



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 Linda D. Curtis
Councilmember Jimmy Gray
Councilmember W.H. "Billy" Hobbs
Councilmember Will Moffett
Councilmember Teresa V. Schmidt
Councilmember Chris Snead

STAFF: Mary Bunting, City Manager
Vanessa T. Valldejuli, City Attorney
Katherine K. Glass, CMC, Clerk of Council

Wednesday, December 14, 2016

6:30 PM

Council Chambers

CALL TO ORDER/ROLL CALL

Vice Mayor Curtis convened the meeting to order at 6:33 p.m. She announced that she is presiding over tonight's meeting since Mayor Tuck has a pressing personal issue. She also indicated that Councilman Hobbs is not present due to illness.

Present: 5 - Vice Mayor Linda D. Curtis, Councilmember Jimmy Gray, Councilmember Chris Snead, Councilmember Will Moffett and Councilmember Teresa V. Schmidt

Excused: 2 - Councilmember Billy Hobbs and Mayor Donnie R. Tuck

LINDA CURTIS PRESIDED

INVOCATION - Councilmember Jimmy Gray

Councilman Gray gave the invocation.

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

Vice Mayor Curtis introduced Dr. Vivian Griese, Hampton City Schools (HCS) Fine Arts Curriculum Leader, who would be presenting on the Mayor's annual Holiday Card Contest winners. Dr. Griese provided a brief history of the contest and recognized the artists honored this year:

Tamara "Cat" Dunn, 12th grade, Kecoughtan High School
Mohammed Issa, 11th grade, Hampton High School
Kayla Pauley, 11th grade, Bethel High School

Kyrie Bethea, 12th grade, Phoebus High School

Each student was given a set of blank cards featuring their respective artwork, a monetary award, and a City of Hampton challenge coin.

Vice Mayor Curtis introduced Mr. Keyshaun Howard and Ms. Alexandra Luchtenburg who provided information on the Hampton Youth in Government 20th Anniversary Celebration that will take place on December 27, 2016, at the Hampton Roads Convention Center.

Vice Mayor Curtis welcomed Mr. Mike Dunfee, the Director of the Hampton Veterans' Administration (VA) Medical Center, who will soon be concluding his service. Mr. Dunfee thanked the City and the Council for their support of the VA Medical Center during his administration and shared information on recent activities involving the center. Vice Mayor Curtis thanked Mr. Dunfee for his service and presented him with a City of Hampton challenge coin.

Vice Mayor introduced Kappa Alpha Psi representatives Mr. Richard Giles and Dr. James Patton, who recognized Councilman Jimmy Gray with their Citizen of the Year award. Several other members of Kappa Alpha Psi were present for the presentation of the special award. Councilman Gray expressed his appreciation.

Vice Mayor Curtis also requested a moment of silence to mark the passing of Eddie Deerfield and recognized his great love of and service to the City of Hampton.

CONSENT AGENDA

Ms. Katherine K. Glass, Clerk of Council, read the protocol for the Consent Agenda and a summary of the consent items.

Approval of the Consent Agenda

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

Aye: 5 - Vice Mayor Curtis, Councilmember Gray, Councilmember Snead, Councilmember Moffett and Councilmember Schmidt

1. [16-0404](#) Resolution Authorizing the Acceptance and Appropriation of A \$50,000.00 Gift From Harry and Judy Watson, to be used by the City of Hampton 311 Citizen Contact Information Center and Police Division Pursuant to City Code § 2-134, and Authorizing

the City Manager to Negotiate a Contract for Communication Services as Required by the Conditions of the Gift
Item approved.

Aye: 5 - Vice Mayor Curtis, Councilmember Gray, Councilmember Snead, Councilmember Moffett and Councilmember Schmidt

2. [16-0410](#) Acceptance of Gift of Real Property Located at 929 Beach Road From Edna A. Wright with conditions to preserve and protect in perpetuity the conservation values of the Property and to limit use and future development of the Property to those uses and amenities consistent with, and not adversely affecting, the conservation values of the Property and the governmental conservation policies furthered by the City of Hampton

Attachments: [Deed of Gift](#)

Item approved.

Aye: 5 - Vice Mayor Curtis, Councilmember Gray, Councilmember Snead, Councilmember Moffett and Councilmember Schmidt

3. [16-0406](#) Resolution Requesting VDOT to Add an Modify/Remove the Attached List of Streets to the State "Principal/Minor Arterial and Collector/Local" Street List

Attachments: [Hampton Streets List](#)

Item approved.

