

# City of Hampton

22 Lincoln Street  
Hampton, VA 23669  
[www.hampton.gov](http://www.hampton.gov)



## Agenda

**Wednesday, May 8, 2024**

**6:30 PM**

**Council Chambers**

## **City Council Legislative Session**

*Mayor Donnie R. Tuck*  
*Vice Mayor Jimmy Gray*  
*Councilmember Chris L. Bowman*  
*Councilmember Steven L. Brown*  
*Councilmember Hope L. Harper*  
*Councilmember Billy Hobbs*  
*Councilmember Martha Mugler*

*STAFF: Mary Bunting, City Manager*  
*Steven D. Bond, Interim City Attorney*  
*Katherine K. Glass, CMC, Clerk of Council*

## **WELCOME TO THE HAMPTON CITY COUNCIL MEETING**

Because of the large number of matters that need consideration, the City Council has established a meeting format and certain guidelines for citizen participation. These help ensure that everyone who wishes to speak can do so, and that the Council can benefit from hearing as many different people as possible in the shortest time.

## **ORDER OF BUSINESS**

Agenda items are taken up one at a time in the order in which they are listed. Matters on the consent agenda are routine and are adopted by one motion without separate discussion. However, items can be moved from the consent agenda to the regular agenda upon request by a member of the Council. Keep in mind that the agenda is for the convenience of the public and the Council, and that it can be altered by the Council at any time without prior notice when the Council considers it in the public's interest to do so.

## **CITIZENS ARE INVITED TO PARTICIPATE**

The City Council has adopted a Citizen Participation Policy and City Council Public Hearing & Public Comment Protocol to encourage participation by citizens in City government and to ensure its meetings are conducted in an efficient and orderly manner. Citizens are encouraged to review both documents prior to attending City Council meetings. The Citizen Participation Policy and City Council Public Hearing & Public Comment Protocol are available on the City's website and copies can be provided upon request to the Clerk of Council. Please take note of the following key provisions contained in the above-referenced documents.

(1) No person shall be permitted to enter a City Council meeting with the following items:

- Large objects that may be used as weapons, including but not limited to batons, sticks, knives, or other cutting tools;
- Large banners, signs, flags, or other displays;
  - Permitted banners, signs, flags, or other displays shall be limited to 3'x5'; composed of paper, cardboard, foamboard, or fabric; and shall not contain wood, metal, or plastic supports or handles.
- Megaphones, bullhorns, whistles, or other devices designed to emit loud noises;
- Laser pointers, flashlights, or other devices designed to emit lights;
- Food or drink; and
- "Selfie" sticks.

(2) The City Council has adopted a three (3) minute time limit policy for individuals desiring to address issues before this body. If you wish to address the City Council on a public hearing item or as part of the general public comment period, you must sign in before the meeting in the lobby of City Hall. Speaking on topics not appearing on the agenda as public hearing items is handled under the public comment portion of the meeting.

If you are with a group of people, you may want to have a spokesman or two present your position to the Council and have others in agreement recognized by standing. The Council will always try to hear everyone who wishes to speak on a subject, but sometimes discussion has to be limited due to time. If the previous speaker has stated your position, you may make that known by reference (for example, "I agree with the position stated by Mr. Jones and have nothing further to add").

Meetings of the Council are formal proceedings, and all comments are recorded. For that reason, you are requested not to speak from your seat or out of turn. When you are called by the presiding officer, please follow these steps:

- (1) Come forward to the speaker's podium.
- (2) State your name
- (3) State your conclusion and give facts and other data to back it up.
- (4) If you represent a group or organization, ask the others to rise and be recognized.
- (5) If you have a written statement, give it and other supportive material to the Clerk for the record.

Thank you for taking your time to participate in the Council meeting. Good government depends on the interest and involvement of you and your fellow citizens. We invite you to return.

