



# City of Hampton

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

## Council Approved Minutes - Final City Council Legislative Session

*Mayor George Wallace*  
*Vice Mayor Linda D. Curtis*  
*Councilmember W.H. "Billy" Hobbs*  
*Councilmember Will Moffett*  
*Councilmember Teresa V. Schmidt*  
*Councilmember Chris Snead*  
*Councilmember Donnie R. Tuck*

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

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**Wednesday, April 27, 2016**

**6:30 PM**

**Council Chambers**

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### CALL TO ORDER/ROLL CALL

Mayor Wallace called the meeting to order at 6:36 p.m. All members of the City Council were present.

**Present:** 7 - Vice Mayor Linda D. Curtis, Councilmember Billy Hobbs, Councilmember Will Moffett, Councilmember Teresa V. Schmidt, Councilmember Chris Snead, Councilmember Donnie R. Tuck and Mayor George Wallace

### GEORGE E. WALLACE PRESIDED

### INVOCATION - Councilmember: Donnie Tuck

### PLEDGE OF ALLEGIANCE TO FLAG

### MAYOR'S COMMENTS

[16-0159](#) Resolution in Recognition of Katherine G. Johnson

Mayor Wallace shared a video honoring Dr. Katherine Johnson with a Distinguished Citizen's Medal.

Vice Mayor Curtis moved to approve the resolution read by Mayor Wallace honoring Dr. Katherine G. Johnson by presenting her with Hampton's Distinguished Citizens Medal. The motion was seconded by Councilwoman Snead and passed on the following vote:

**Aye:** 7 - Vice Mayor Curtis, Councilmember Hobbs, Councilmember Moffett, Councilmember Schmidt, Councilmember Snead, Councilmember Tuck and Mayor Wallace

[16-0158](#) Resolution in Recognition of Charlie W. Hill

Mayor Wallace honored Mr. Charlie W. Hill with a Distinguished Citizen's Medal.

Mr. Hill offered his sincere gratitude for the surprise. He stated that he and his wife have provided a total of over 30,000 service hours since retirement and noted that it is wonderful to be recognized for his public service.

Vice Mayor Curtis moved to approve the resolution read by Mayor Wallace honoring Charlie W. Hill by presenting him with Hampton's Distinguished Citizens Medal. The motion was seconded by Councilman Tuck and passed on the following vote:

**Aye:** 7 - Vice Mayor Curtis, Councilmember Hobbs, Councilmember Moffett, Councilmember Schmidt, Councilmember Snead, Councilmember Tuck and Mayor Wallace

Councilman Hobbs read a proclamation celebrating the 100th anniversary of the Woodlands Golf Course. He presented the proclamation to Mr. A.G. Womble and Mr. Calvin Pearson, members of the Golf Course Advisory Committee.

Mr. Womble expressed his gratitude and noted that the proclamation will be displayed with the Woodlands' other historical artifacts. He shared some of the history of the Woodlands and expressed his gratitude for City staff and Ms. Patty Lewis, Woodlands Golf Course Manager. He invited the Councilmembers to an upcoming Customer Appreciation and 100th Anniversary Celebration golf event at the Woodlands on Thursday, May 12th. He provided a copy of a recent article on the Woodlands in Virginia Golfer Magazine.

Mayor Wallace thanked Mr. Womble and Mr. Pearson for keeping the golf courses viable.

## CONSENT AGENDA

## PRESENTATIONS, PROCLAMATIONS, AWARDS

## PUBLIC HEARINGS

Clerk of Council Katherine K. Glass read the protocol for the Public Hearing session. She noted that no votes will be taken tonight.

1. [16-0137](#) FY17 Annual Action Plan

Attachments: [Budget](#)  
[Draft Action Plan](#)  
[Presentation](#)  
[Revised Presentation](#)

City Manager Mary Bunting introduced Mr. Jonathan McBride, Housing & Neighborhood Services Division Manager, who provided a presentation to Council on the Annual Action Plan for the Community Development Block Grant (CDBG) funds and HOME funds.

Mr. McBride noted that this is the first year of the electronic submission plan. This plan has been condensed to directly reflect the specific U.S. Department of Housing and Urban Development (HUD) requirements.

