

City of Hampton

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



Agenda

Wednesday, July 13, 2016

6:30 PM

Council Chambers

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. Valdejuli, 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 citizen or 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 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, please sign in before the meeting on the sign-up sheets located in the lobby of City Hall. Please include your name and the subject on which you wish to speak, including the docket number if it is an item on the agenda. 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 and address
- (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.

The above guidelines are intended to encourage the greatest possible participation by citizens at Council meetings. They can be modified at any time by the Council at its discretion and without prior notice. 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 - Vice Mayor Linda Curtis****PLEDGE OF ALLEGIANCE TO FLAG****MAYOR'S COMMENTS****CONSENT AGENDA**

1. [16-0182](#) Approval of the minutes from the legislative session of March 23, 2016, and the work session of June 8, 2016.
2. [16-0220](#) Request for Approval of Refund(s) and/or Abatement(s) for Tax Year 2016
3. [16-0233](#) Resolution Authorizing the Grant of an Encroachment, Pursuant to § 34-86 of the City Code, to Dennis and Tammy Johnson of an Area Measuring 1,102 Square Feet, More or Less, of the Right of Way of E. Mercury Boulevard for the Installation of a Fence
4. [16-0244](#) Resolution Determining Arcadia Publishing, Inc. to be the Only Source Practically Available From Which to Procure Publishing Services Associated With the Text Titled "On This Day in Hampton, Virginia History"
5. [16-0246](#) Resolution to Rescind Resolution 02-2575 that established the Hampton Tourism Advisory Committee
6. [16-0247](#) Resolution Approving the City of Hampton, Virginia's Participation in and Appropriation of the 2015-2016 Early Intervention Services for Infants and Toddlers with Disabilities and their Families Contract Amendment, Part C of the Individual with Disabilities Education Act
7. [16-0248](#) Resolution Approving the City of Hampton, Virginia's Participation in and Appropriation of the 2017 Virginia Drug Treatment Court Program Grant through the Supreme Court of Virginia
8. [16-0250](#) Resolution Approving the City of Hampton, Virginia's Participation in and Appropriation of Funds for the 2016 Tobacco Use Prevention for Children received from the Virginia Foundation of Healthy Youth
9. [16-0251](#) Resolution Approving the City of Hampton, Virginia's Participation in and Appropriation of the Flood Mitigation Assistance Grant Program through the Virginia Department of Emergency Management
10. [16-0255](#) Resolution Authorizing an Advance of \$875,000 to the Parks and Recreation Maintenance Projects, \$1,549,250 to the Public Works Capital Projects and \$3,839,294 to the School Maintenance Projects from the City's General Fund Unassigned Fund Balance.

11. [16-0256](#) Resolution Appropriation \$67,500 from the Pearl Young Fund Restricted Fund Balance to reimburse the Coliseum Central Business Improvement District, Inc. for the purchase and installation of benches for bus shelters located in the Coliseum Central Area
12. [16-0257](#) Resolution Approving the City of Hampton, Virginia's Participation in and Appropriation of the 2016 African Arrival Day Program Grant from the Commonwealth of Virginia Jamestown-Yorktown Foundation
13. [16-0258](#) Ordinance To Amend and Reenact Chapter 5 - Animals of the City Code of Hampton, Virginia By Amending: Article 1 Section 5-2, Section 5-6, Section 5-7, Section 5-8, Section 5-11, and Section 5-12; Article II Section 5-24, Section 5-24.1, and Section 5-26; Article III Section 5-37, Section 5-38, Section 5-40, Section 5-42, and Section 5-43; Article IV Section 5-53, Section 5-54, and Section 5-57; Article V Section 5-77, Section 5-79, Section 5-82, Section 5-84, Section 5-85, Section 5-86, and Section 5-87; Article VI Section 5-100, Section 5-101, Section 5-102, Section 5-103, Section 5-104, and Section 5-105; and Article VII Section 5-106, and Section 5-108
14. [16-0259](#) Resolution Approving the City of Hampton, Virginia's Participation in and Appropriation of the 2016 Open Grant Program through the Virginia Foundation for the Humanities
15. [16-0261](#) Resolution Approving the City of Hampton, Virginia's Receiving OG Grant Funds from the Office of the Attorney General to Facilitate a Youth Camp Program to be held in August of 2016.
16. [16-0262](#) Resolution Approving Staff Allocation of Funding Sources for Existing Capital Budget Expenditures Which Have Been Appropriated and Approved

