



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, January 24, 2018

6:30 PM

Council Chambers

CALL TO ORDER/ROLL CALL

Mayor Tuck called the meeting to order at 6:31 p.m. All members of the City Council were present.

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

DONNIE R. TUCK PRESIDED

INVOCATION - Councilmember Snead

Councilwoman Snead gave the invocation.

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

Mayor Tuck expressed his appreciation to the city employees, especially those in Public Works, for their hard work during the recent snow events and especially to those who worked so hard to catch up with the trash collection.

Mayor Tuck then introduced Schwonda Wilson, who he met at a Healthcare Expo last December. Ms. Wilson is a Housing Specialist with Minority AIDS Support Services (MASS). Ms. Wilson shared the services which they provide to individuals infected with the HIV virus to include housing support, medical

case management, transportation, counseling, and referral services.

CONSENT AGENDA

Clerk of Council Katherine Glass read the protocol for the consent agenda and a summary of the consent items.

Approval of the Consent Agenda

Motion made by Vice Mayor Curtis, seconded by Councilmember Gray, to approve the Consent Agenda. The motion carried by the following vote:

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

1. [17-0316](#) Resolution Determining iDSS Global, LLC, to be the Only Source Practicably Available from which to Procure Destination Management Software and Related Services for Use by City's Convention & Visitor Bureau
Item approved.

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

2. [17-0352](#) Resolution Consenting to the Participation of the Counties of James City and York and the City of Williamsburg in the Peninsula Airport Commission

Attachments: [James City County Resolution](#)
[York County Resolution](#)
[Williamsburg Resolution](#)

Item approved.

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

3. [18-0042](#) Resolution Adopting a Policy for Citizen-Initiated Street Name Changes

Attachments: [Policy](#)

Item approved.

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

4. [18-0049](#) Approval of the minutes from the special session of December 13, 2017.

Item approved.

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

5. [18-0052](#) Resolution Naming the Soccer Fields Located at 2417 Old Buckroe Road the Buckroe Soccer Complex

Item approved.

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

6. [18-0054](#) Resolution Opposing House Bill 1258 and Senate Bill 405 Pertaining to the Elimination of Local Government Control and Authority over the Installation and Operation of New Wireless Communication Structures

Attachments: [HB 1258](#)

[SB 405](#)

Item approved.

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

Just after the consent vote, Mayor Tuck asked Vice Mayor Curtis to give a few remarks and she recognized Frank Blake and shared a conversation from years ago where his wife, Peggy

Blake, suggested this name change. Mr. Blake was present to give brief remarks.

PRESENTATIONS, PROCLAMATIONS, AWARDS

PUBLIC HEARINGS

Ordinances

7. [17-0387](#) Resolution (i) Authorizing the Execution of an Amended and Restated Memorandum of Understanding by and Among the Peninsula Town Center Community Development Authority and T Peninsula Axis VA, LLC, T Peninsula Hotel VA, LLC, and Peninsula Parking Lot VA, LLC and an Amended and Restated Collection Agreement With the Peninsula Town Center Community Development Authority and the Successors and Assigns of Hampton Mall Associates, J. C. Penney Properties, Inc. and Target Corporation in Connection With the Issuance of Special Obligation Refunding Bonds, Series 2018 , and (ii) Approving the Issuance of the Series 2018 Bonds by the Community Development Authority

Attachments: [CDA Resolution](#)

The Clerk read the required motion requesting the item and public hearing be deferred to the February 14, 2018 meeting.

A motion was made by Councilmember Schmidt and seconded by Councilmember Gray, that this Resolution be deferred to the City Council Legislative Session, due back on 2/14/2018. The motion carried by the following vote:

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

8. [17-0388](#) Ordinance Amending Non-Coded Ordinance Number 1026 as Amended by Non-Coded Ordinance Number 1043 Entitled "Ordinance Establishing a Special Assessment for the Peninsula Town Center Community Development Authority and Authorizing an Amended and Restated Collection Agreement with the Community Development Authority"

Attachments: [CDA Resolution](#)

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

Resolutions

PUBLIC COMMENT

The Clerk read the protocol for the public comment period.

Mr. John Krulis greeted those on the dais and made the following statement: The old man is back one more time (at least). Being an old man, I give myself permission to repeat myself. You have no idea how I hate having to come down to City Council meetings; almost as much as you hate seeing me come down to City Council meetings. But, you've got to do it. You've got to do it, you know. First off, I do want to thank those of you who voted with intelligence and perception about the Aquatics Center. That's what I came down here about tonight. The burden that this is going to put upon the City's finances... I know you want to think in terms of how much more you can do. What was the term you used? "Selling ourselves short". Selling ourselves short would be putting upon future generations the burden that this will be. (I'm) sure there are other places where these dollars need to be spent. Station number three should have been replaced 20 years ago. You know that. It should be replaced now and it's still on hold because there is no money, is there? Now, if you can spend this amount of money for a facility that will not be used and will cost us huge quantities of money in the future, huge quantities. Thank you for understanding that it's simple math. You may think I'm just being silly about this, but I think the names need to go with it. I wish the Town Center thing was on there (the agenda) today. You drive through there, there are more empties than there are opens. It was a flawed concept to begin with. Anytime you ask people in this community to parallel-park, you're asking them to go shop somewhere else.