Mayor Wallace opened the Public Hearing. As there were no speakers present, Mayor Wallace closed the Public Hearing.

No action is required on this item at this time.

Presented by Jonathan McBride, Housing & Neighborhood Services Division Manager. This item was on the agenda for a public hearing. There were no speakers on this item. A vote on the plan is scheduled for May 4, 2016.

2. [16-0140](#) Public Hearing to Receive Citizens' Comments Relative to the Fiscal Year 2017 Budget and Proposed Taxes and Fees

Mayor Wallace noted that tonight begins the Budget Public Hearings. Next Wednesday, May 4th, will provide an additional opportunity for citizens to

express their opinions. First action on the Budget will take place at that time, with the final vote scheduled for Wednesday, May 11th.

Ms. Bunting noted that the full Budget from two weeks ago is available online. The documents in their entirety are available online and in libraries. A one page informational highlight sheet is also available. She summarized those highlights.

Councilwoman Schmidt noted that there appears to be a jump in the City Manager's Office budget, which she questioned when she saw it. This is actually a job position that is being shifted from Parks, Recreation & Leisure Services into the City Manager's Office for placemaking initiatives.

Mayor Wallace opened the Public Hearing. There were two speakers present.

Ms. Carole Garrison greeted those on the dais and made the following statement: I'm here to address two items on the Budget. After going to the debates, I would like to clarify some points about the Dutch Dialogues, where I think there is some confusion. First, the group that developed this were city engineers from Newport News, Hampton, Assistant City Managers, the head engineer of Hampton's main engineering contractor, the Army Corps of Engineers, and the Netherlands engineers of various technical expertise. It was not just an engineer that came over and gave us a plan from the Netherlands. This group looked at various concerns, such as the increased water during heavy rain, effects on the neighborhood, and suggestions of keeping Langley Air Force Base and Langley-NASA from closing due to flood damage. A Councilmember at one of the debates recently said it was not a sustainable plan. I assume that person is not aware of what the plan consists of. It is mainly building Best Management Practices (BMPs), areas that hold water during heavy rain, so when we have heavy tides, once the tides go into the BMPs and the tides go out, then the BMPs can empty. That keeps the two forces of water from hitting each other and going into the neighborhoods. The BMPs are not nearly as much effort to maintain as shoreline protection, dredging, clearing waterways, or the constant cleaning we have to do for the storm drain maintenance. The Councilman also said all we need to do is clean debris out. Well, I think that Councilman should talk to Mayor Wallace. He did have Newmarket Creek cleaned out, and then he took a tour of the

creek. The Daily Press did a really good article and had a picture of Mayor Wallace and what a good job the City had done. It is correct that we do have to keep the creeks clean, but that does not significantly stop our flooding events. It did not at that time, and it will not now. If that was the only action we had to take, we would not have been flooding for the last 14 years. Now, I should mention that I don't live in this area. This area affects people from Riverdale, all the way to Newmarket Creek and ends up on Mercury. The City in the past has allowed that creek to be turned at a 45-degree angle, parts filled in, and that forces water onto the neighbors next to that area. When you fill in water, that water does not relocate to another state, even if you're buying property in another state to compensate it. Water does not take left degree turns. You are elected officials and I know you answer to different constituents, and I know you have different priorities, and maybe protecting these particular neighborhoods is not one of your high priorities for some people. Maybe you're more into developmental, like buying hotels and removing them, or building things that bring visitors in. You are representing the people, and they choose who represents them to look out for their best interests. If you don't match those interests, then they have a choice of replacing you. The other item that I'm going to talk about is the City staffing and pay. Your City staff employees are wonderful, helpful people. I usually only deal with the Police, engineers. I just want to say what a good job they do. You ought to be very happy with them, especially Ms. Bunting, who gets the public involved.

