and Space Center Roof Replacement.

APPROVED items 1 through 10 and 12 of the Consent Agenda.

Motion made by: Councilmember Randall A. Gilliland

Seconded by: Councilmember Paige V. Washington

Ayes: 7 - Randall A. Gilliland, Ross A. Kearney, II, Angela Lee Leary, Joseph H. Spencer, II, George E. Wallace, Paige V. Washington, Molly Joseph Ward

Nays: 0

11. 08-0412 Resolution Endorsing the City Council's Departmental Go Green Challenge for the City of Hampton

WHEREAS, the Hampton City Council has endorsed a **Green Community Initiative** for the City of Hampton; and

WHEREAS, an important principle of a green community is reducing waste and thereby reducing costs; and

WHEREAS, for the City of Hampton to lead by example it must act first and demonstrate practices that can reduce waste and environmental impacts in City operations; and

WHEREAS, City staff engaged in the day to day operations of the City are in the best position to identify ways of reducing environmental impacts; and

WHEREAS, the Hampton City Council will sponsor a challenge to Hampton departments with incentives offered to those able to accomplish measurable improvements to environmental performance.

NOW, THEREFORE BE IT RESOLVED that the Hampton City Council endorses the City Council's Departmental Go Green Challenge for the City of Hampton and directs the City Manager and staff to further develop this idea for initiation in Spring of 2009.

ADOPTED - The name will be changed to the Council's Go Green Challenge.

Motion made by: Councilmember Randall A. Gilliland

Seconded by: Councilmember Joseph H. Spencer, II

Ayes: 7 - Randall A. Gilliland, Ross A. Kearney, II, Angela Lee Leary, Joseph H. Spencer, II, George E. Wallace, Paige V. Washington, Molly Joseph Ward

Nays: 0

12. 08-0419 Approval of the minutes from the Afternoon and Evening Sessions of the City Council meetings of September 10, 2008.

APPROVED items 1 through 10 and 12 of the Consent Agenda.

Motion made by: Councilmember Randall A. Gilliland

Seconded by: Councilmember Paige V. Washington

Ayes: 7 - Randall A. Gilliland, Ross A. Kearney, II, Angela Lee Leary, Joseph H. Spencer, II, George E. Wallace, Paige V. Washington, Molly Joseph Ward

Nays: 0

PRESENTATIONS, PROCLAMATIONS, AWARDS

13. 08-0341 Proclamation In Recognition of the 30th Anniversary of the Hampton Clean City Commission.

Vice Mayor Spencer read and presented a proclamation in recognition of the 30th Anniversary of the Hampton Clean City Commission to Ms. Shirley Sypolt, Chair of the Clean City Commission extended thanks to Council to their support for the past thirty years. She also thanked all Hampton citizens who have volunteered to help with programs and projects over the past thirty years. She invited Council to attend the awards dinner on October 30, 2008.

Ms. Sypolt introduced the following members of the Hampton Clean City Commission: Vice Chair, Mr. John Golden; Ms. Christina Betts, Ms. Chris Ausink; Ms. Debbie Blanton, Coordinator; and Ms. Cynthia Harris, Secretary.

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

14. 08-0255 Consideration of Allowing Use of Golf Carts on Public Streets in the Elizabeth Lake Community.

Mr. Jesse T. Wallace, Jr., City Manager, stated in a letter dated June 4, 2008, to Ms. Jan Morrison, the City Manager informed her of his denial of her request operate golf carts within the Elizabeth Lakes neighborhood. He explained the decision was based on an analysis performed by the Police Division and Traffic Engineering. The City Manager stated he incorrectly informed Ms. Morrison that she and her neighbors would have an opportunity to address Council on this matter, implying there would be an opportunity to appeal the denial. He said according to City Code, the process ends with the denial. The City Manager apologized to Ms. Morrison and her neighbors for the incorrect statement.

Vice Mayor Spencer asked the City Manager if he contacted Ms. Morrison prior to the September 24, 2008, Council meeting. In response, the City Manager said he has tried several times to contact her but was unable to reach Ms. Morrison.

