



# 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 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*

---

**Wednesday, July 12, 2023**

**6:30 PM**

**Council Chambers**

---

### CALL TO ORDER/ROLL CALL

Mayor Tuck called the meeting to order at 6 p.m. with all members of the City Council being present.

**Present:** 7 - Councilmember Chris L. Bowman, Councilmember Steven L. Brown, Vice Mayor Jimmy Gray, Councilmember Hope L. Harper, Councilmember Billy Hobbs, Councilmember Martha Mugler and Mayor Donnie R. Tuck

### DONNIE R. TUCK PRESIDED

### INVOCATION - Councilman Billy Hobbs

Councilman Hobbs gave the invocation.

### PLEDGE OF ALLEGIANCE TO FLAG

### MAYOR'S COMMENTS

Mayor Tuck recognized individuals over the age of 75 who had served for over 15 years in the Foster Grandparent Program.

Councilman Steve Brown stated that his two sisters and niece have been Foster Grandparents for several years and thanked the individuals for their work.

Mayor Tuck recognized and presented City coins to the following individuals from Hampton's Foster Grandparent Program who have served for over fifteen years:

Annie Clark (89) 25 years and 6 months  
Pearl Whitsett (87) 19 years / 4 months  
Daisy Hart (88) 18 years / 4 months  
Evelyn Freeman (95) 17 years / 9 months  
Cleo Byrd (76) 15 years / 3 months (not present)  
Barbara Richardson (80) 15 years / 4 months

## CONSENT AGENDA

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

### Approval of the Consent Agenda

Motion made by Councilmember Bowman, seconded by Councilmember Harper, to approve the Consent Agenda. The motion carried by the following vote:

**Aye:** 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

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

Attachments: [FY23 Funds Commitment Letter](#)

Item approved.

**Aye:** 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

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

Attachments: [FY2024 Allocation of Funds](#)

Item approved.

**Aye:** 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

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).

**Attachments:** [Letter of Agreement - Signed](#)

Item approved.

**Aye:** 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

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

**Attachments:** [ITC Grant-Routing-Form-FY 2024](#)  
[FY 2024 grant approvals](#)  
[ITC-Proposal-Overview FY 2024](#)  
[MOA 720-4955-16 City of Hampton-Hampton-Newport News](#)

Item approved.

**Aye:** 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

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

**Attachments:** [General Fund Ordinance File 23-0208](#)

[Mgr Rec Bdgt - General Fund](#)

[City of Hpt Budget Ad DPA7414831-1](#)

[Mgr Rec Bdgt -in-Brief Multi-page](#)

Item approved.

**Aye:** 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

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)

**Attachments:** [Cooperation Agreement Draft 6.28.23](#)

[112 Kings Way - Purchase Agreement \(Seller Executed\)](#)

Item approved.

**Aye:** 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

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

**Attachments:** [Hampton License Agreement LIC-149 3-20 Final](#)

[Exhibit A](#)

Item approved.

**Aye:** 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

8. [23-0209](#) Resolution Approving Donation of Ballistic Materials to the Transportation Security Administration

Item approved.

**Aye:** 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

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.

**Attachments:** [EXHIBIT A - Ordinance & Franchise Agreement 2008 - Verizon Telecommunications - Landline](#)  
[EXHIBIT B - SCC Evidence of Conversion 2011 - Verizon Telecommunications - Landline](#)  
[EXHIBIT C - First Renewal of Franchise - Verizon Telecommunications - Landline](#)

Item approved.

**Aye:** 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

10. [23-0197](#) Resolution Approving and Authorizing the Mayor to Execute Amended Employment Contracts for the City Manager, City Attorney, and City Clerk

Item approved.

**Aye:** 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

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.

Item approved.

**Aye:** 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

## PRESENTATIONS, PROCLAMATIONS, AWARDS

## PUBLIC HEARINGS

Clerk of Council, Katherine K. Glass, read the protocol for the 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

**Attachments:** [Application](#)  
[Survey](#)  
[Proffer Agreement](#)  
[Title Certificates](#)  
[Staff Report](#)  
[Presentation](#)

City Manager, Mary Bunting introduced Planning and Zoning Administration Manager, Mike Hayes who made the presentation.

Councilman Chris Bowman asked if the fuel would be stored in appropriate flammable cabinets.

Mr. Hayes replied yes, and it has to be a cabinet that is rated for fireproofing.

Councilman Steve Brown asked if the City had stored fuel in this capacity before.

Mr. Hayes replied yes.

Councilman Brown asked if the fuel was gasoline, propane, or both.

Mr. Hayes replied there was no differentiation within these conditions in terms of what could be stored. There is flexibility in the changes of fuel type.

Councilman Billy Hobbs asked if there are provisions for spills if something were to happen outside of the containment area.

Mr. Hayes replied yes, that is his understanding, and with his discussions with Parks and Recreation that is part of the basic review being able to set up for any type of fuel storage.

Councilwoman Martha Mugler stated her concern about the limitations on the building size in the future and asked if there was a vast improvement to the existing building, it might potentially be higher than what is already there, and if so, is there a workaround for the building height?

Mr. Hayes replied that under these conditions no. If there is a change the council

wants, we would have to ask for the item to be deferred to amend the conditions and bring it back at a later date. Another option is if, in the future, there was a new building the city wanted to construct, another rezoning application to amend the proffers could be brought forward.

There were no speakers signed up to speak and Mayor Tuck closed the public meeting.

Presented by Mike Hayes, Planning and Zoning Division Manager. The Mayor opened the public hearing. There were no speakers. The Mayor closed the public hearing.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Martha Mugler, that this Zoning Ordinance - Map be approved with eight (8) conditions. The motion carried by the following vote:

**Aye:** 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

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

**Attachments:** [Council Memo](#)  
[Application](#)  
[Title Certificate](#)  
[Proposed Proffers](#)  
[Current Proffers RZ1315](#)  
[Staff Report](#)  
[CC Presentation 7/12/2023](#)  
[Applicant CC Presentation 7/12/2023](#)  
[LRD Park Questions](#)  
[Applicant CC Presentation from 6/14/2023](#)

Ms. Bunting introduced Chief Planner, Donald Whipple who made the presentation.