Ms. Veronica E. Williams greeted those on the dais and made the following statement: I'm a local elder law attorney and I'm here to share information about an issue of concern with regard to senior citizens in our community who are also homeowners and who have reverse mortgages. In talking with the City Manager, I am impressed that the most recent amendment to the ordinance, the senior citizen tax relief ordinance, took great efforts to make sure that senior citizens were not in danger of foreclosure, which can result when you have a pure shift from exemption to deferral of the taxes. There is, though, one potential unanticipated consequence that I'd like to bring to your attention in hopes that you might consider an amendment to the ordinance. This unanticipated consequence comes with respect to senior citizens who are receiving long-term care in their homes via a long-term care Medicaid benefit. The same Medicaid that pays for long-term care in a skilled nursing facility and a long-term care facility, pays for care in the home, but it's

need-based. That person cannot have more than \$2,000 in resources, and any income in excess of \$1,210 is paid to the long-term care provider. That does not leave any available funds to pay real estate taxes. This can mean the difference between someone being able to age in place or someone being required to go into a long-term care facility. I would respectfully ask that the City Council consider an exception to that ordinance, just to make sure that these individuals in this category have the ability to age safely in place in their homes. I thank you for your time. I'm happy to address any questions that you may have at a later time with regard to this, provide information, documentation, etc.

Mayor Wallace noted that this is an issue he has never heard discussed before, and asked the City Manager to research this and bring to Council for consideration.

Ms. Bunting requested Ms. Williams' contact information to follow up.

Mayor Wallace closed the Public Hearing.

No action is required on this item at this time.

Presented by Mary Bunting, City Manager. Ms. Bunting shared that a presentation was done during the work session two weeks ago. The information is also available on line and Ms. Bunting shared that a publication which is the "Budget in Brief" is also available.

This item is on the agenda for public hearing. Votes on the budget are scheduled for May 4 and 11, 2016. There were two speakers during the public hearing.

## **Ordinances**

### **GENERAL ITEMS**

## **Ordinances**

## **Resolutions**

## **Appointments**

Ms. Glass read a summary of the appointments.

3. [16-0166](#) Consideration of appointments to Fort Monroe Authority
- A motion was made by Vice Mayor Curtis that Mary Bunting and James R. Joseph be reappointed to their first full terms on the Fort Monroe Federal Area Development to serve until June 30, 2020. The motion carried.
- Aye:** 7 - Vice Mayor Curtis, Councilmember Hobbs, Councilmember Moffett, Councilmember Schmidt, Councilmember Snead, Councilmember Tuck and Mayor Wallace
4. [16-0167](#) Consideration of appointments to Hampton Federal Area Development Authority (FADA)
- A motion was made by Vice Mayor Curtis that Patrick Garvey be appointed in the place of Sam Adams to serve until December 30, 2018.
- Aye:** 7 - Vice Mayor Curtis, Councilmember Hobbs, Councilmember Moffett, Councilmember Schmidt, Councilmember Snead, Councilmember Tuck and Mayor Wallace

## REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

## MISCELLANEOUS NEW BUSINESS

## PUBLIC COMMENT

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

Mr. John Krulis greeted those on the dais and made the following statement: People are starting to address me as the Angry Old Man. I'm not really angry at all. Under a previous Mayor's administration, one evening, it was colloquially called having "pulled the plug" and Ms. Glass was directed not to take notes, I guess, or record the Public Comments. That was back before your time, I know. So I've struggled as an elderly with lots of senior moments to remember if I said anything. I finally remembered what I had to say, among other things. And it was that I thought it was a pity on down the line when it became clear what some of our endeavors, economic endeavors, how much they cost and what benefit they actually brought to the City, when it actually

became understood that they were a wash, or that they were, in fact, a negative in terms of what they had accomplished for the City. The pity would be though that those who were responsible for making those decisions would have already retired with big pensions, or in some, maybe, settlements. One or the other, or both. So I'm here to remind you. I'm not angry, but we won't be here, I won't be here when these things come about, so you want to know ahead of time. That's the way I'm looking at it. One project that is never mentioned any longer – and I've got to commend you on really being promoters for the City and putting a happy face on a lot of things. But the Power Plant is no longer mentioned, is it? And if you take a good look, you will find that right there in the middle, there isn't anything going on. There are notices about "under renovation" for future whatever for a year or more, I guess. The restaurants on either end have never made it. They've been empty pretty much from the get-go. And how much the Bass Pro costs us annually – if you put all that together, and CC Spaulding, and all the other expenses that are not listed right there in front of you, it's less than a wash, it's an expense for the taxpayers. I know the Peninsula Town Center is the jewel, but there are about 10 empties in there consistently, always, 10 empties. And that's not counting Macy's having disappeared. Poof, gone. The Peninsula Town Center has its now first dollar store. Macy's gone, dollar store in. These things will come home to roost. It'll be before your time, I'm sure, but nonetheless, it's to be remembered. Thank you.