Ms. Cynthia E. Hudson, City Attorney, said to the extent the administration makes a determination, Traffic Engineering and the Police Division that the operation of golf carts on any given City street will impede or impair the safety of the street, then State law and,

by direction, the City's Ordinance does not allow that to be overridden and for golf carts to be allowed. She explained the City is limited in that respect and an appeal to Council would not be in order after staff has made the determination.

15. 08-0350 Annual Report of the Hampton Youth Commission – FY 2007-2008.

Mr. Jesse T. Wallace, Jr., City Manager, stated Mr. Bradford Knight, Ms. Anna Hogg and Mr. Troy Elliot will make a brief presentation on the accomplishments of the Hampton Youth Commission (HYC) for FY2007-2008.

Mr. Bradford Knight, Senior at Hampton High School, and Chair of the Hampton Youth Commission (HYC), thanked Council for the opportunity to present the Annual Report of the Hampton Youth Commission. He said the vision of the HYC is young people with the power and the voice to shape the future of Hampton. Mr. Knight said throughout the year they hold regularly scheduled work sessions, public meetings, committee meetings and special projects to fulfill the youth component goals which give them a role in the civic life of the community. Mr. Knight said the meetings of the past year focused on five of the community plan goals as well as the annual appropriations process. He noted the HYC also represented the City and shared their experiences by hosting Fairfax County, conducting a sight visit for eight cities in Virginia and by assisting with the Neighborhoods USA Conference. Mr. Knight said he and Mr. Michael Bock had the opportunity to receive the Southern Growth Policy Board's Innovations Award from the Governor of Arkansas. He noted Hampton was selected as one of the winners and represented the City, HYC, Alternatives, Inc., City departments and other community partners that make the youth engagement program so successful. Mr. Knight said the commissioners helped co-host the power of partnership conference at the Hampton Roads Convention Center (HRCC) for over 400 youth and adults. He said this was the first time ever the conference held a youth track on youth civic engagement and over 125 youth actively participated in the focus groups led by HYC. He said he was honored to be selected as one of the youth representatives on the National Board for the Institute of Youth, Education and Families of the National League of Cities. Mr. Knight said when the new Channel 47 studio opened, HYC hosted the first teen talk show and they hope to partner with Channel 47 in the near future. Mr. Knight noted HYC has been added to the City's Boards and Commissions in supporting the City's green initiative. He said they also hosted the third successful City Council Candidate's Forum for the Council election.

Mr. Knight introduced Ms. Anna Hogg, Senior Youth Planner.

Ms. Hogg stated the Youth Component of the Hampton Community Plan is the document that guides the work of the HYC. She said there are six goals that have been determined by focus groups and surveys with hundreds of youth. She said they believe their concerns can be grouped under the six categories that are defined in the annual report. Each year the Commission decides which goals to work on and they are organized into committees. She said after thoroughly researching the topic, they have the option of working on policies, projects, developing new partnerships, or offering grants to achieve their goals. Ms. Hogg said the CREW (Caring Relationships and Empowering Wisdom) work with the goals Caring Relationships and Youthshare Leadership. One of the highlights was funding a new youth booth, a place within each of the four public High Schools for students to go to for information and for clubs and

organizations to advertise their events and other youth friendly opportunities. Ms. Hogg said the Bare Necessities Committee stands for Building and Retaining Excellence for Necessities and they work with the goals youth acquires central life skills in every young person prepared for a career. She said they decided on a non-traditional approach for one of the public meetings this year and spearheaded the City's first Career Fair which was developed specifically by and for local teenage students. The MOVE (Making Opportunities for Vehicles and Entertainment) Committee works with goals, places to go, things to do and getting around transportation. Ms. Hogg noted MOVE's priority was to ensure youth can get to the Teen Center and they worked with Parks and Recreation on a bus service that would go from the high schools to the facility on Butler Farm Road. Ms. Hogg stated the Commissioner's Grants went to nine youth initiatives. During the spring grant cycle for National Youth Service Day, 21 applicants received funding and the service projects ranged from environmental awareness to patient care packages for the Veteran's Hospital.