Mr. Krulis then read an excerpt from Joan Charles' Hampton Follies/an editorial from Albuquerque New Mexico: We need a downtown convention center to replace the old civic auditorium. Then when the convention center failed to book enough

conventions, it became apparent that we needed a downtown hotel (a place for people to stay). When it became clear those rooms weren't being filled, almost as if by magic, the research showed it was because the convention center wasn't big enough to compete with places like San Diego. Once the expansion was finished, it became clear that we weren't getting enough convention business because with the newly expanded convention center, we simply didn't have enough hotel rooms. We went right out and got another hotel.

Mr. Krulis continued his statement: Does that sound familiar? This is from back in '04 on the other side of the country. These are the very things that you are doing. Thank you and may the names of all the others be upon the building for the future. Thank you.

Mr. Floyd Tucker greeted those on the dais, stated that he has lived at his address for 51 years and made the following statement: Now, I have a problem. When I take my trash out and put it on the side of the curb, somebody will pull up there and stay for days. I have called the police and they said there is nothing they can do about it. The trash man will not pick it (trash) up. I was wondering if anything can be done.

Mayor Tuck suggested Mr. Tucker speak with the Director of Public Works Lynn Allsbrook (who was in attendance) following the meeting. He noted that Hampton Police Chief Terry Sult was also in attendance and is willing to offer assistance in the matter. He also suggested that Mr. Tucker put his trash on the curbside versus the curb. Mr. Tucker responded saying he has tried that option; however, people still park there and his trash is not being picked up. Mr. Tucker thanked Mayor Tuck for the assistance. Mayor Tuck thanked Mr. Tucker for attending the meeting.

Ms. Regina Quinn greeted those on the dais and made the following statement: Council, I am here tonight to once again share the sense of urgency for animal welfare in our community. There is an urgency with a need for animal control manpower. We are lacking it for about two years now and many of the people with me tonight share my concerns as we are physically out in the community, especially on the weekends helping those animals that Animal Control is not available to help. There is a lot of lost and stray dogs; there is a lot of handling of animals that many of the citizens are not really safely equipped to deal with. We have a moral obligation as animal caring people to respond to animals in need. When dispatch is called, we are told: Well, we can't help you; Animal Control can only come out if there is a severe emergency, illness, a dog is injured or the dog is aggressive. So, what are we supposed to do with the animal, then, that is loose and running in the street and about to get hit by a car? So, we as a group in the community have now teamed together and we tag each other on social media and we go out and we are actually

like a task force of people helping animals. So, we are first hand, in the community helping them. We are here to say that many of the cases that Hampton has seen in the last few years such as Vernon Silvers and the recent case in Hampton of the 16 dogs that had to be removed from the property and destroyed due to the deplorable conditions, I really, truly believe, could have been prevented had we had a better staff, more staff. I know there are many reasons and valid reasons why Hampton is lacking animal control manpower. I understand the reasons; however, it's been two years and we've only had Animal Control available on weekends perhaps three months out of those two years and that started right after the Vernon Silvers case - because there was a need for it and we realized it. So, I would really appreciate some support with that.

Mayor Tuck stated that the City Manager has made a note of Ms. Quinn's concerns and staff will contact her and/or follow up in some manner.

City Manager Mary Bunting responded to Mr. Krulis' comment regarding money for Fire Station #3. She clarified that funds have been allocated for that project for some time; however, the use of those funds has been postponed due to the challenge associated with finding a willing property seller. She assured the public that staff and Council remain committed to replacing Fire Station #3 (the Wythe Fire Station). She reiterated that the matter of finding a proper place to put it and finding a seller willing to do so is the cause for the delay.

GENERAL ITEMS

Ordinances

Resolutions

APPOINTMENTS

The Clerk read the motion required for the appointments.

9. [18-0055](#) Consideration of appointments to Mayor's Committee for People with Disabilities

A motion was made by Vice Mayor Curtis that Debbie Apperson, Vivian Austin, Irene Ferrainolo, Tyrell Mullen, and Valda Claiborne be appointed to partial terms expiring on March 30, 2020. The motion carried by the following vote:

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

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

10. [18-0045](#) Resilient Hampton Next Steps

Attachments: [Phase I Report](#)
[Presentation](#)
[Presentation PDF](#)

City Manager Mary Bunting reminded everyone that Council received an in-depth briefing from staff and consultants Waggoner & Ball approximately a month ago regarding our Resilient Hampton efforts. The purpose of today's discussion is to provide an update on those efforts and seek Council's concurrence to move forward with the next steps. For the benefit of the public, she reminded everyone that the initial report can be seen on replay on the City's television station, Channel 47.