**CALL TO ORDER/ROLL CALL****INVOCATION - Councilwoman Martha Mugler****PLEDGE OF ALLEGIANCE TO FLAG****MAYOR'S COMMENTS****CONSENT AGENDA**

1.     [24-0023](#)     Resolution Approving Fiscal Year 2024 Second and Third Quarter Budget Adjustments
2.     [24-0242](#)     Resolution to Transfer \$2,500,00 from the Lake Hampton Environmental Impact Bond Project and \$900,000 the North Armistead Avenue Road Raising Environmental Impact Bond Project to the Big Bethel Blueway Environmental Impact Bond Project within the Capital Budget (Capital Projects) Fund
3.     [24-0241](#)     Resolution Authorizing an Increase of More than 25% of Original Contract Price Awarded Under ITB 23-65/TM to Eastern Waterproofing & Restoration of Virginia, LLC. for Maritime Center Façade Repairs as Required by Hampton City Code
4.     [24-0239](#)     Ordinance to Amend and Reenact the City Code of the City of Hampton, Virginia by Amending Chapter 2, Administration, Article III, Officers and Employees Generally, Sec. 2-113 to Amend the Residency Requirements for Certain City Officers and Employees
5.     [24-0244](#)     Resolution to Approve an Encroachment Agreement Pursuant to Hampton City Code § 34-86 Between the City of Hampton and Lumos Networks Inc. d/b/a Segra to Allow an Encroachment into the City's Right of Way to Install and Maintain Fiber Optic Cable Within and Along E. Queen Street to Serve Property and/or Customers Located at 2 Eaton Street
6.     [24-0245](#)     Resolution to Approve an Encroachment Agreement Pursuant to Hampton City Code § 34-86 Between the City of Hampton and Lumos Networks Inc. d/b/a Segra to Allow an Encroachment into the City's Right of Way for Installation of Fiber Optic Cable, Conduit, and a Handhole Within and Across the City's Right of Way Known as William R. Harvey Way
7.     [24-0246](#)     Resolution to Approve an Encroachment Agreement Pursuant to Hampton City Code § 34-86 Between the City of Hampton and Lumos Networks Inc. d/b/a Segra to Allow an Encroachment into the City's Right of Way for Installation of New Fiber Optic Cable and Conduit to Serve Property and/or Customers Located at 2198 Coliseum Drive
8.     [24-0243](#)     Resolution Authorizing the School Board of Hampton City Schools to Apply

to the Virginia Board of Education for a Loan from the Literary Fund for Bethel High School Science Wing Expansion

9.     [24-0130](#)     Approval of the minutes from the ceremonial session of April 24, 2024, the work sessions of December 13, 2023, and January 24, 2024, and the legislative sessions of July 12, 2023, and January 10, 2024

## **PRESENTATIONS, PROCLAMATIONS, AWARDS**

## **PUBLIC HEARINGS**

### **Ordinances**

10.    [24-0159](#)     Ordinance to Amend and Re-Enact the Zoning Ordinance of the City Of Hampton, Virginia by Amending Chapter 9, Section 9-24 Entitled, "Site Design" to Provide Alternatives Within the Coliseum Central Overlay to the Base District Requirements for Height, Density, Dwelling Area, and Lot Coverage
11.    [24-0160](#)     Ordinance to Amend and Re-Enact the Zoning Ordinance of the City Of Hampton, Virginia By Amending Chapter 11, Section 11-8 Entitled "Parking Credits, Exemptions And Reductions" to Reduce the Minimum Parking Required in the Coliseum Central Overlay (O-CC) District to Zero with Additional Criteria to Clarify Other Parking Requirements
12.    [24-0152](#)     Ordinance to Amend and Re-Enact the Zoning Ordinance of the City Of Hampton, Virginia by Amending Chapter 2, Section 2-2 Entitled, "Definitions" to Add a Definition of "Physical Recreational Facility"
13.    [24-0153](#)     Ordinance to Amend and Re-Enact the Zoning Ordinance of the City Of Hampton, Virginia by Amending Chapter 3, Section 3-2 Entitled, "Table of Uses Permitted" and Section 3-3 Entitled "Additional Standards on Uses" to Permit "Private School" in the Light Manufacturing (M-2) and Heavy Manufacturing (M-3) Zoning Districts, and to Add a New Use, "Physical Recreational Facility", Permitted Within the Following Districts: Neighborhood Commercial (C-1), Limited Commercial (C-2), General Commercial (C-3), Limited Manufacturing (M-1), Light Manufacturing (M-2), Langley Flight Approach Mixed Business and Manufacturing (LFA-2) Langley Flight Approach Limited Business I (LFA-4), Langley Flight Approach Limited Business II (LFA-6), Buckroe Bayfront Optional Mixed Use (BB-3), Buckroe Bayfront Required Mixed Use (BB-4), Buckroe Bayfront Special (BB-5), Hampton Roads Center South (HRC-1), Hampton Roads Center North (HRC-2), Langley Business Park (LBP), Downtown Business (DT-1), Downtown Waterfront (DT-2), Phoebus Urban Core (PH-1), Phoebus Town (PH-2), Phoebus Commercial Transition (PH-3), Fort Monroe Inner Fort (FM-1), Fort Monroe Historic Village (FM-2), Fort Monroe North Gate (FM-3), and Fort Monroe Wherry Quarter (FM-4) Zoning Districts, with Additional Standards Related to the Use Regarding