Councilman Hobbs asked what is the use of the batteries and are they being stored or manufactured.

Mr. Whipple replied that the applicant would explain in greater detail during their presentation, but the batteries store energy off the grid and retain it. Then as needed the energy goes back out onto the grid during power outages.

Councilman Hobbs asked who would be responsible for inspecting the site regularly.

Mr. Whipple replied that an employee of Delorean Power LLC or a contractor that they would contract.

Councilman Hobbs asked if NASA Langley is fine with it being operated there.

Mr. Whipple replied yes.

Councilwoman Mugler asked Mr. Whipple to orient her on the landscape buffer.

Mr. Whipple explained where the different areas were located that do not show up on the Proposed Concept Plan slide.

Mayor Tuck invited the applicant to the podium

Director of Development with Delorean Power, LLC, Ricky Elder introduced himself and made his presentation.

Councilman Hobbs asked if there had been any serious accidents at one of their facilities.

Mr. Elder replied no.

Councilman Hobbs continued his concern that if something were to happen, the fire and EMS people would be able to handle the situation, especially since it is located right across from NASA Langley, which is very important to the city.

Mr. Elder replied that NFPA 855 recommends the first responders be 100 feet or more, wear proper protective equipment, and apply water externally to a container in the event something like that happens.



Councilman Hobbs asked if the batteries were dry or wet.

Mr. Elder explained that there are cells in modules in racks that are hermetically sealed. There is electrolyte within the cells but they are hermetically sealed and cannot release electrolyte unless mechanically damaged.

Councilwoman Hope Harper stated she had seen the presentation at the Planning Commission meeting and asked if this was environmentally friendly.

Mr. Elder replied that they believe it is environmentally friendly. By providing firm generation on the power grid, there is no need to burn fossil fuel as it relates to providing firm capacity on the power grid. We also have a plan and process to essentially not remove all the trees at the facility and ultimately utilize just the land that is within the limits of disturbance that is needed.

Co-Founder and Managing Partner, Michael Herbert added that part of the objective of the project to Dominion is to comply with the Virginia Clean Economy Act, and this is part of a mandate by the state to kind of transition to a clean energy power system. Battery storage is one of the enabling technologies to do that. From a power generation and delivery perspective, it is a clean technology, that will be emissions and fuel-free and cleaner than fossil fuel alternatives.

Councilwoman Harper asked how many people, if any, will be on-site to manage this.

Mr. Elder replied that the site would be remotely monitored 24/7 and they are headquartered here in the state of Virginia. They have a workforce that can be deployed in the event of an emergency and will have local representation from the remote monitoring contracting staff to be able to be dispatched to the facility quickly in the unlikely event of a situation.

Councilman Bowman asked if a chain link fence would be installed around the facility.

Mr. Elder replied yes, the fence would be six feet with 2 feet of barbed wire at the top.

Councilman Bowman asked about the 24/7 monitoring.

Director of Construction Matt Read replied they will use cameras that monitor

different angles for approach along the chain link fence. All the containers themselves, also have intrusion detection systems. If any door or anything is opened on the container it will shut down and they will be notified remotely. The system has a system cease to stop.

Councilman Bowman asked if a crowbar was used would the sensor go off?

Mr. Read replied yes and they take physical security as seriously as they can for not having manpower present.

Councilman Bowman asked if there was a lightning strike, would it create any environmental impact either land or air and is there any potential for any environmental impact in a worst-case scenario?

Mr. Read replied no, and the worst thing that can happen is a fire, and does not believe any fires have been caused due to lightning strikes. In theory, there is a possibility you could cause a thermal runaway event which goes into the NFPA and UL testing that happens. If a cell were to rupture the propagation is minimal.

Mr. Herbert added that part of the engineering design is appropriate grounding to protect against something like that. If it were struck by lightning, the electricity is dispersed and pointed into the ground where there are grounding wires on all of the containers, transformers, and other electrical equipment. Those types of calculations are done during the engineering phase.

Councilwoman Mugler thanked them for their presentation as it brought more clarity to the project and the intent of the project. She asked where in Virginia they were headquartered.

Mr. Elder replied they are headquartered in Arlington, Virginia.

Councilwoman Mugler stated that she was happy to see Hampton serving as a base camp for green and clean energy and asked should the assumption be that Dominion is connected with the project with you and is going to be a feeder to our capacity to provide energy. Is there a household number that is connected to this project or how many households will this serve?

Mr. Herbert replied that their ten-and-a-half megawatt project is about 9,000 households and multiply that by three and you have around 27,000 or so households that could sustain clean power for about four hours.

Councilman Brown asked how they are regulated in terms of inspections and if they have inspections at the facility, and what are the quality standards?

Mr. Elder replied that ultimately, they will have to inspect the facilities at least twice a year for preventative maintenance, and would be available in the event of an emergency. The idea is that they are the long-term operator of these projects and it is in their interest to always be aware of the current operating conditions of the property, and ultimately to make sure that it is providing power safely and reliably for the benefit of Dominion customers in the City of Hampton. We do have internal processes.

Mr. Herbert stated the primary inspections happen during the permitting process to ensure it is being designed and built safely and reliably. There is a state-level process and Virginia has a permit-by-rule process along with local processes for building, electrical, and land disturbance permits.

Councilman Brown asked how are you inspected to verify that the lithium batteries that are stored there are safe, and secured and no explosions at night. Do you inspect it yourself or does an outside independent inspector?

