

City of Hampton

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



Agenda

Wednesday, July 12, 2023

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

Cheran Cordell Ivery, 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 - Councilman Billy Hobbs****PLEDGE OF ALLEGIANCE TO FLAG****MAYOR'S COMMENTS****CONSENT AGENDA**

1. [23-0178](#) Resolution to Amend the Fiscal Year 2024 Council Approved Budget to Accept and Appropriate the FY23 Four-for-Life Aid to Localities Funds from the Commonwealth of Virginia, Office of Emergency Medical Services
2. [23-0211](#) Resolution to Amend the Fiscal Year 2024 Council Approved Budget to Accept and Appropriate the FY 2024 Fire Programs (Aid to Localities) Fund Allocation from the Commonwealth of Virginia, Department of Fire Programs
3. [23-0214](#) Resolution to Amend the Fiscal Year 2024 Council Approved Budget to Accept and Appropriate the Sentara Cares Foundation Grant Funds from Sentara Healthcare/Optima Health/Virginia Premier (Sentara).
4. [23-0180](#) Resolution to Amend the Fiscal Year 2024 Council Approved Budget and Accept and Appropriate the 2024 Part C of the Individuals with Disabilities Education Act (IDEA Grant) Funding Awarded by the Department of Behavioral Health and Developmental Services for Infants and Toddlers with Disabilities and their Families
5. [23-0208](#) Ordinance to Confirm the Adoption and Appropriation of the City Manager's Recommended Budget for the General Fund (City and Schools) of the City of Hampton for Fiscal Year 2024 beginning July 1, 2023 and ending June 30, 2024 and to Correct a Clerical Error in Non-Coded Budget Ordinance 23-0073
6. [23-0200](#) Resolution Approving a Cooperation Agreement Between the City of Hampton, Virginia and the Economic Development Authority of the City of Hampton, Virginia to Facilitate the Acquisition of that Certain Parcel in the Downtown Area Located at 112 Kings Way (LRSN 2002978)
7. [23-0205](#) Resolution Authorizing the Execution of a License Agreement Between the City of Hampton and the Virginia Polytechnic Institute and State University to Use a portion of Bluebird Gap Farm Located at 60 Pine Chapel Road
8. [23-0209](#) Resolution Approving Donation of Ballistic Materials to the Transportation Security Administration

9. [23-0201](#) Ordinance Authorizing the First Renewal to the Telecommunications Franchise Agreement Between the City of Hampton, Virginia and Verizon Virginia LLC, the Successor to Verizon Virginia Inc.
10. [23-0197](#) Resolution Approving and Authorizing the Mayor to Execute Amended Employment Contracts for the City Manager, City Attorney, and City Clerk
11. [23-0202](#) Approval of the minutes from the ceremonial and legislative sessions of May 24, 2023; the work, ceremonial, and legislative sessions of June 14, 2023, and the special meetings of June 28, 2023, and July 5, 2023.

PRESENTATIONS, PROCLAMATIONS, AWARDS

PUBLIC HEARINGS

Rezoning

12. [23-0150](#) Rezoning Application by the City of Hampton to Rezone a Total of +0.86 Acres at 200 N First Street and 372 N First Street [LRSNs: 12006702 & 12007400, respectively] from Multiple Residential (R-M) District to Parks and Open Space (PO-1) District
13. [23-0151](#) Rezoning Application by Delorean Power LLC to Amend the Proffered Conditions of Rezoning No.1315 to Permit the Proposed Use: Power Plant (Battery Energy Storage System) as well as Other Uses Permitted in Both Heavy Manufacturing (M-3) and Langley Business Park (LBP) Districts at 3201 Commander Shepard Blvd [LRSN: 6001003], which is +32.83 Acres and Currently Zoned M-3 District, with Conditions

Use Permits

14. [23-0184](#) Use Permit Application by Viviana Fullwood to Permit a Private School at 2236 Todds Ln. Suite A [LRSN: 3003913]
15. [23-0185](#) Use Permit Application by Paul & Heidi Blaski to Permit a Short-Term Rental (STR) at 616 Beach Road [LRSN: 10000314]
16. [23-0186](#) Use Permit Application by Aunika & Shawn Kluchinsky to Permit a Short-Term Rental (STR) at 1672 N Mallory Street [LRSN: 12006575]
17. [23-0187](#) Use Permit Application by Douglas & Peggy Taylor to Permit a Short-Term Rental (STR) at 703 Grove St [LRSN: 12006461]
18. [23-0188](#) Use Permit Application by Jerry & Lisa Burkett to Permit a Short-Term Rental (STR) at 15 Connie Street [LRSN: 12006545]
19. [23-0189](#) Use Permit Application by Anna Muratore to Permit a Short-Term Rental (STR) at 125 S Fourth St [LRSN: 12006920]
20. [23-0190](#) Use Permit Application by Loretta O'Brien-Parham to Permit a

- Short-Term Rental (STR) at 3808 Chesapeake Ave [LRSN: 2002617]
21. [23-0191](#) Use Permit Application No. 23-00010 by Bui Kieu Diem & Nguyen Dung Anh to Permit a Short-Term Rental (STR) at 12 Mill Creek Terrace [LRSN: 12001112]
22. [23-0192](#) Use Permit Application by Twin Oaks Investment LLC to permit a Short-Term Rental (STR) at 1529 Peabody Dr [LRSN: 7002026]
23. [23-0193](#) Use Permit Application by Kelvin & Wanda Washington to Permit a Short-Term Rental (STR) at 2020 Winfree Road [LRSN: 11001827]
24. [23-0194](#) Use Permit Application by Douglas & Peggy Taylor to Permit a Short-Term Rental (STR) at 1801 Beall Dr [LRSN: 12004890]

Ordinances

25. [23-0203](#) Ordinance Authorizing the First Amendment to the Cable Franchise Agreement Between the City of Hampton, Virginia and Verizon Virginia LLC, the Successor to Verizon Virginia Inc.
26. [23-0204](#) Ordinance Authorizing the First Renewal to the Cable Franchise Agreement Between the City of Hampton, Virginia and Cox Communications Hampton Roads, LLC.

PUBLIC COMMENT

GENERAL ITEMS

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

MISCELLANEOUS NEW BUSINESS

ADJOURNMENT

Contact Info:

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