## Outdoor Recreation Areas

14. [24-0154](#) Ordinance to Amend and Re-Enact the Zoning Ordinance of the City Of Hampton, Virginia by Amending Chapter 6, Section 6-2 Entitled, "Development Standards In General" to Permit Outdoor Recreation Areas Associated with a Physical Recreational Facility to the List of Permitted Outdoor Uses in the Neighborhood Commercial (C-1) District
15. [24-0155](#) Ordinance to Amend and Re-Enact the Zoning Ordinance of the City Of Hampton, Virginia by Amending Chapter 8, Article V Entitled, "Downtown Districts" to Permit Outdoor Recreation Areas Associated with a Physical Recreational Facility in the Downtown Business (DT-1) District and the Downtown Waterfront (DT-2) District
16. [24-0156](#) Ordinance to Amend and Re-Enact the Zoning Ordinance of the City of Hampton, Virginia by Amending Chapter 9, Section 9-23 Entitled, "Modification to Permitted Uses" to Permit Outdoor Recreation Areas Associated with a Physical Recreational Facility in the Overlay - Coliseum Central (O-CC) District

**PUBLIC COMMENT****GENERAL ITEMS****Appropriation Ordinances**

17. [24-0108](#) Ordinance to Adopt the Tax Rate Applicable to Real Estate and Improvements Thereon in the City of Hampton, Virginia for Fiscal Year 2025 Beginning July 1, 2024 and Ending June 30, 2025
18. [24-0109](#) Ordinance to Adopt Tax Rates Applicable to All Classifications of Tangible Personal Property Liable for Such Levy in the City of Hampton, Virginia for the Calendar Year Beginning January 1, 2025
19. [24-0110](#) Ordinance to Amend and Reenact the City Code of the City of Hampton, Virginia by Amending Chapter 32.1, Titled "Solid Waste," Article II, Titled "Collection by the City," Section 32.1-41, Titled "Solid Waste Rate Determination
20. [24-0111](#) Ordinance to Amend and Reenact the City Code of the City of Hampton, Virginia by Amending Chapter 30, Titled "Sewers and Sewage Disposal," Article III, Titled ""Sewer Use Charges," Section 30-48, Titled "Amount"
21. [24-0112](#) Ordinance to Amend the City Code of the City of Hampton, Virginia by Amending and Reenacting Chapter 17, "Libraries;" Article II, "George Wythe Law Library;" Section 17-17, "Assessment of Additional Court Costs in Civil Actions"
22. [24-0169](#) Ordinance to Amend the City Code of the City of Hampton, Virginia by

Amending and Reenacting Chapter 37, "Taxation;" Article II, "Real Estate Taxes;" Division 7, "Special Assessments for Local Improvements," Section 37-140, "Elizabeth Lake Estates Service District"

### **Budget Ordinances**

- 23.     [24-0113](#)     Ordinance to Adopt a Budget and Appropriate Monies for the General Fund (City and Schools) of the City of Hampton for Fiscal Year 2025 beginning July 1, 2024 and ending June 30, 2025
  