Ms. Hogg introduced Mr. Troy Elliot, Vice Chair of the HYC, and sophomore from Bethel High School.

Mr. Elliot provided Council with a recap of the ten years of the HYC. He said they are proud to be a part of the youth civic engagement system that makes a difference. He said even though former commissioners and planners go all over the world, at least 12 work in City departments or the Commonwealth's Attorney's Office. He said among eligible voters, Hampton's young people have a 39% higher voting rate than the national average of their peers. Mr. Elliot noted HYC has been part of a number of national awards, including the Prestigious Innovations in American Government Award and The 100 Best Communities for Youth. He said the HYC has worked hard on implementing their component of the Community Plan and are proud that in all of the objectives in the Plan, 76% have some type of strategy underway or already accomplished. Mr. Elliot said they continue to see more and more opportunities for youth to be involved in local government and the community, and with the opening of the Teen Center they expect to see more within the next year.

Mr. Elliot presented the following slate of nine new Commissioners for the upcoming year.

- Austin Collier, junior, Kecoughtan High School
- Jasmyne Greenlee, senior, Kecoughtan
- Kennedy Hines, sophomore, Hampton
- Victoria Jones, sophomore, Bethel
- Rashawn McKinney, sophomore, Hampton
- Unique Perry, senior, Phoebus
- Micah Poulson, senior, Bethel
- Ashley Williams, senior, Hampton
- Charlai Williams, senior, Bethel

Mr. Elliot said in the upcoming year there will be a large scale marketing campaign to recruit high school age youth to the Teen Center for an anticipated opening in spring 2009. He said Council will be kept updated as the process of the Teen Center continues.

Mr. Elliot thanked Council for its support during the past year and they look forward to another outstanding year ahead. He said if the wall-breaking at the Teen Center was any indication, it is going to be a smashing success.

PUBLIC HEARINGS

Rezoning - Second Reading

16. 08-0392 Rezoning Application No. 1268 by City of Hampton to rezone 2.67± acres located along Reed Street and Harrison Street from General Commercial District (C-3) to One Family Residence District (R-9).

Mr. Jesse T. Wallace, Jr., City Manager, stated currently existing single family homes in this area are legal non-conforming structures. He noted a non-conforming structure in an R-9 District destroyed or damaged in excess of 75% of its replacement cost cannot be rebuilt. He said rezoning the area into R-9 will allow property owners to invest in their properties. The Planning Commission and Planning Staff recommend approval of Rezoning Application No. 1268 on second and final reading.

Ms. Virginia Lyeth, 126 Wilderness Road, stated a clarification from the September 10, 2008, meeting. To the residents of Reed and Harrison Streets, the term down zoning is a technical term meant in no way to slight your homes. The term down zoning is used in the business to show the monetary devaluation of your property's value as a result of the wide possible uses under a commercial zone to a less broad use for residential especially when it is a business enterprise zone. Ms. Lyeth said her client grew up in this neighborhood and was not only concerned about his parcels, but with the fact they all felt the residents were not properly informed of the long range impact of their property. She said the parcels along Pembroke Avenue were originally part of the down zoning and no longer along with the two nice pieces which happen to belong to the City of Hampton. Ms. Lyeth said Council said the same thing last year they said two weeks ago in stating this is not down zoning. She said they may not like the term but that is exactly what it is. Last year Council voted to downzone the properties in the Atlantic to Seaboard area and voted less a year later to appropriate \$1.5M to purchase the very properties your down zoned. She said Councilman Kearney may have taught a number of residences of Reed and Harrison Streets, however a number of them are friends of those residents and their families and they want to make sure they understand the impact a neighborhood undergoes in a business enterprise zone, especially when it is enacted by the City of Hampton, not to mention the composition of a number of owners of these properties, and surrounding properties, including the City of Hampton. Ms. Lyeth said the City has procedures and protocol to follow when changing zoning and land uses. She said the employees hired to do these jobs should be required to follow those and all procedures. She said e-mail is a great way to trim down time needed at the Council meetings; however, employees should respond and give property attention to those requests. Having attended a number of the community meetings through the years and witnessed procedures and how they are later presented to the Planning Commission and Council, as well as the exchange of e-mails and numerous requests made without response, she believes Council should consider having the Community Meetings video-taped and minutes taken, and City employees who present false or falsified information should be fired. She said if the residents are happy with this measure, her client and her companies stand behind them.