Mr. Herbert replied that there are at least three parties that always have an eye on the systems remotely and each container is covered with sensors. Each battery cell has a sensor on it that is constantly monitoring the temperature and voltage of those cells. The data is collected on a one-second basis and made available to both us and the provider of the battery project. Any deviations from normal conditions will be known from a remote operations center. The batteries will be inspected on-site by the battery provider, and a visual inspection of the system will happen at least twice a year. The system has a 20-year warranty.

Councilman Brown asked if the batteries were for sale.

Mr. Herbert replied no.

Councilman Brown asked how the batteries were disposed of if one were to be deficient.

Mr. Herbert replied that they have repair and replacement programs with the provider of the system. The battery would be taken away by the provider, recycled, and replaced by an operable component.

Councilman Brown asked if a neighborhood meeting had been held and how do the neighbors feel about the business coming into the community.

Mr. Whipple replied that most of the neighbors who would be notified through the notification process are the tenants of the Langley Business Research Park. He contacted them directly and it generated a list of questions that were provided to council along with the answers and that took the place of an actual normal committee meeting.

Councilman Bowman asked about any federal or state oversight in terms of operations, inspections, certifications, etc.

Mr. Read replied that the NFPA 55 is a national fire code, UL standards, and the national international standards are being followed. As far as how the system operates, it is pulling and discharging energy from the grid if we follow the PJM and Dominion rules in place as per our PPA.

Mr. Herbert added that he would underscore the Dominion piece because they are the regulated utility and they are selling 100% of the services of the system to Dominion. In operating and designing the system, they have a very close partnership with them to ensure that DeLorean is doing things up to their specifications.

There were no speakers signed up to speak and Mayor Tuck closed the public meeting.

Presented by Donald Whipple, Chief Planner. The applicant's representative, Ricky Elder, Director of Development, also gave a presentation. Matthew Rariden, Director of Construction, and Michael Herbert, the Co-Founder / Managing Partner also were present and responded to questions from members of Council. The Mayor then opened the public hearing. There were no speakers and the Mayor closed the public hearing.

A motion was made by Councilmember Hope Harper and seconded by Councilmember Martha Mugler, that this Zoning Ordinance - Map be approved with eight (8) conditions. The motion carried by the following vote:

**Aye:** 4 - Vice Mayor Gray, Councilmember Harper, Councilmember Mugler and Mayor Tuck

**Nay:** 3 - Councilmember Bowman, Councilmember Brown and Councilmember Hobbs

### Use Permits

14. [23-0184](#) Use Permit Application by Viviana Fullwood to Permit a Private School at 2236 Todds Ln. Suite A [LRSN: 3003913]

**Attachments:** [Application](#)  
[Conditions](#)  
[Staff Report](#)  
[Presentation](#)  
[Applicant Presentation](#)

Ms. Bunting introduced City Planner, Davis Pemberton who made the presentation.

Councilwoman Mugler asked if this was part of an apartment building or a business suite.

Mr. Pemberton replied it was part of a business suite and believed there is a daycare and/or a tutoring facility and medical office in that area at the moment.

Councilwoman Mugler also asked if the staff had verified the traffic circulation was adequate.

Mr. Pemberton replied that it was compliant with all the requirements.

Mayor Tuck asked a question of the applicant, Viviana Fullwood if she was sharing a space with A+ Academics.

Ms. Fullwood replied that she is allowing the IT organization to use the space.

Councilman Hobbs asked how many children would be provided for and how many staff would there be.

Ms. Fullwood replied twenty-seven children and would follow the student-to-teacher ratio, which will be four staff members. They will be state-certified and are following the guidelines and curriculum through the Department of Education.

There were no speakers signed up to speak and Mayor Tuck closed the public meeting.

Presented by Davis Pemberton, City Planner. The Mayor and Councilman Hobbs also had a few questions for the applicant, Viviana Fullwood. The Mayor opened the public hearing. There were no speakers. The Mayor closed the public hearing.

A motion was made by Councilmember Martha Mugler and seconded by Councilmember Billy Hobbs, that this Use Permit be approved with seven (7) conditions. The motion carried by the following vote:

**Aye:** 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

15. [23-0185](#) Use Permit Application by Paul & Heidi Blaski to Permit a Short-Term Rental (STR) at 616 Beach Road [LRSN: 10000314]

**Attachments:** [Conditions](#)  
[Application](#)  
[Staff Report](#)  
[Presentation](#)

Ms. Bunting stated that City Planner, Davis Pemberton would be making the next few presentations.

City Planner, Davis Pemberton made the presentation.

The applicants Paul and Heidi Blaski made the following statement.

We purchased our property a little over a year ago in July. The intention was for my family to reside there for six months or greater. We bought the property because we love it. We love the city of Hampton that we live in. My parents come to help us with our babies. They are very close to me and come visit a lot. While they're not here, we rent it out to cover the mortgage, as an Airbnb. I'd like you to please reconsider the denial. We did receive a violation and have been told it has been dismissed because we were not notified accordingly. The notification went out to the previous owners, so we didn't receive a notification. As soon as we received a written notification in April that said, you have a court date and are in violation, we discontinued renting immediately. Yes, the website was still up, and I spent countless

days and months trying to contact representatives. A few of you might have voicemails for guidance. I continued canceling bookings weekend after weekend because I didn't want to violate that written warning. There was some discussion at the public hearing about what happened in February, and we did receive a phone call about a new ordinance and would we like to submit for a permit? We said absolutely, we want to become compliant. They mentioned not continuing to rent, but it was very vague, and very gray. The conversation didn't go into detail about what to do about the previous bookings, we didn't have anything in writing, and didn't have any further guidance. When I tried to look up guidance online, there were gray areas. What I found was this is an educational period and they want people to now get permits for an opportunity to have Airbnbs. So yes, we continued to rent only the bookings we had previously reserved until we received that actual written notice in April and that's when we discontinued. After I sought guidance, I was told that we were supposed to have written notice, which we did not receive, and still haven't received. But we have stopped renting. As for the incident in February, it shook us. I think we're very good people, have good careers and the community means a lot to us. We have children. We do not allow parties. We try to vet everybody who comes, but we made a mistake in trusting an individual who said they're having a baby shower. I'd like to say it won't happen again. I'd like to say violence won't happen in our community, but it does. So we're extremely apologetic, even to the neighbors. We've tried to make peace, we have friends on both sides of us. We take great care of our property. We aren't trying to make a huge profit, but rather just pay the mortgage when our parents aren't there. To be honest, they're probably going to end up moving down here to be closer to us. We recently had somebody who stayed last year email us, asking if they could come back. People have fallen in love with the area and we support our military. I ask that you please reconsider and I understand if you have grounds not to.