Aye: 5 - Vice Mayor Curtis, Councilmember Gray, Councilmember Snead, Councilmember Moffett and Councilmember Schmidt

4. [16-0412](#) Resolution Amending A Budget Note to Clarify the City of Hampton, Virginia's Purpose of Funding Events and Marketing in the Phoebus Area
Item approved.

Aye: 5 - Vice Mayor Curtis, Councilmember Gray, Councilmember Snead, Councilmember Moffett and Councilmember Schmidt

5. [16-0409](#) Resolution Determining Phoebus Events LLC to be the Only Source Practically Available From Which to Procure Event Management Services to Promote and Highlight the Phoebus Community
Item approved.

Aye: 5 - Vice Mayor Curtis, Councilmember Gray, Councilmember Snead, Councilmember Moffett and Councilmember Schmidt

6. [16-0411](#) Resolution Approving the City of Hampton, Virginia's Participation in and Appropriation of the FY 2016 State Criminal Alien Assistance Program (SCAAP) Grant Program through the Bureau of Justice Assistance

Attachments: [Grant Award Notification](#)

Item approved.

Aye: 5 - Vice Mayor Curtis, Councilmember Gray, Councilmember Snead, Councilmember Moffett and Councilmember Schmidt

7. [16-0413](#) Resolution Appropriating \$289,657 in Additional State VDOT Revenue Sharing Funds to the Buckroe Avenue Reconstruction Phase 1 Capital Project and \$323,318 in Additional State VDOT Revenue Sharing Funds for the Central Park (Newmarket Creek) Capital Project
Item approved.

Aye: 5 - Vice Mayor Curtis, Councilmember Gray, Councilmember Snead, Councilmember Moffett and Councilmember Schmidt

8. [16-0417](#) Resolution Approving FY 2016 Year End Budget Adjustments and Appropriating Funds for Uncompleted Capital Projects Funded by the Economic Development Fund

Attachments: [FY16 Year End Budget Adjustments](#)

9. [16-0415](#) Resolution Approving the Design Hearing of Right-of-Way for Route 172 Wythe Creek Road Project
Item approved.

Aye: 5 - Vice Mayor Curtis, Councilmember Gray, Councilmember Snead, Councilmember Moffett and Councilmember Schmidt

10. [16-0418](#) Ordinance Approving the Vacation of a Portion of Right-of-Way Adjacent to and South of Thomas Nelson Drive, Comprising 163,941 Square Feet (3.7636 Acres), More or Less, Pursuant to Section 2.05 of the City Charter, to the State Board for Community Colleges

Attachments: [Vacation Agreement](#)

Item approved.

Aye: 5 - Vice Mayor Curtis, Councilmember Gray, Councilmember Snead, Councilmember Moffett and Councilmember Schmidt

11. [16-0392](#) Approval of the minutes from the work session of May 25, 2016, the legislative session of June 8, 2016, the legislative session of September 14, 2016, the legislative session of October 12, 2016, the work session and ceremonial session of October 26, 2016, and the special session and work session of November 9, 2016.
Item approved.

Aye: 5 - Vice Mayor Curtis, Councilmember Gray, Councilmember Snead, Councilmember Moffett and Councilmember Schmidt

PRESENTATIONS, PROCLAMATIONS, AWARDS

PUBLIC HEARINGS

As there were no speakers signed up for the Public Hearing, Ms. Glass dispensed with reading the protocol.

Community Plan Amendment

12. [16-0402](#) Comprehensive Plan Amendment No. 16-00002 Adoption of Bike Walk Hampton: A Strategic Bicycle & Pedestrian Plan by reference into the Hampton Community Plan (2006, as amended).

Attachments: [Presentation](#)
[CPA 16-00002 PC Resolution](#)
[Bike Walk Hampton Plan 2016Oct19](#)
[Letters from Community](#)

Ms. Glass read the item into the record.

City Manager Mary Bunting introduced Ms. Alison Alexander, Senior City Planner, who presented on the proposed Community Plan Amendment regarding Bike Walk Hampton.

Councilwoman Schmidt stated that she had served on the committee and commended Ms. Alexander and Community Development, who had put together a lot of data and built on what the committee had discussed. She noted that one of the stipulations for an All-America City designation is to provide a healthy environment for citizens, and she believes this plan capitalizes on something the City already has. She stated that the biking event hosted by Community Development in September had been a great success. Ms. Alexander noted that they are working on events for May 2017 to celebrate National Bike Month.

Vice Mayor Curtis opened the Public Hearing. As there were no speakers, she closed the Public Hearing and called for a motion.

An audience member requested to speak following the closure of the Public Hearing. Vice Mayor Curtis allowed him the floor. Mr. John Sprock commented that he was appreciative of the City's efforts to expand cycling options and encouraged looking at different cities to see what is working.