Councilman Wallace said he will vote in favor of Rezoning Application No. 1270. He said the inference was this was a down zoning and consequently inheriting the down zoning aspect was a reduction in the value. Councilman Wallace said the value was established by the users and the owners. There were enough hearings in terms of the Planning Commission and public hearings for the individuals who were being impacted by this to express an interest that their interests were being minimized by the action Council is taking, and that did not occur.

HELD PUBLIC HEARING

APPROVED

Motion made by: Councilmember Ross A. Kearney, II

Seconded by: Councilmember Joseph H. Spencer, II

Aye: 6 - Randall A. Gilliland, Ross A. Kearney, II, Joseph H. Spencer, II,
George E. Wallace, Paige V. Washington, Molly Joseph Ward

Nay: 1 - Angela Lee Leary

Other Public Hearings

17. 08-0410 Public hearing to review Community Development Block Grant (CDBG) and HOME Program Performance and to obtain the views of citizens on housing and community development needs in the City of Hampton

Mr. Jesse T. Wallace, Jr., City Manager, stated the Department of Housing and Urban Development (HUD) requires entitlement communities to conduct this public hearing to review program performance and to obtain the views of citizens housing and community development needs.

Mr. Angelique Lenoir, Senior Neighborhood Development Specialist with the Neighborhood Office made the following presentation to Council.

2007-2008 Consolidated Annual Performance and Evaluation Report to Housing and Community Development

FY08 Resources

- Community Development Block Grant (CDBG) - \$1,119,763
- CDBG Revolving Loan Fund – \$740,000
- HOME Investment Partnership Program - \$701,221

Total CDBG and HOME Resources - \$2,560,984

CDBG Program Accomplishments

- Acquisition
 - 8 blighted units acquired with CDBG resources
 - 520 blighted units acquired since 1993 with CDBG resources

- Demolition
 - 15 blighted units demolished with CDBG resources
 - 8 blighted units demolished with City resources
 - 489 blighted units demolished since 1995 with CDBG resources
- Disposition
 - 5 vacant lots sold through RFP process
 - 2 vacant lots sold to Habitat for Humanity for the new construction of housing
 - 4 single family houses constructed by the Hampton Redevelopment and Housing Authority were sold
- Housing Programs
 - 9 Wheelchair Ramps constructed
 - 1 Exterior Repair Program project completed
 - 168 Housing Program project since 1995
- Housing Services
 - Rehabilitation administration for 46 housing units
 - 183 First-time Homebuyer Workshop participants
- CDBG Revolving Loan Fund
 - 1 rehabilitation loan was awarded
 - 2 rehabilitation projects underway by the Hampton Redevelopment and Housing Authority (HRHA)
- Support Services to Neighborhood Center Programs
 - Salina Street Neighborhood Center: 103 youth and 20 adults
 - Y. H. Thomas Community Center: 66 youth and 130 in summer program
 - Newtown Learning Center: 140 youth
 - Moton Early Childhood Center: 52 youth
- Neighborhood Planning
 - Support provided to 10 organizations located in low to moderate income areas of the City.
- Phoebus Improvement League
 - Provided assistance to achieve the following:
 - Creation of 5 new jobs in the Phoebus Business District
- Little England Cultural Center
 - The building design is currently being modified to incorporate green elements into the facility
 - Construction is expected to begin in 2009
- Y. H. Thomas Community Center
 - The final phase of renovations which consists of building signage will be completed in FY09