Mayor Tuck asked either Mr. Pemberton or Miss Bonnie Brown to come to the microphone to explain about the notice sent in February, if it was received, and the nature of the notice, so we on Council are confident the notice was received.

Community Development Director, Bonnie Brown stated that following the shooting incident that Mr. Pemberton described, the code official and a member of the Hampton Police Department called Paul Blaski and told them definitively the property could no longer be used as an Airbnb. Mr. Pemberton provided Miss Brown with the email dated Monday, February 27 where he reiterated in writing that it could not be used as an Airbnb. It is true that one of the notices of violation inadvertently went to the prior property owner, but a second notice of violation went to the current resident. Unnamed current resident is often used when a property might be a rental.

Following that, the applicants were told by several city staff members that the property could not be used as an Airbnb and I reiterated this to the property owners on April 25. A third notice of violation was sent to the same address addressed to the current property owners. The first summons was dismissed because it was for the former property owner and our office resent one on April 12 to the current property owner and that violation is valid and continues.

Mayor Tuck asked if we knew when they stopped the rentals.

Miss Brown replied she did not know but believed they ceased after their conversation on April 25.

Mayor Tuck asked if Miss Brown believed that they were still operating up until April 25.

Miss Brown replied yes as of that conversation their listing was still active, but did not know for sure or know whether they were still accepting bookings. Mrs. Blaski, asked if she had to cancel the booking she already made prospectively. Miss Brown also communicated she could not operate until the City Council granted a use permit.

Councilman Brown stated that his concerns were the verbal and written communication had been made, and the major concern is the incident with the shooting. Councilman Brown stated he listened during the Planning Commission meeting to the definitive timeline of incidents and believes the City did its due diligence by asking the Blaskis to cease until proper use permits were obtained.

Mrs. Blaski thanked the council and stated it was very confusing. She stated they did get that one phone call in February and had communicated with Mr. Pemberton quite a bit during the application process. Written notice was received maybe April 11 and when the court summons was received, bookings stopped immediately. Ms. Blaski stated that she spent days trying to get in touch with somebody, even Miss Brown, to ask what she should do before she canceled all of these families coming to visit. Every week Ms. Blaski stated she was canceling one by one, then canceled everything after speaking with Miss Brown. We have accrued fees, it hurts the families and is a very complex situation. Ms. Blaski apologized and stated if they had received that one court summons they would have stopped.

Councilwoman Harper confirmed with Mrs. Blaski the days and hours spent were by phone, email, and coming to the council meeting.



Mrs. Blaski stated she sees patients every day, they have kids, and Mr. Blaski works with the Navy and they have spent a lot of time, that they don't necessarily have, to seek guidance as to what to do.

Councilwoman Harper asked if there was no one to guide her when she came in.

Ms. Blaski replied she spoke to a few people, Mr. Pemberton, and Allison Jackura maybe the representative of the members of the city council. She stated she tried to contact a few members of the city council and sent out emails and would receive some guidance. Ultimately, I was looking to see if I could get a potential grace period while we became compliant. Trying to seek out the grey areas because the ordinance does not explain everything and get some help so we do not have to cancel all of the individuals while we become compliant.

There were no speakers signed up to speak and Mayor Tuck closed the public meeting.

Presented by Davis Pemberton, City Planner. Heidi Blaski, the applicant, and her husband, Paul Blaski, addressed City Council. At the Mayor's request, Bonnie Brown, Community Development Director, clarified information from the staff presentation with respect to staff interaction with the applicants.

The Mayor opened the public hearing. There were no speakers. The Mayor closed the public hearing.

A motion was made by Councilmember Steven Brown and seconded by Councilmember Chris Bowman, that this Use Permit be denied. The motion carried by the following vote:

**Aye:** 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

16. [23-0186](#) Use Permit Application by Aunika & Shawn Kluchinsky to Permit a Short-Term Rental (STR) at 1672 N Mallory Street [LRSN: 12006575]

**Attachments:** [Application Package](#)  
[Recommended Conditions](#)  
[Staff Report](#)  
[Presentation](#)

Ms. Bunting stated City Planner, Davis Pemberton would be providing the staff report for the short-term rental applications 16 through 20 located in the Buckroe and Kecoughtan master plan areas.

City Planner, Davis Pemberton made the presentation.

Mayor Tuck apologized and stopped Mr. Pemberton and asked if he could bypass some of the slides, and go into the meat of the presentation.

Mr. Pemberton continued with his presentation.

There were no speakers signed up to speak and Mayor Tuck closed the public meeting.

Presented by Davis Pemberton, City Planner. The Mayor opened the public hearing. There were no speakers. The Mayor closed the public hearing.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Hope Harper, that this Use Permit be approved with fifteen (15) conditions. The motion carried by the following vote:

**Aye:** 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

17. [23-0187](#) Use Permit Application by Douglas & Peggy Taylor to Permit a Short-Term Rental (STR) at 703 Grove St [LRSN: 12006461]

**Attachments:** [Conditions](#)  
[Application](#)  
[Staff Report](#)  
[Presentation](#)

City Planner, Davis Pemberton made the presentation.