Following a staff presentation by Alison Alexander, Senior City Planner, a motion to approve the Comprehensive Plan amendment was made by Councilwoman Schmidt, seconded by Councilman Gray, and passed on the following vote:

Aye: 5 - Vice Mayor Curtis, Councilmember Gray, Councilmember Snead, Councilmember Moffett and Councilmember Schmidt

PUBLIC COMMENT

Ms. Glass read the protocol for the Public Comment session.

Mr. Kelvin Foye greeted those on the dais and made the following statement: I grew up in the area. My main reason for being here today is to draw the Council's attention to the North Phoebus Community Center. I grew up in the area; I'm a graduate of Phoebus High School. I joined the military, moved away, came back when my mother was sick with cancer about six months ago. She recently passed and now I'm living back in the Hampton community. I grew up, like I said, in the Phoebus community, and the North Phoebus Community Center was there for us, to keep us kids at the time out of trouble and give us something to do. I recently visited the community center about two weeks ago to help with a youth basketball league. When I entered the center, it's totally changed, and the center needs some kind of upgrade. Whether it be cleaning or something, or just some attention to that center. The community needs that center as a whole, the kids need that community center, because as you know, in the Phoebus community, there have been a rash of killings and shootings and things of that nature, and the kids need something to hold onto. That community center is one. The parents - some of the parents in the community center don't have transportation, so that community center is all the kids have. And the outside - just need some cleaning on the outside, the inside of the gymnasium, the exit signs are, like, sideways basically. There's cobwebs in the corner. The gymnasium floor, there's tape coming up. I've visited several other community centers in the area, and I know that those community centers - attention is being given to them, to the cleanliness of those centers. I just ask the Council to please take a look at the North Phoebus Community Center and provide some kind of upkeep to that community center. Thank you.

Ms. Bunting requested contact information from Mr. Foye and stated that there is currently a citizen group working on North Phoebus - discussing things to get more youth into the center as well as needed upgrades. She would like to invite Mr. Foye to join the group.

Mr. Hugh Bassette approached the dais and made the following statement: I'm speaking for the Oakland Citizens' Coalition. It has come to our attention from an article in the paper earlier this week that the City has obtained \$2 million in funds that they didn't expect to get. These funds were being put into the "rainy day fund," which has a total of \$54 million. We would like to see some consideration given to taking these funds and reinvigorating the senior citizens' tax exemption program. During the '80s, you heard a lot about the "silent majority." We consider these people the "silent minority." Nobody speaks for them; you don't hear from them. Mostly they are widows whose partners have passed and they're living in the house and been paying taxes all their years. We appreciate the fact that you converted them to the deferred program and kept the people on who were on, but people have

been coming to us and there is a need for this tax exemption. Most of you, well, I don't think any of you are on Social Security yet, but it is extremely difficult to live on a Social Security check these days, and if you notice, over the last few years, there's been no increase in the check amount, okay? So we're having people living on this amount. Property taxes are going up and the problem with being on the deferred program is that it eats into the equity in your home, so that if you live to be, let's say 90, and you started at 65, by the time you pass, any equity you have in that house is gone. You have nothing to leave your heirs. When this program was discussed before, they were saying that the City is not into the program of advancing inheritance, but people - you want something to leave to your kids. And these people, this is the only thing that they have to pass on, and by getting into the deferred program, after a period of time, it's nothing. So they worked all their life at this one asset, and now they can't even pass this asset on to their kids. Most of their kids either don't live here or out on their own. They basically live in two sections of town, Olde Hampton and Old North Hampton. So we would like to see some consideration with this \$2 million to take that amount - it doesn't amount to \$2 million - to put back and reinstitute the senior citizens' tax exempt program because it's needed and it's needed by the people who are at the exact bottom of the income level in the City. So I knew budget considerations are coming up, Ms. Madame City Manager, and we would like to see some consideration, if possible, to see if we can restart this program. It's not that expensive, and it's definitely needed.

