



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, March 13, 2019

6:30 PM

Council Chambers

CALL TO ORDER/ROLL CALL

Mayor Tuck called the meeting to order at 6:30 p.m. All members of the City Council were present with the exception of Councilwoman Brown who was traveling.

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

Excused: 1 - Councilmember Eleanor Weston Brown

DONNIE R. TUCK PRESIDED

INVOCATION - Councilmember Steven Brown

Councilman Brown gave the invocation.

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

Mayor Tuck read the following statement regarding the Peninsula Metropolitan YMCA opening a new facility: This June, The YMCA Health and Wellness Center will open its doors at 4001 Coliseum Drive. This modern facility includes an indoor lap pool, whirlpool, sauna, cardio and strength equipment, personal training, shower wash and group cycling. The new center is taking over space previously occupied by the Hampton Health and Fitness Center which closed its doors in December. The YMCA Health and Wellness Center is hosting an open house from March 18 - April 1 from 8:00 a.m. until 6:00 p.m. where community members can tour the new

facility, speak with staff and sign up to become a Y member. Any member joining during this period will have the joining fee waived (a savings of over \$100) and receive a tee-shirt and coffee mug. Members can begin using the facility on April 1, 2019, prior to the pool renovations being completed.

Mayor Tuck acknowledged Joy Mautz, Deputy Clerk, who was sitting in the place of the Clerk of Council, Katherine Glass and congratulated Ms. Mautz on her designation as a Certified Municipal Clerk.

CONSENT AGENDA

Deputy Clerk Joy Mautz read the protocol for the consent agenda and a summary of the consent agenda items.

Approval of the Consent Agenda

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

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

1. [19-0095](#) Resolution Determining ICMA to be the Only Source Practicably Available from which to Procure ICMA's Effective Supervisory Practices Six -Part Webinar and Authorizing the Negotiation and Execution of a Purchase Contract with ICMA as "Sole Source"
Item approved.

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

PRESENTATIONS, PROCLAMATIONS, AWARDS

PUBLIC HEARINGS

The Deputy Clerk read the protocol for public hearings.

2. [19-0088](#) Use Permit Application No. 18-00014 by Fraternal Order of Police Lodge 26, Limited to Permit A Private Club/Lodge On The First Floor of 36 Wine Street [LRSN: 2003044]

Attachments: [Conditions](#)
[Application Form](#)
[Floor Plan](#)
[Narrative](#)
[Approved Parking Credit](#)
[Support Letter](#)
[Staff Report](#)
[Presentation](#)
[Planning Commission Resolution](#)

The Deputy Clerk read the title for this item.

Councilman Hobbs made the following statement for the record: I am a dues paying member of the Hampton Fraternal Order of Police; however, I do not receive a financial benefit from my membership and I am advised by legal counsel that my membership does not result in a conflict that would require my recusal from tonight's vote on Use Permit Application #18-00014. Even though I am a member, I am able to participate in the consideration of the Order's Use Permit fairly, objectively and in the public's interest. As such, I will be participating in tonight's vote. Thank you Mr. Mayor.

City Manager Mary Bunting introduced City Planner Lucy Stoll to present the use permit application.

Ms. Stoll greeted those on the dais and noted that she would refer to the Fraternal Order of Police Lodge 26, Limited, as the "FOP" throughout the presentation.

Ms. Stoll stated that this request is to permit a private lodge. She shared information about the request including site location (36 Wine Street), Zoning (DT-1, Downtown Business District) and the Future Land Use Plan as it relates to the application. She noted that DT-1 allows for a private club or lodge subject to securing a use permit.

Ms. Stoll shared information about the proposal. The FOP proposes to utilize the first floor of the property for evening meetings (to be held two to three times per month), for administrative purposes, and for occasional private member dinners and social events. The lodge is significantly smaller than the previous FOP property. This location has a capacity of approximately 46 people and will have a very small impact on downtown.

Ms. Stoll spoke about Public Policy/The Hampton Community Plan as it relates to the application and noted that staff believes that this use of a private lodge fits within a

Mixed-Use District.

Ms. Stoll stated that no concerns were expressed by the one member of the public who attended the applicant hosted community meeting on January 29th. Additionally, one property owner located adjacent to the site submitted a letter in support of the application.

Ms. Stoll shared some of the conditions associated with the application including hours for live entertainment, third party events (not allowed), sound, and standard clauses for nullification and revocation.

Ms. Stoll stated that staff and the Planning Commission recommend approval of the application with 8 conditions. She opened the floor for questions from those on the dais. No questions were posed.

PUBLIC HEARING:

Mayor Tuck opened the public hearing. There were no speakers. The Mayor closed the public hearing and called for the motion.

Presented by Lucy Stoll, Senior City Planner. Ms. Stoll introduced representatives of the applicant who made brief remarks. The applicants attorney, Will Andrews, was also present.