Councilman Brown asked what type of surface is in question, whether is it crush and run, and what is out there now.

Mr. Pemberton replied that it looked to be gravel with a lot of grass growing up. It is hard to discern what is parking and what is not except for the apron. Staff is recommending some form of improved surface which could be gravel as long as it is contained by the border.

Councilman Brown asked if this would prohibit approval.

Mr. Pemberton replied that this had been communicated to the applicant that if approved they are more than willing to improve the driveway.

Councilman Brown asked if the applicant could rent to tenants without the improved surface. Would it prohibit them from doing a short-term rental?

Mr. Pemberton replied the parking surface would have to be completed before operation and inspectors would make sure that the driveway was complete and compliant.

Vice Mayor Jimmy Gray asked if it would be safe to say that the current state of the parking area does not meet our current ordinance of parking on the lawn, and with four people they are only required to provide parking for two vehicles.

Mr. Pemberton replied yes the resurfacing is due to the parking on the lawn ordinance and the requirement is one space per two bedrooms since this is a three-bedroom, it requires two parking spaces, and cannot be satisfied with parking on the street.

There were no speakers signed up to speak and Mayor Tuck closed the public meeting.

Presented by Davis Pemberton, City Planner. The Mayor opened the public hearing. There were no speakers. The Mayor closed the public hearing.

A motion was made by Councilmember Steven Brown and seconded by Councilmember Billy Hobbs, that this Use Permit be approved with fifteen (15) conditions. The motion carried by the following vote:

**Aye:** 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

18. [23-0188](#) Use Permit Application by Jerry & Lisa Burkett to Permit a Short-Term Rental (STR) at 15 Connie Street [LRSN: 12006545]

**Attachments:** [Application Package](#)  
[Conditions](#)  
[Staff Report](#)  
[Presentation](#)

City Planner, Davis Pemberton made the presentation.

There were no speakers signed up to speak and Mayor Tuck closed the public meeting.

Presented by Davis Pemberton, City Planner. The Mayor opened the public hearing. There were no speakers. The Mayor closed the public hearing.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Steven Brown, that this Use Permit be approved with fifteen (15) conditions. The motion carried by the following vote:

**Aye:** 6 - Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

**Out:** 1 - Councilmember Bowman

19. [23-0189](#) Use Permit Application by Anna Muratore to Permit a Short-Term Rental (STR) at 125 S Fourth St [LRSN: 12006920]

**Attachments:** [Application Package](#)  
[Conditions](#)  
[Staff Report](#)  
[Presentation](#)

City Planner, Davis Pemberton made the presentation.

There were no speakers signed up to speak and Mayor Tuck closed the public meeting.

Presented by Davis Pemberton, City Planner. The Mayor opened the public hearing. There were no speakers. The Mayor closed the public hearing.

A motion was made by Councilmember Hope Harper and seconded by Councilmember Billy Hobbs, that this Use Permit be approved with fifteen (15) conditions. The motion carried by the following vote:

**Aye:** 6 - Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

**Abstained:** 1 - Councilmember Bowman

20. [23-0190](#) Use Permit Application by Loretta O'Brien-Parham to Permit a Short-Term Rental (STR) at 3808 Chesapeake Ave [LRSN: 2002617]

City Planner, Davis Pemberton made the presentation.

Mayor Tuck opened the public hearing.

John Kern introduced himself and made the following statement. My address is 3810 Chesapeake Avenue, which is directly next door to this property. I stand in opposition to this property being zoned as a short-term rental. This particular section of Chesapeake Avenue is a very quiet cul-de-sac street and is not connected to the main portion of Chesapeake Avenue that goes down to Newport News. It starts at a little inlet and continues down to another boat harboring facility at the far end. Our particular section of the road is one way in and one way out. We are a retired community and part of the homeowner's association. Our homeowner's association has spoken up at the previous meeting in opposition to this based on the locality, and also on the full list of items that were put up here before you. Mr. Kern asked that the last one of those particular items be brought up on screen that talked about local residential development and what the purpose of that is. As I said, we are a single-family and retired community, one person on that street is not retired, and pass that point on down are young couples that have bought their homes, business owners, and other people. This particular portion of Chesapeake Avenue should not be zoned for any short-term rentals. We have not been notified of who the person is that is going to be responsible. During the past six years, the responsible person

was a rental company. I'm not sure if it was Abbitt or whoever it was. Mr. Kern's time ended.

Michael Petway introduced himself and made the following statement. My address is 3812 Chesapeake Avenue and my concerns with this being a short-term rental is, for one thing with John Kern being my neighbor, his son-in-law and daughter would like to plan on moving into his house in their day. He's told me he would not move there if this is a short-term rental. I also feel like my real estate value is going to be hurt. If I went to buy a house somewhere and somebody told me there was a short-term rental beside it or right next to it, I'd be turned away. My other concern would be, say these people arrive at two o'clock in the morning, and are slamming doors, and pulling suitcases out. We don't have that now but we're going to have that I believe, and maybe not every time. People are going to arrive late on Friday nights, a lot of time. The only other thing I would like to ask this if your neighbor wanted to have a short-term rental beside you, would you like it? The zoning guy had told us before that if it did get passed he would give us a contact number that within hours somebody would be there. I've emailed zoning twice and they have not replied to me about my two questions. If we leave here tonight. I don't know how we ever get a number if you approve this.