Mr. John Krulis greeted those on the dais and made the following statement: I'm inclined to do three minutes of silence in remembrance of Eddie Deerfield and to recollect whatever the things are missing members from here, but I'm thinking that Eddie Deerfield would not approve of three minutes of silence. He would rather me address the aquatics center. As I think you probably know, a lot of people have a lot of questions, and I'm definitely one of them. I attended the meeting December 1st at the Performing Arts Center, as it's called. I found it ironic that it was there because I remember it as its first incarnation as the quote-unquote Teen Center. It's gone through how many - two, three, or four - reincarnations, reuses, repurposings. Who knows what it will be next? But when it was proposed as a Teen Center, I was very, very, very vocal in opposition to it. I'm not against kids, you know I love kids, and when it was appropriate, I did a lot of things with kids, but let me tell you, that was ill-conceived from the get-go. I spoke to three mayors in succession. I spoke to Mayor Wallace - he wasn't yet mayor, he was a member of Council, but he attended a capital forum, capital budget, and he was my handler for that night. He stood next to me and made sure I behaved the entire time. And when I voiced opposition, he used that usual, typical thing about how many dollars spent here on kids translates into these extraordinary numbers of dollars saved in criminal activity that doesn't happen, and graduation rates, you name it. Which is just such rubbish. It has to be dollars well spent, not just thrown away, and that's exactly what was going to be

done. I also spoke to the Mayor of Phoebus personally. I spoke to the Mayor of Harbor Square. I know that's before your time, but \$13.5 million, I'm not forgetting it. I'm sorry. \$13.5 million you paid to the Mayor of Harbor Square. I believe firmly that if a project is ill-conceived, it has no chance of success. So no matter what happens afterwards, if it's faulty in its thinking, if it's faulty in its premise, and I think this project is exactly that, faulty in its premise. And between now and whenever you take your vote, go read what the Daily Press - read that over again - I think I'll make some copies and redistribute it. I'm even thinking of re-subscribing to the Daily Press because all you have to do is read that and there, it's right there. Merry Christmas, I'll be back.

Mr. Joseph Murphy greeted those on the dais and made the following statement: I live in the cul-de-sac and they're trying to say we have to parallel park against the curb, which there's no room to do that. In order for me to park another vehicle, I have family members come to visit, we have to park in front of the curb and we park nose first. We've been living here for 32 years and I've been driving over 20 years and been parking this way ever since I've been driving. I've gotten two tickets now for illegal parking. I talked to the Sergeant about it, because the Judge had dismissed it the first time, the second ticket I called down, and the Sergeant said that I just needed to add something to the Virginia Code of 46.2-889 as to stipulate in there "except for cul-de-sacs" because you cannot parallel park in a circle. If that's possible.

Vice Mayor Curtis and City Attorney Vanessa Valldejuli stated that the matter would have to be researched as it is a State Code. Ms. Bunting requested that Mr. Murphy leave his contact information with the Clerk.

Councilman Moffett asked that the City Attorney research the fact that if cars are not going the same direction in a cul-de-sac, it is a ticketable offense. Ms. Bunting stated that staff will research State Code, City Code and enter into discussion with the Hampton Police Division to reconcile these issues.

Mr. Angelo L. Suggs, Jr. greeted those on the dais and made the following statement: I was born and raised in Hampton, Virginia. I love this City. I plan to stay here for many years. I'm reminded of a quote that - I just want to speak on the topic of "the decision." I'm reminded of the quote that says "It is in your moments of decision that your destiny is shaped." What I would argue before the Council and plea with the Council, is that Hampton is facing one of those Rubicon moments, so to speak, one of those "decision moments" currently. We have this great mix of being a city that has resources for families, whether Buckroe Beach or Town Center, but also, as many of you may have heard, if you watch the news enough, you'll find that you see the name Hampton on a lot of headlines and not-so-good headlines of

not-so-good topics of not-so-good things. So I just challenge the Council, in terms of both our identity and in terms of which road we're going to take - I believe that Hampton right now is in that "two roads diverge" scenario - I challenge the Council to continue to do great things to take us in that right direction and also there's this kind of saying, I don't know if you have heard of this, a nickname I actually came up with, that Hampton in many ways can be the Bay Diamond City. And what do I mean by that? I would like for you guys to adopt that nickname, possibly, but aside from that, the Bay Diamond City meaning - picture if you will, Hampton Roads as a ring, I believe that Hampton, Virginia, and you know, for whatever snickers I get when I share this with some of my friends, I believe that Hampton can be that diamond of that ring. And so I challenge the Council, that this is a very kind of volatile moment, but sometimes those volatile moments can be scary, but sometimes a lot of good can come from those. So once again, I challenge the Council to do great things. Thank you for your service. We face that decision, now let's choose the right path. Thank you guys very much.