PRESENTATIONS, PROCLAMATIONS, AWARDS

PUBLIC HEARINGS

Use Permits

17. [16-0242](#) Use Permit Application No. 16-00002 by Debbie Privette to permit a daycare at 1741 W. Queen Street

Ordinances

18. [16-0241](#) Zoning Ordinance Amendment to amend and re-enact Chapter 9 of the Zoning Ordinance of Hampton, Virginia Entitled "Overlay Districts" by amending Article 5 - Infill Housing Overlay by creating an exemption for older beach house development in Buckroe and Grandview Island
19. [16-0249](#) Ordinance to Amend and Reenact the Zoning Ordinance of the City of Hampton, Virginia by Amending Chapter 2 Entitled, "Definitions"

Pertaining to Definitions Related to Signage

20. [16-0252](#) Ordinance to Amend and Reenact the Zoning Ordinance of the City of Hampton, Virginia by Amending Articles I through III of Chapter 10 Entitled "Signs" Pertaining to Intent of Sign Regulations; Administration and Enforcement of Sign Regulations; Permitted, Prohibited, and Exempt Signs; Requirements of Permitted Signs; and Adoption of Tables of Freestanding, Wall, and Temporary Signage Permitted

Resolutions

21. [16-0234](#) Resolution Authorizing the Transfer from the City of Hampton to the Hampton Redevelopment and Housing Authority Five Vacant Lots in the Buckroe Area, 1) 1801 N. Mallory Street, .28 ac±, LRSN: 12006347; 2) 1805 N. Mallory Street, .26 ac±, LRSN: 12006348; 3) 226 Atlantic Avenue, .28 ac±, LRSN: 12006306; 4) 229 Herbert Avenue, .15 ac±, LRSN: 12006329; and 5) 1706 N. Mallory Street, .82 ac±, LRSN: 12006305

GENERAL ITEMS**Ordinances**

22. [16-0239](#) Ordinance to Amend and Reenact the City Code of the City of Hampton, Virginia by Amending Chapter 16.1, Hotels and similar establishments, Section 16.1-3, Section 16.1-8, Section 16.1-12, Section 16.1-14, Section 16.1-15, Section 16.1-16, to change the previously required hotel permit to a hotel operating license, remove the requirement that hotel records be made available for inspection by the police at any time, and make other changes to conform to state and federal law Section 16.1-17, Section 16.1-18, Section 16.1-19, Section 16.1-20, and Section 16.1-21; and, the repeal of Section 16.1-4, Section 16.1-5, Section 16.1-11, and Section 16.1-13 to relocate the requirements of those sections to become requirements of the hotel operating license
23. [16-0240](#) Ordinance to Amend and Reenact the City Code of the City of Hampton, Virginia by amending Chapter 21, Motor Vehicles and Traffic, to include Section 21-112, prohibiting certain operation of vehicles on flooded streets
24. [16-0243](#) Ordinance to Authorize the Treasurer of the City of Hampton, Virginia, to Remove Amounts Shown as Unpaid PILOT Fees and Accrued Interest from the City's Tax Records for Fiscal Years 2014, 2015, 2016 and Every Fiscal Year Thereafter Pursuant to the 2016 Appropriation Act

Resolutions**Appointments**

25. [16-0138](#) Consideration of appointments to the Parks and Recreation Advisory Board
26. [16-0200](#) Consideration of appointments to the Purchasing and Procurement Oversight Committee
27. [16-0201](#) Consideration of appointments to the Hampton Economic Development Authority
28. [16-0205](#) Consideration of appointments to the Hampton Redevelopment & Housing Authority Citizen Board
29. [16-0208](#) Consideration of appointments to the Hampton Parking Authority
30. [16-0211](#) Consideration of appointments to the Board of Review of Real Estate Assessments
31. [16-0212](#) Consideration of appointments to the Citizens' Engagement Advisory Commission
32. [16-0214](#) Consideration of appointments to the Grievance Board
33. [16-0215](#) Consideration of appointments to the Hampton-Newport News Community Service Board
34. [16-0222](#) Consideration of appointments to the Peninsula Stadium Authority
35. [16-0223](#) Consideration of appointments to the Wetlands Board
36. [16-0237](#) Consideration of appointments to the Virginia Living Museum Board of Trustees
37. [16-0263](#) Consideration of appointments to Virginia Air & Space Center Board

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

MISCELLANEOUS NEW BUSINESS

PUBLIC COMMENT

ADJOURNMENT

Contact Info:

Clerk of Council, 757-727-6315, council@hampton.gov