Dan Clark introduced himself and made the following statement. I live at 3802 Chesapeake and live three doors down from the subject property. I've lived at this house for the past 15 years. This particular neighborhood, as my neighbors have just mentioned, is one of a quiet family neighborhood. Kids walking up and down the street, riding their bicycles and skateboards, etc. The introduction of an Airbnb into our neighborhood is going to reduce our property values number one because it's not going to be attractive; this is not a vacation destination. I'm not opposed to Airbnb. I've rented him personally but at vacation destinations, beaches near Yellowstone National Park, New York City, whatever, New Orleans. Ladies and gentlemen, Merrimack Shores in Hampton Roads is not a vacation destination. One experience that I had, directly across the street from me a few years back, the owner of that particular home, was operating it as an Airbnb, probably not by code or in accordance with regulations. It has since been sold now and has an owner. There are plenty of people rolling in every week, on and off. You never know when people are showing up or when they are leaving. Back in April 2020, at approximately 10:30 p.m., the people that came in that day to rent the place and all of a sudden, 30 - 40 people showed up at this house, across the street from me, playing loud music and craziness going on. At 10:30 I heard bam, bam, bam, and I had three bullets in my house, ladies and gentlemen, right above my kitchen window. If I had been in that kitchen, I would not be standing here talking to you. You can

say you can put these regulations in place, and Airbnb can say they're not going to rent if you have more than x amount of people. But let's be fair and honest. Once the people are there, and if they have the motivation and the idea that they're gonna have a big party, or whatever their intentions are, you're not going to stop them. This is the type of thing that can happen. We are a residential neighborhood. If I had a vacant lot next to my house, would you allow me to put up a hotel? I don't think so. So we are opposed to this. It's not going to help our neighborhood and we feel it's dangerous because you can't control the people that are coming in there. Many other cities across this country have already put in regulations to stop this type of thing. The City of Dallas, Texas recently put in an ordinance to basically eliminate Airbnb's in their city.

Mayor Tuck closed the public hearing.

Ms. Bunting introduced City Planner, Urvi Patel who will be making the next four presentations.

Mayor Tuck announced a ten-minute recess. The meeting reconvened at 8:35 p.m. and the Mayor returned to the agenda item.

Mayor Tuck stated that in conferring with the City Attorney, Cheran Ivery, there was no action taken on the last item. Mayor Tuck continued to say that he as Mayor cannot make or second motions.

He directed the following statement to Mr. Dan Clark that Dallas, Texas is a Home Rule state and can do things that the City of Hampton in Virginia cannot, which is a Dillon Rule state. We can only do things that the General Assembly allows us to do. Short-term rentals are one of those things that was forced upon us, but is something that has to happen in our city and we can not blanketly state that we are not going to approve short-term rentals.

Mayor Tuck then asked for a motion for a deferral, approval, or denial.

Councilman Brown stated he knows it is a covenant community and from what he read this business can not happen, and wanted to know if it is being deferred because of what the covenant states.

Vice Mayor Gray stated he was asking for a deferral so the applicant could come before the City Council and explain the plans to comply.

A motion was made by Councilmember Hope Harper that this

Use Permit be approved with fifteen (15) conditions. The motion failed due to the lack of a second.

Following the recess, a motion was made by Vice Mayor Jimmy Gray and seconded by Councilmember Chris Bowman, that this Use Permit be deferred to the City Council Legislative Session, due back on 8/9/2023. The motion carried by the following vote:

**Aye:** 4 - Councilmember Bowman, Vice Mayor Gray, Councilmember Harper and Mayor Tuck

**Nay:** 3 - Councilmember Brown, Councilmember Hobbs and Councilmember Mugler

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]

Attachments: [Application Package](#)  
[Recommended Conditions](#)  
[Staff Report](#)  
[Presentation](#)

City Planner, Urvi Patel made the presentation.

There were no speakers signed up to speak and Mayor Tuck closed the public meeting.

Presented by Urvi Patel, City Planner. The Mayor opened the public hearing. There were no speakers. The Mayor closed the public hearing.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Steven Brown, that this Use Permit be approved with fifteen (15) conditions. The motion carried by the following vote:

**Aye:** 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

22. [23-0192](#) Use Permit Application by Twin Oaks Investment LLC to permit a Short-Term Rental (STR) at 1529 Peabody Dr [LRSN: 7002026]



Attachments: [Application](#)  
[Conditions](#)  
[Staff Report](#)  
[Presentation](#)

City Planner, Urvi Patel made the presentation.

There were no speakers signed up to speak and Mayor Tuck closed the public meeting.

Presented by Urvi Patel, City Planner. The Mayor opened the public hearing. There were no speakers. The Mayor closed the public hearing.

A motion was made by Councilmember Chris Bowman and seconded by Councilmember Billy Hobbs, that this Use Permit be approved with fifteen (15) conditions. The motion carried by the following vote:

**Aye:** 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

23. [23-0193](#) Use Permit Application by Kelvin & Wanda Washington to Permit a Short-Term Rental (STR) at 2020 Winfree Road [LRSN: 11001827]

Attachments: [Conditions](#)  
[Application](#)  
[Staff Report](#)  
[Presentation](#)

City Planner, Urvi Patel made the presentation.

There were no speakers signed up to speak and Mayor Tuck closed the public meeting.

Presented by Urvi Patel, City Planner. The Mayor opened the public hearing. There were no speakers. The Mayor closed the public hearing.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Chris Bowman, that this Use

Permit be approved with fifteen (15) conditions. The motion carried by the following vote:

**Aye:** 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

24. [23-0194](#) Use Permit Application by Douglas & Peggy Taylor to Permit a Short-Term Rental (STR) at 1801 Beall Dr [LRSN: 12004890]

**Attachments:** [Conditions](#)  
[Application](#)  
[Presentation](#)  
[Staff Report](#)

City Planner, Urvi Patel made the presentation.

There were no speakers signed up to speak and Mayor Tuck closed the public meeting.

Presented by Urvi Patel, City Planner. The Mayor opened the public hearing. There were no speakers. The Mayor closed the public hearing.