Mr. Adrian Whitcomb greeted those on the dais and made the following statement: I actually came here to talk about the bicycle trail, but I was a few minutes beyond the time to sign up for it. I put heavy emphasis on the fact that it would be a good thing to line things up with the Capital Trail. The fact is you can't do everything at once, but emphasize the features that would line up with the Capital Trail and lead to Fort Monroe. Also, another emphasis would be connections to joining Newport News and York County. That would serve both ways, citizens in all jurisdictions. I especially like to be separated from all the traffic. I've known people who have been injured or killed in traffic accidents. Any time you can provide separation, it really makes a big difference. I've ridden in places - I don't ride anymore - actually all over the City, out in Fox Hill Road years ago, I wouldn't ride out there now. There's a lot of neighborhoods where you can't go from one neighborhood to the next without going on a major road. It's just the way neighborhoods are, and the fact that there's so much water around is one reason for that, and the neighborhoods are designed today to isolate themselves. I think you could look at what Norfolk is doing, because they have some interesting concepts. If you look on Colley Avenue, there's an underpass. Now, the road going north on Colley Avenue to the underpass, that road basically is a two-lane road, but it comes to an underpass as four lanes, and they took the two outside lanes, entire traffic lanes, and made them bike-only lanes. That's the kind of safety I like. The Granby Street Bridge - a six-lane bridge, now it's four lanes for traffic, for car traffic, and two lanes for bicycles. If you can find places like that where there's excess space, and there are some roads like that, and there's some that you could expand, the best thing would be to have complete separation. A barrier between the roadway and where people are riding their bicycles. Safety should be the utmost priority. Thank you very much.

GENERAL ITEMS

Appointments

Ms. Glass read a summary of the appointments.

13. [16-0210](#) Consideration of appointments to the Hampton Arts Commission

No action is required on this item at this time.

14. [16-0395](#) Consideration of an appointment to the Board of Zoning Appeals

No legislative action required on this item. Appointment to be made by the Hampton Circuit Court Judges.

15. [16-0420](#) Consideration of appointments to Coliseum Advisory Committee
On the motion of Councilman Moffett, appointed Donte Perry and Asa Jenrette to first terms which will expire on December 31, 2019, and reappointed Matthew Ballard to a second term expiring on December 31, 2019.

Aye: 5 - Vice Mayor Curtis, Councilmember Gray, Councilmember Snead, Councilmember Moffett and Councilmember Schmidt

16. [16-0421](#) Consideration of appointments to Wetlands Board

On the motion of Councilman Moffett, appointed Carole Garrison to a first term which will expire on December 30, 2020, and moved Stephen Hughes to the first alternate position. A second alternate position is being left open at this time.

Aye: 5 - Vice Mayor Curtis, Councilmember Gray, Councilmember Snead, Councilmember Moffett and Councilmember Schmidt

17. [16-0422](#) Consideration of appointments to Social Services Local Advisory Board

On the motion of Councilman Moffett appointed Keshia Samuels and Idelulia Sawyers to first terms to expire on December 30, 2020.

Aye: 5 - Vice Mayor Curtis, Councilmember Gray, Councilmember Snead, Councilmember Moffett and Councilmember Schmidt

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

18. [16-0386](#) Hampton City Schools Capital Projects Update

Attachments: [Presentation](#)

Ms. Bunting thanked Mr. Jason Samuels, Hampton City Schools (HCS) Board Chair, Ms. Phyllis Henry, HCS Board Member, Ms. Suzy Scott, HCS Deputy Superintendent for Operations & Support, and Mr. Tom Sawyer, HCS Director of School Operations and Maintenance for attending. Mr. Sawyer provided a presentation on the HCS use of the City's capital funds provided each year for school improvements. The City provides over \$7 million a year in technological and maintenance investments to HCS.

Councilwoman Snead commended HCS for the work that has been done. She noted that every school she has been in recently looks very good.

Ms. Bunting stated that the money is being put to very good use and emphasized that this is only one year of updates. As she did at the State of the City luncheon with Dr. Jeffrey Smith, HCS Superintendent, she encouraged any citizen that had not been inside an HCS school recently to make an appointment to visit one of these schools.

Councilman Gray commended the work done by HCS, specifically on the bathroom updates.

Presented by Tom Sawyer, Director of School Operations and Maintenance, Hampton City Schools. Suzanna C. Scott, Deputy Superintendent, Operations & Support, was also present along with School Board members Phyllis Henry and Jason Samuels.

MISCELLANEOUS NEW BUSINESS

Councilwoman Snead expressed warm wishes to everyone for a very happy New Year and holiday season.

Vice Mayor Curtis noted that this has been a tumultuous year and is looking forward to 2017 being less so and with more progress. On behalf of Council, she wished all citizens a very happy, healthy and prosperous new year.

ADJOURNMENT

The meeting adjourned at 8:19 p.m.

Donnie R. Tuck
Mayor

Katherine K. Glass, CMC
Clerk of Council

Date approved by Council _____