A motion was made by Councilmember Linda Curtis and seconded by Vice Mayor Jimmy Gray, that this Use Permit be approved with eight (8) conditions. The motion carried by the following vote:

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

3. [19-0096](#) Resolution Authorizing the City Manager to Grant a Perpetual Restrictive Use Easement to the United States of America Over the Entirety of a Parcel of Real Property Located Near Langley Air Force Base (LAFB) Containing 3.68± Acres and Designated as Parcel on Tidewater Drive (LRSN 6000773) Adjacent to Langley Air Force Base (LAFB) as Part of the Department of Defense's (DoD) Readiness and Environmental Protection Integration (REPI) Program

Attachments: [Easement Agreement](#)
[Easement Area Map - Lot 7R](#)
[Clear Zone Map](#)

The Deputy Clerk read the title for items 3-5.

Items 3-5 were handled simultaneously requiring one public hearing; however, each item required a separate motion and vote.

Ms. Bunting made the following opening remarks: In July 2015, the City entered into a Cooperative Agreement with the United States of America under the auspices of the Department of Defense Readiness and Environmental Protection Integration Program, otherwise known as REPI, acting by and through the Secretary of the Air Force. In order to facilitate acquisition and fee simple by the City of designated properties within the accident potential zone 1 adjacent to Langley Air Force Base, these acquisitions have been conducted on a voluntary basis only. Under the cooperative agreement as amended, the City agreed to acquire the properties and subsequently transfer the development rights in the form of perpetual restrictive use easements to the Air Force over the parcels acquired. The Air Force has agreed to pay the City the appraised value of the easement and accordingly these easements help the City offset the costs of acquisition of the parcels and, most importantly, helps us to protect Langley Air Force Base from incompatible encroachment.

Ms. Bunting introduced Director of Federal Facilities Bruce Sturk to review the map of the various parcels.

Mr. Sturk greeted those on the dais and presented the map referenced by Ms. Bunting. He shared information about the parcels representative of items 3, 4 and 5 on the agenda.

Mr. Sturk explained that these parcels are a continuation of the Cooperative Agreement regarding the mitigation of non-compatible land use in and around the Langley fly approach zone. He emphasized that this initiative will help Langley Air Force Base and our community prevent future base realignment/closure issues with respect to operations in and around the flight approach zone.

Mr. Sturk noted that we have been on this journey since 2011 and the Air Force has partnered with us to begin these acquisitions.

Mr. Sturk opened the floor for questions from those on the dais.

In response to Councilwoman Curtis, Mr. Sturk clarified that the parcel on the map

between indicators 13 and 14 is property that was eased two years ago and is the first easement we undertook with LAFB; this was the beginning of the Cooperative Agreement and the steps we are undertaking.

Councilwoman Curtis commented that this project is important to our future with the Air Force Base; the safety around the base is also of great importance. She thanked Mr. Sturk for his hard work on this project.

Presented by Bruce Sturk, Director of Federal Facilities.

A joint public hearing took place on items 19-0096, 19-0097, and 19-0098. Mayor Tuck opened the public hearing. There were no speakers on these items. The Mayor closed the public hearing.

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

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

4. [19-0097](#) Resolution Authorizing the City Manager to Grant a Perpetual Restrictive Use Easement to the United States of America Over the Entirety of a Parcel of Real Property Located Near Langley Air Force Base (LAFB) Containing 8.29± Acres and Designated as Parcel on Tidewater Drive (LRSN 6000770) Adjacent to Langley Air Force Base (LAFB) as Part of the Department of Defense's (DoD) Readiness and Environmental Protection Integration (REPI) Program

Attachments: [Easement Agreement](#)
[Easement Area Map - Lot 4R](#)

This item was handled simultaneously with item 3 #19-0096.

Presented by Bruce Sturk, Director of Federal Facilities.

A joint public hearing took place on items 19-0096, 19-0097, and 19-0098. Mayor Tuck opened the public hearing. There were

no speakers on these items. The Mayor closed the public hearing.

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

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

5. [19-0098](#) Resolution Authorizing the City Manager to Grant a Perpetual Restrictive Use Easement to the United States of America Over the Entirety of a Parcel of Real Property Located Near Langley Air Force Base (LAFB) Containing 19.86± Acres and Designated as Parcel on Commander Shepard Boulevard (LRSN 6000821) Adjacent to Langley Air Force Base (LAFB) as Part of the Department of Defense's (DoD) Readiness and Environmental Protection Integration (REPI) Program

Attachments: [Easement Agreement](#)
[Easement Area Map - 3R](#)

This item was handled simultaneously with item 3 #19-0096.

Presented by Bruce Sturk, Director of Federal Facilities.

A joint public hearing took place on items 19-0096, 19-0097, and 19-0098. Mayor Tuck opened the public hearing. There were no speakers on these items. The Mayor closed the public hearing.

A motion was made by Councilmember Linda Curtis and seconded by Councilwoman Chris Snead, that this Resolution be approved. The motion carried by the following vote:

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

Ordinances

PUBLIC COMMENT

Prior to the public comment period, Mayor Tuck acknowledged Winston-Salem State University student, Ms. White, who was in the audience. He noted that her grandparents are Hampton residents.