A motion was made by Councilmember Chris Bowman and seconded by Councilmember Steven Brown, that this Use Permit be approved with fifteen (15) conditions. The motion carried by the following vote:

**Aye:** 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

## 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.

**Attachments:** [EXHIBIT A - Ordinance & Franchise Agreement 2008 - Verizon Cable](#)  
[EXHIBIT B - SCC Evidence of Conversion 2011 - Verizon Telecommunications - Landline](#)  
[EXHIBIT C - First Amendment of Franchise - Verizon Cable](#)

Ms. Bunting made the following statement. The City of Hampton granted to Verizon,

Virginia, a corporation duly organized under the applicable laws of the Commonwealth of Virginia a franchise agreement entered into by and between the parties that were effective as of July 16, 2008. Subject to the terms and conditions of that certain ordinance adopted by the Council at the regular meeting held on July 16, 2008. This franchise agreement allowed Verizon to construct, install, maintain, extend, and operate a cable system within the designated franchise area in order to provide cable service. In accordance with Virginia statute. 15.2-2100 proper notice was given in this matter by the city of an invitation to bid on a franchise to provide cable service in the city, and a public hearing was duly held at the City Council meeting on July 16, 2008. On or about December 31, 2011, the original grantee through its application to the Commonwealth of Virginia State Corporation Commission did convert its entity Verizon, Virginia Inc., to a Virginia Limited Liability Company organized under the new name of Verizon, Virginia LLC. The franchisee commenced on the original effective date, and that original agreement expires on July 16, 2023, unless the franchise is renewed, amended, or extended in accordance with the terms and conditions stated therein. By letter dated December 10, 2020, the grantee sent to the city a notice pursuant to section 626 of the Communications Act that it intended to renew its franchise. The grantee requested the franchise be amended and extended under it same terms and conditions for a period of three years, effective on July 16, 2023, and expiring on July 16, 2026. The city agrees the grantee is eligible to be and should be granted the amendment and extension of the franchise per its terms and under Virginia law.

Director of Government Relations for Verizon, Virginia Matt Ogburn stated they are looking to extend their video franchise agreement, which allows them to provide FiOS TV service within the city and to be taxed as such with the sales and use tax that is applied to cable service. As the city manager stated, the original agreement was in 2008 and this is the first time it is up for renewal. The only amended section of the agreement is to change the date to extend it for another three years.

There were no speakers signed up to speak and Mayor Tuck closed the public meeting.

Mary Bunting, City Manager, introduced the item. Matt Ogburn, Director of State and Local Government Affairs for Verizon, spoke.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Martha Mugler, that this Ordinance-Non-coded be approved. The motion carried by the

following vote:

**Aye:** 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

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.

**Attachments:** [EXHIBIT A - Ordinance & Franchise Agreement 2010 - Cox Communications Hampton Roads, LLC - Cable](#)  
[EXHIBIT B - First Renewal - Cox Communications Cable Franchise Agreement](#)

Ms. Bunting stated the City of Hampton granted to Cox Communication Hampton Roads LLC, a franchise agreement, which was entered into by and between the parties that were effective as of May 12, 2010, subject to the terms and conditions of the ordinance adopted by the City Council at the regular meeting held on May 12, 2010. That agreement allowed them to own construct, operate, and maintain a cable system, allowing the public right away within the designated franchise area in order to provide cable service in accordance with state statute section 15.2 -2100. As amended proper notice was given in this matter by the city of an invitation to bid on a franchise to provide cable service in the city, and a public hearing was duly held at that Council meeting on May 12, 2010. The franchise agreement commenced on the original effective date and expires on July 15, 2023. Unless the franchise is renewed in accordance with the terms and conditions stated therein. The franchisee provided that at any time, the franchise provided that at anytime during the term of the then current franchise while affording the public appropriate notice and opportunity to comment the city and grantee may agree to undertake and finalize and formal negotiations regarding renewal of the current franchise and the City of Hampton may grant renewal thereof. The grantee has requested that the franchise be renewed and extended under the same terms and conditions for a renewal period of five years, being effective on July 16 2023, and expiring on July 16 2028. The city agrees that the grantee is eligible to be and should be granted. A renewal of the franchise permits terms in state law.

Senior Government Affairs Analyst for Cox Communications, Derrick Williams stated Cox had served the City of Hampton for close to forty years or more and is looking to continue that partnership in the community.

My name is Jill Rondo. I have been a resident of Hampton for a very short time now, but I live near Buckroe Beach, Salt Ponds Marina area. Thank you very much for

the opportunity to allow me to share my concerns about the franchising at Cox Cable. The cable franchise system and renewal process presents a challenge and an opportunity for authorities like Hampton, that are seeking to ensure their communities will have modern systems capable of serving their future needs and interests. One challenge includes how you measure if your community is being served, to poll or survey your fellow citizens about their tech needs and interests is time and labor-intensive, and maybe it's a conversation that that time has come. Another challenge it doesn't permit true competition, in a pure sense, consumers simply can't choose a different provider if they don't like what they have. The loss of customers is normally what signals to a business that there is somewhere they need to improve. In most all other areas of city services, trash, sewer, water service interruptions, or faltering infrastructure are reported directly to the city or even a close city agency. So the city is aware of this very, very quickly, but in the communication system, that isn't the case. When that happens, you know, there's a only time that they ever know that there's not a need being met there is through the hearing process. The opportunity in the franchise renewal system, though, is to help Cox be a better partner for Hampton's digital needs. They are a \$20 billion a year company operating in multiple states, they've served communities around us by providing an "internet delivery system that has fast reliable speeds that can scale to keep up with the increasing bandwidth demands of cloud and connected services" from their website. Things that we've all come to rely on very heavily. So why aren't we demanding that our service, our system, and our community, be served with that kind of fast and scalable system too? Why aren't fiber optics already being installed here by Cox? Their pressroom touts, in the last 10 years, that Cox has invested more than 15 billion in its communities through infrastructure upgrades to deliver video phone and high-speed internet service to homes and businesses in their company's service area. Cox plans to invest 10 billion in the next five years. So how much of that is coming to Hampton, and when will a faster, more reliable fiber optic network worthy of this community be installed here? Hampton already invests in all other kinds of infrastructure housing, roads, sewers, water lines, waste management, and recreation spaces, to name a few. But in the area of technology infrastructure, we're falling behind because of a legacy system that hasn't been modernized in the way so many other foundational services have been. Council and many other people here are working hard to attract more families, businesses, educational opportunities, and culture to Hampton. Doesn't it make sense that all of our services here be able to meet the scale that growth - Ms. Rondo's time ended.