2006-2007 HOME Program Accomplishments

- Homeowner Rehabilitation
 - 12 Homeowner Rehabilitation Projects
 - 431 Homeowner Rehabilitation projects since 1993
- Homebuyer Assistance
 - 11 Homebuyer Assistance Projects
 - 114 Homebuyer Assistance Projects since 1193
- Homebuyer Club
 - 15 potential homebuyers graduated from the HRHA Homebuyer Club
 - 3 have become homeowners
- Acquisition and Rehabilitation
 - 2 single-family houses sold
 - 1 single-family house currently for sale
 - 7 single-family homes acquired, rehabbed and sold since the program's inception in 2004
- New Housing Construction
 - 5 single family homes were constructed
 - 7 single family homes are under construction
 - 10 single family homes constructed since the program's inception in 2006
- Community Housing Development Corporations (CHDOs)
 - 1 single-family home was acquired, rehabilitated and sold
 - 1 single-family unit is currently for sale
 - 2 single-family units are under construction
 - 1 group home for the mentally challenged is under construction
- CHDO Operating Funds
 - No new contracts were awarded. Funds were expended in accordance with contracts awarded in previous years.

Ms. Lenoir said the draft of the full plan has been available at all public libraries and in the Neighborhood Office for public comments since August 26, 2008. She said any comments received at the public hearing will be incorporated into the Final Draft of the plan which will be forward to HUD on Friday, September 26, 2008. She said the comments received will also be used in the preparation of the Consolidated Annual Action Plan which includes the CDBG and HOME Budgets for FY2010.

Vice Mayor Spencer said it is always good to hear the update each year on how the City is becoming involved. He said it was nice to see where nine wheelchair ramps were constructed. He said the labor is from the Wythe Exchange Club. Vice Mayor Spencer noted Mr. Phil Everhart, member of the Wythe Exchange Club, has been quite ill. He extended Council's best wishes to Mr. Everhart and stated many Council members have received their PHD's – post hole digging for the wheelchair ramps.

Councilwoman Leary thanked Ms. Lenoir for her report and the information. She asked how many more Habitat for Humanity Homes are planned for the next 12 months. In response, Ms. Lenoir said currently they have two homes planned and they have worked very closely with Habitat for Humanity. She said they would be happy to work with them in the future and she would provide Council with the information requested by Councilwoman Leary.

Councilwoman Leary said there is at least one home is suitable for the City to move to an infill lot. She said should would like the City to contact the Wilson Family to determine if the home can be acquired.

Councilwoman Leary asked if the 2007-2008 Consolidated Annual Performance and Evaluation Report to Housing and Community Development was available on-line. In response, Ms. Lenoir said the report is not currently on-line but they can make the final draft with all of the comments available on the website.

Mr. Hugh Bassett, 117 Rip Rap Road, said he believes he is beginning to become Hampton's version of "The Grinch that Stole Christmas." He said he is impressed with the housing component. He said he has lived in many cities and the housing programs available to the public are outstanding. Mr. Bassett said in the city he lived in before coming to Hampton, some of the things they argued for years and never received. Mr. Bassett said one of his friends recently visited and asked where the ghettos in Hampton and his friend couldn't believe there wasn't a ghetto. He said Hampton is really one of the best cities and he believes it is one of the best cities in the country although there could be improvements.

Mr. Bassett said page 15 talks about the Hampton Neighborhood Initiative. He said the initiative is supposed to foster cooperation between the City and the residents. Mr. Bassett said he was trying to get a "Welcome to the Neighborhood" sign and it passed the signage committee, it passed the land services committee and they met with the Virginia Department of Transportation (VDOT) and they are now in a position where the Neighborhood staff is saying they do not like where they want the sign. He said he believes where the sign is placed should be the decision of the neighborhood.

Mr. Bassett said page 17 talks about Old Northampton and it says nothing. He said they have been asking for four streets to have curbs and gutters and for something to be done about the shooting range, and yet somehow it is overlooked time and again.