Community Development Director Mr. Terry O'Neill presented the next steps involved in the effort as described by the City Manager.

Mr. O'Neill stated that Council is being asked to endorse/accept the report prepared by staff regarding the phase 1 work. This work is a direct outgrowth from the Dutch Dialogues event in which staff participated during the summer of 2015. Mr. O'Neill clarified that this document is the culmination of work done by staff and the consultant team. He noted that the report includes information gathered from community outreach. This is important because it helps staff understand what the community believes our priorities should be.

Mr. O'Neill reiterated that Council received detailed information in December; therefore, today's goal is to provide an overview of that information and to obtain concurrence from Council for staff to move forward with the next steps involved in the process.

Mr. O'Neill stated that the report contains guiding elements for staff to continue its work moving forward. The elements are: identification of community values, guiding principles, and goals for guiding future work.

Mr. O'Neill listed the action items for which the City Manager and staff are seeking approval. They are as follows: (1) Identify a geographical location in the City as a pilot area to begin the phase II work. Staff and the consultant team recommend the New Market Creek Basin. (2) Amend the Community Plan to reflect goals laid out in Phase I. (3) Undertake a comprehensive review and amendment of City Codes and Ordinances to support the goals of resiliency in our community. (4) Refine the evaluation tool and institutionalize its use as a decision making tool. (5) Give

authority for staff to pursue changes to the State legal framework as necessary. (6) Develop resiliency targets in order to establish a means to measure progress. (7) Continue to work with partners such as NASA, Langley Air Force Base, and Veterans Affairs (VA). (8) Partner with institutions of higher learning to develop a community education program. This involves citizen engagement with the desired outcome of achieving these goals. (9) Continue to work with Langley Air Force Base to develop a resiliency and sea level rise component to complement the existing Joint Land Use Study (JLUS). (10) Establish and support a “Hampton Resilience Partnership”.

Mr. O’Neill emphasized the importance of engaging with citizens about what they can do on their properties to help us achieve these goals. This will help mobilize the consciousness of people that this is important to the future of our community. He added that we would like to develop that plan and push it out to the general public.

Mr. O’Neill opened the floor for questions and/or comments from those on the dais.

Vice Mayor Curtis supported the New Market Creek and Langley area as the pilot project. She also stated that there have been many reports of flood problems throughout the City in the years that she has been on Council. She added that while our intention will be to address all of those concerns, there have been many reported problems in this area; therefore, she believes that people in the neighborhoods impacted by New Market Creek will appreciate being the pilot in an attempt to improve the problem in that area.

Councilwoman Schmidt commented that it would be irresponsible for Council to do nothing as this problem has affected not only many aspects of Hampton, but also its neighboring cities. She expressed excitement about the partnerships being formed as those partnerships will create more leverage as we move forward.

In response to Mayor Tuck, Ms. Bunting explained that each action item will have a vote attached to it where Council will take formal action; however, the purpose of today’s discussion was to obtain concurrence from Council on moving forward with the plan and to allow Council an opportunity to express levels of discomfort (if any) on the action items.

Mr. O’Neill agreed with Ms. Bunting and noted that all of the action items will be brought before Council again at later dates.

Mayor Tuck noted that it seems as though everyone on Council is pleased and that staff appears to be moving in the right direction.

Presented by Terry O’Neill, Director of Planning and Community

Development.

MISCELLANEOUS NEW BUSINESS

Mayor Tuck recognized Zaf Tabani and Matt Hooker, owner of the Peninsula Town Center and his associate, who were in attendance.

Councilman Hobbs shared that Water's Edge Church will be having a "Love Week" in Hampton where they go out and help with service projects in the community. He invited people to share potential projects by e-mailing larry@watersedgechurch.net.

Mayor Tuck also shared that Queen Street Baptist Church will have a prostate cancer screening on February 3rd at 8:30 a.m. and that February 2nd is National Wear Red Day which raises awareness of heart attacks in women.

Vice Mayor Curtis thanked the Sheriff's Office, who provided transportation in their 'paddywagon,' for a tour of the Hampton-Newport News Community Services Board (H-NN CSB) this morning. The Vice Mayor acknowledged the good work the H-NN CSB does in our community and thanked them for the tour of their facilities.

Mayor Tuck also encouraged citizens to participate in Meals on Wheels.

ADJOURNMENT

The meeting adjourned at 7:14 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 _____