- 24.     [24-0114](#)     Ordinance to Adopt a Budget and Appropriate Monies for the Capital Budget (Projects) Fund of the City of Hampton for Fiscal Year 2025 beginning July 1, 2024 and ending June 30, 2025
  
- 25.     [24-0115](#)     Ordinance to Adopt a Budget and Appropriate Monies for the Hampton Coliseum - Arts Commission - Hampton VA Aquaplex Fund of the City of Hampton for Fiscal Year 2025 beginning July 1, 2024 and ending June 30, 2025
  
- 26.     [24-0116](#)     Ordinance to Adopt a Budget and Appropriate Monies for the Hampton Roads Convention Center Fund of the City of Hampton for Fiscal Year 2025 beginning July 1, 2024 and ending June 30, 2025
  
- 27.     [24-0117](#)     Ordinance to Adopt a Budget and Appropriate Monies for The Hamptons Golf Course Fund of the City of Hampton for Fiscal Year 2025 beginning July 1, 2024 and ending June 30, 2025
  
- 28.     [24-0118](#)     Ordinance to Adopt a Budget and Appropriate Monies for the Woodlands Golf Course Fund of the City of Hampton for Fiscal Year 2025 beginning July 1, 2024 and ending June 30, 2025
  
- 29.     [24-0119](#)     Ordinance to Adopt a Budget and Appropriate Monies for the Fleet Services Fund of the City of Hampton for Fiscal Year 2025 beginning July 1, 2024 and ending June 30, 2025
  
- 30.     [24-0120](#)     Ordinance to Adopt a Budget and Appropriate Monies for the Fleet Services - Equipment Replacement Fund of the City of Hampton for Fiscal Year 2025 beginning July 1, 2024 and ending June 30, 2025
  
- 31.     [24-0121](#)     Ordinance to Adopt a Budget and Appropriate Monies for the Information Technology Fund of the City of Hampton for Fiscal Year 2025 beginning July 1, 2024 and ending June 30, 2025
  
- 32.     [24-0122](#)     Ordinance to Adopt a Budget and Appropriate Monies for the Risk Management Fund (City and Schools) of the City of Hampton for Fiscal Year 2025 beginning July 1, 2024 and ending June 30, 2025
  
- 33.     [24-0123](#)     Ordinance to Adopt a Budget and Appropriate Monies for the Solid Waste Management Fund of the City of Hampton for Fiscal Year 2025 beginning July 1, 2024 and ending June 30, 2025

34. [24-0124](#) Ordinance to Adopt a Budget and Appropriate Monies for the Steam Plant Fund of the City of Hampton for Fiscal Year 2025 beginning July 1, 2024 and ending June 30, 2025
35. [24-0125](#) Ordinance to Adopt a Budget and Appropriate Monies for the Stormwater Management Fund of the City of Hampton for Fiscal Year 2025 beginning July 1, 2024 and ending June 30, 2025
36. [24-0126](#) Ordinance to Adopt a Budget and Appropriate Monies for the Wastewater Management Fund of the City of Hampton for Fiscal Year 2025 beginning July 1, 2024 and ending June 30, 2025
37. [24-0127](#) Ordinance to Adopt a Budget and Appropriate Monies for the Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) Fund of the City of Hampton for the Fiscal Year 2025 beginning July 1, 2024 and ending June 30, 2025
38. [24-0128](#) Ordinance to Adopt a Budget and Appropriate Monies for the Economic Development Fund of the City of Hampton for Fiscal Year 2025 beginning July 1, 2024 and ending June 30, 2025
39. [24-0129](#) Ordinance to Adopt a Budget and Appropriate Monies for the Grant Fund of the City of Hampton for Fiscal Year 2025 beginning July 1, 2024 and ending June 30, 2025

**Resolutions**

40. [24-0247](#) Resolution to Approve the City's Participation in All Programs Incorporated in the Commonwealth's Approved Budget for Fiscal Year 2025

**REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES****MISCELLANEOUS NEW BUSINESS****ADJOURNMENT****Contact Info:**

Clerk of Council, 757-727-6315, [council@hampton.gov](mailto:council@hampton.gov)