Mr. Hugh Bassette approached the dais and made the following statement: Unlike Mr. Krulis, I am an angry old man. The older I get, the angrier I get. I intended to talk about the Budget, but in some kind of way, I signed up too late. There are two things – I'll get another bite at that apple next week when you have another Public Hearing. There are two things in the Budget maybe we can comment on before that comes around. Section 17 of the Budget talks about the debt service, but there's nothing in there. It says a report will be forthcoming, at least the one I saw in the library. The other one was the comparison with tax rates in other cities that also didn't have anything in it; it just said that report will be forthcoming. Hopefully we can get some information on those two topics before final vote on the Budget is considered.

Mayor Wallace indicated that he would have that information sent to Mr. Bassette.



Mr. Bassette continued: I do want to comment on, because I know you all will get in the back room and do something; by the time we find out about it, it's been done. I've been following the hotel, the Radisson, Crowne Plaza, or whatever the next one coming down the road. I don't want you all to go into the back room and the next thing we know is a whole bunch of City funds – usually you can answer questions at the Public Hearing, I mean, at the Public Comment, and what I would like to know is are you all going to go in and take my tax money and bail out this hotel? You've had the Radisson. You spent \$10 million getting that. That flopped. Then you gave Crowne Plaza, sold it to them, for what, \$7.8 million? They got a hell of a deal. I wish I had enough money to buy a hotel from you all, because you all sell discount hotels. That flopped. So now we're trying to figure out what to do – you're trying to figure out, not me, because I know what I would like to do. I'm like Ms. Schmidt, I'd like to knock it down. I think it was a mistake. It was a well-intentioned mistake, but it was a mistake. If you're not from Hampton, you don't even know the water is back there. You've done totally blocked off the water from the citizens. I remember when I used to go to school, there used to be a big old oyster shell pile there, which, in a way, was attractive. So my request is that, are you planning on going into my pocket and taking any money out of my pocket and give it to some developer to come in here and have three hotels flop. If you're going to do that, I'd rather see you go in my pocket, take my money, and knock that thing to the ground. Mr. Director of Planning, the dreamer? I went to a presentation one time where he showed all kinds of cities and what they did with their waterfront, and I think it's possible for us to do something with our waterfront rather than place another hotel or parking garage there. Any hotel developer that comes in here and says he wants to pick up that hotel and put it there, could you let me know about him, too, because I have something I'd like to sell him. Because if two hotels flop and another one comes in there, I'm going to have to question where they're coming from thinking that they can make a third hotel. Are you planning to put any money in it, that's what I want to know? Any public money into this site, hotel, or anything else you come up with. Thank you.

COMMENTS FROM THE DAIS:

Ms. Bunting stated that she has been asked in the past to provide corrections if there is misinformation shared during Public Comment. She noted that each person is entitled to their perception about whether

something is viable or not. However, there are things going on at Power Plant and Peninsula Town Center. It is true that sometimes stores and restaurants open or close, but there have been several great announcements in those areas, and there are several entities that have done very well. She noted that it might not be everything the City wanted it to be, but there will always be efforts to make the community better. The tax revenue for the Power Plant investment has been long tracked, and it is not accurate to say that there is nothing going on there. It is the same with the Peninsula Town Center, whose success contributes to the City's sales and meals tax revenue increases. If these entities were failing, those tax revenues would be falling.

**ADJOURNMENT**

The meeting adjourned at 7:35 p.m.

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George E. Wallace  
Mayor

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Katherine K. Glass, CMC  
Clerk of Council

Date approved by Council \_\_\_\_\_