Mr. Bassett said page 37 talks about minority businesses. He said during the last Council election, Councilwoman Leary and Councilman Wallace talked about the minority contracting situation within the City of Hampton which is deplorable. It is below 3% for minorities and women. He said Councilwoman Leary and Councilman Wallace indicated they were willing to take the next step. He said he has not seen the next step taken and he hopes they are still considering that. Mr. Bassett said there are a lot of minority businesses in Hampton and they should be receiving contracts from the City.

Mr. Bassett said he believes his community should receive some of the money is coming to the City for community development from Washington, D.C.

Councilman Wallace said he assumed the chairmanship of the Minority Purchasing and Oversight Committee and he has yet to meet with that body. He said one of the first

priorities he will have is to explore with his peers, the implementation of the second phase of the disparity study which is an implementation piece. He said they cannot do definitive implementation until that particular piece is solved. Councilman Wallace said one of the things he wants to bring to Council's attention is doing the second piece.

HELD PUBLIC HEARING

NO ACTION REQUIRED

General Items

Appointments

18. 08-0403 to consider appointments to the Neighborhood Commission

Councilman Wallace said the recommendation came from the Neighborhood Commission and it the general practice of Council to endorse their recommendations.

Mayor Ward thanked Councilman Wallace for making the clarification.

APPOINTED Henry L. Mills as a business representative, Ann Bane as a school representative, Dianne Foster and John Veneziano as city representatives and Mariah Almond as a youth representative. Each will serve until September 30, 2010, with Mr. Mills fulfilling the unexpired portion of a term.

Motion made by: Councilmember Angela Lee Leary

Ayes: 7 - Randall A. Gilliland, Ross A. Kearney, II, Angela Lee Leary, Joseph H. Spencer, II, George E. Wallace, Paige V. Washington, Molly Joseph Ward

Nays: 0

19. 08-0407 to consider the appointment of a co-chair to the Hampton 2010 Celebration Committee

APPOINTED Gwen Cumming.

Motion made by: Councilmember Angela Lee Leary

Ayes: 7 - Randall A. Gilliland, Ross A. Kearney, II, Angela Lee Leary, Joseph H. Spencer, II, George E. Wallace, Paige V. Washington, Molly Joseph Ward

Nays: 0

Audiences Granted to the General Public

Mr. Frank J. Ottofaro, 63 Wheatland Drive, spoke to Council regarding the taking of his property at 11 Pine Chapel Road for the Power Plant. Mr. Ottofaro stated he came before Council asking this Council in good faith to correct the injustice that has been done to him and his family. He noted this was his twentieth time before Council asking

questions about how his property was taken and he is still waiting for a letter from his City government explaining why this City Council cannot correct this injustice on taking his property for the Power Plant. Mr. Ottofaro said he has the right to come before Council to air his complaints or comments on the wrong that has been done to him. Mr. Ottofaro said David Cordish, developer of the Power Plant has \$1.55M that is setting in the Industrial Development Authority (IDA) account and he is going to protest the money should not be used for his personal NASCAR Sports Grille Restaurant. Mr. Ottofaro requested the money be taken out of the IDA account and put in the City budget to pay him for the property the City of Hampton stole from him at 11 Pine Chapel Road.

Mr. Ottofaro asked if the Cordish Company is paying real estate taxes on their 11-acre plot on the backside of Hampton Coliseum.

Mr. Ottofaro said he was discriminated against and his Constitutional Rights were violated by the City of Hampton. Mr. Ottofaro said the former City Manager, former City Attorney and some Council members and others in the City government lied about the way he was taken out. He said he expects the City to own up to the wrong that has been done and to pay him two and a half times the assessed appraisal of his property.

Miscellaneous New Business

Councilwoman Leary said as Mr. Bassett commented regarding the Council election in May 2008. She thanked the citizens of Hampton for returning her to Council for a second term. Councilwoman Leary said there was another event is going to take place this weekend when she and her husband will celebrate their 45th Wedding Anniversary.

Adjournment

Molly Joseph Ward
Mayor

Katherine K. Glass, CMC
Clerk of Council

Date approved by Council _____