The Deputy Clerk read the protocol for the public comment period.

Mr. Chauncey Brown greeted those on the dais and made the following statement: It has been my custom and practice to celebrate black history month by bringing you a Hampton story; however, this year, I had a few challenges that knocked me off my stride, so I am playing catch up now. Since this is a year in which we are commemorating the first landing of enslaved Africans, it might be the opportunity to bring you more than one story anyway.

Mr. Brown handed copies of tonight's story to those on the dais and then read the following story entitled "Before 7-11": A narrative of Hampton's Black community's, pre-integration self-sufficiency: Before the coming of the Southland Company's 7-11 and way before WAWA's incursion into our communities, and before our beloved immigrant entrepreneurs began mining the gold of community convenience stores, there were the home grown entrepreneurs. These intrepid citizens saw a need and filled it. The stores were titled as "The corner store", confectionaries, or often bore the name of the proprietor, i.e: Mr. Brown's (Brooks) store which was on Union Street, Sexton's, Rice's, or Mr. Segwick's. These stores were provisioners who supplied confections of all kinds. From something called "BooMan" (a bread pudding cooked down to a near board like consistency) to the beloved two for a penny cookies. Other outlets specialized in heavier fare such as brisket of beef, canned goods, New York Cheddar and baloney cut to your desired thickness. Sliced loaf bread was available to make a sandwich on the spot or for later. In the Old Northampton neighborhood, we were blessed to have two such outlets. One was Mr. Segwick's store and the other was Mr. Eugene Carr's, "Carr's Place". While Mr. Segwick supplied the meat and cheese and other household sundries, Carr's was an oasis for refreshment on a hot day that transitioned into an evening or weekend entertainment venue. It was complete with juke box that had a record selector at each booth. The cookies, candy, hot dogs and hamburgers were sold at one end of the bar and the adult end dispensed cold draft beer, dinner plates and grown up trash talking. Carr's store building also housed the neighborhood barbershop. This effort was replicated out of necessity in all the segregated black neighborhoods but died out with the coming of integration which made other options available to these communities. Most of the businesses are closed now and some of the buildings themselves are gone. Others have been repurposed. I have included two pages with pictures of those that I know are still standing and my rendering of the one I was most familiar with, Carr's Place. There is so much more that could be said about these stores and the life and times of the owners and their contribution to

our community's history, but that will have to come at another time. I hope this in some way adds to the story of Hampton and the story of those who we commemorate this year as part of the first landing and the Contrabands.

Mr. Hugh Bassette greeted those on the dais and made the following statement: I hope most of you saw the article in Sunday's paper about Jefferson Davis Memorial Park. Here we are on one side of Fort Monroe talking about commemorating 1619 and then a short distance away, you got a park named for Jefferson Davis, the chief segregationist during that time - trader (if you want to define it legally). I don't know how we can have a park. Is this Hampton property? (The Mayor responded saying "It is not"). I would publicly like to thank Mr. Craig Via who went to the Authority and asked for the sign to be taken down. I'm asking for the park's name to be changed and the sign be taken down. A fifty foot sign they have up there named after Jefferson Davis. This is offensive to most of the black citizens who live here. It should be offensive to everybody, but especially to the black citizens. So, you are saying it is not a part of Hampton. I was going to ask the City Manager to have a crew go out there tomorrow morning and take that sign down, but that is not possible. So, even they invited Senators from Alabama and Mississippi to the dedication - the daughters of the confederacy spent \$10,000. So, I think give them their \$10,000 back and take that sign down. If the citizens from Mississippi came, it probably was John Stennis. John Stennis was the chief segregationist that this country has ever seen and he stayed in the Senate for years. He was a despicable man, a despicable Senator and for him to have anything to do with anything in Hampton is deplorable. Let's put a little weight on some of you sitting up there. I'm specifically asking for either Mr. Brown, Mr. Gray, or Ms. Snead to ask the City Manager to send a letter to the Fort Monroe Authority saying that you are in favor of changing the name of this park or especially taking the sign down. So, like I said, one of you minority candidates should stand up. Mr. Via is a white person. He goes to the Fort Monroe Authority advocating something that we don't. Where are our people? We don't need white folks to fight our battles for us. We should be doing this ourselves. Unless the cat got your tongue - like I said, I'm asking Mr. Brown, Mr. Gray or Ms. Snead to make a motion to request the City Manager to write a letter to the Fort Monroe Authority saying that you are in favor of a name change in this park and taking down this sign at this time. One of you three, I would like for you to do that if possible. Thank you.

Mayor Tuck explained that Council has been made aware of the concern; however, this is a State matter (State owned property) of which the Fort Monroe Authority and the Governor are aware.

Ms. Bunting added that due to the Fort Monroe Programmatic Agreement which has requirements regarding preservation of history, there has been a question about the

ability to remove the sign. She reassured everyone that this complicated matter is being researched.

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 6:59 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 _____