Mayor Tuck closed the public hearing

Mary Bunting, City Manager, introduced the item. Derrick

Williams of Cox Communications briefly spoke. The Mayor opened the public hearing. Jill Rondeau spoke. The Mayor closed the public hearing.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Chris Bowman, that this Ordinance-Non-coded be approved. The motion carried by the following vote:

**Aye:** 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

## **PUBLIC COMMENT**

Clerk of Council, Katherine Glass, read the protocol for public comment.

Debbie Scott introduced herself and made the following statement. She is a lifelong resident of Hampton. I'm here representing the line dancing class at the Hampton Senior Center. Our instructor of 25 plus years Mike Corolla passed away last fall. In November, an employee from Parks and Rec came to the center to inform us that the city hoped to have a new instructor in place by the end of December. It is July and we still don't have an instructor. We do have a simple request that the city engages in a more robust search in the line dancing community to find a new instructor. Exercise feeds the body, but the community feeds the soul. Our dancers enjoy the music and the dancing of course, but most importantly, we enjoy each other. The classes give you a reason to get up in the morning, get out the door, and interact with your friends. Contact with people fosters positive feelings, as we all know, a good outlook on life, and a sense of belonging. Certainly, these positives help eliminate feelings of isolation, depression, and anxiety which occur so disproportionately in older adults. It saddens me to say that we are losing members of the class who believe an instructor will never be found. Please help us by assuring the continuation of the line dancing class at the Hampton Senior Center, and by showing the senior citizens of Hampton that we do have support in the city. Thank you very much for your time and attention.

Kathleen Harmon introduced herself and made the following statement. My husband and I live at 74 Tide Mill Lane in the Riverdale community. Tide Mill runs between Armistead and Lasalle and we have a very serious traffic problem. I wrote a letter and I spoke with Jason Mitchell, just prior to this meeting, so I have every reason to believe that my letter will be addressed. But one of the reasons that I wanted to speak this evening was to personally thank you for paying attention to what I think is an awful situation of people exceeding the speed limit, particularly on our street. I did

want to thank you because I'm well aware that you have paid attention to it and that some action is being taken. So thank you very much.

Chuck Jordan made the following comment. I'm here to give you some thoughts about the recent information of the appointment of Jimmy Wideman as our new chief of police coming in on the 29th of this month. Out of transparency, I need to tell you upfront, that he is a good friend of mine, and it is my belief after working with him for nearly three decades, that he may be one of the finest law enforcement leaders the 757 has seen. So I think we're very, very fortunate to have him coming in as our chief. But let me give you some personal reasons after 30 years of observation, that I think would help clarify any misnomer that he isn't the absolute best for this time and for this city. In 2014, the President's Task Force on policing came out with what you have been told over many sessions, a document called the 21st-century policing, philosophy. It has 66 or 67 policies and practices that they wanted to instill in police communities to effectively police. In 1978, when I came to the Hampton Police Department Chief Minetti, was the chief and I looked at this 21st-century policing, document and thought, that's almost exactly what Chief Minetti told me in 1978. It's funny how things come back over time. Jimmy Wideman has all the experience that we need for a police chief. He has run operations, and been the public information officer for a number of police chiefs, including Chief Minetti, who had a very high standard. He's been involved in some of the major investigations in the city in the last three decades. He said supervisory and leadership positions, and he's excelled in all of them. We're experiencing a high number of people, even at a police department for various reasons, going to other jurisdictions. We have a good police department. There are gaps, but Chief Wideman can fill those gaps. There's no doubt in my mind, we're bringing in the right guy. There are statistical reports that you often get and briefings before you - Mr. Jordan's time ended.

Scott Woodruff introduced himself and made the following comment. I live in Colonial Acres and I'm here out of my concern for some public utilities. I intended to speak at the previous session that my wife spoke at, but she having been in the Pennsylvania legislature for a living and me being in my own business, didn't understand the protocol. I still would like to explain my concern on behalf of the city for the utilities. You have some great utilities in water, electric, sewer gas, and everything, but when it comes to the services that we get for cable, and as to speed and dependability, and for wireless phones for which I don't know if you even have accountability for in the area. We are in a desert area for the quality of service. And we have exhausted the possibilities of trying to get improved services. I run my small business from this location. It's a remotely managed business, I depend on Zoom internet meetings, research, marketing, and high-speed internet, something that I

don't have that's dependable, when I go to try to determine are the services on the cell phone as bad in other places in my community as they are and I walk my dog, I find out that we have very many dead zones in the area that I live. I think that when you have the opportunity to renew or recess utilities, such as the modern utilities that are dependent on a cable that was developed in 1948, this coming from my house supporting me with Cox cable, it's not a modern system, it's not a fast system, and it could be developed. And I think that the utilities that are in question and involved would probably jump on the occasion if they were given a higher bar to jump to. So I asked for your consideration. Three years and five years from now when you renew Cox and Verizon for their services you look at the service itself and qualify it. Thank you.

John Chapman introduced himself and made the following statement. I'm a resident of Hampton, and my purpose and goal this evening is just to make myself available and to introduce myself to the community. I am going to be running for delegate this year and Hampton is a big part of who I am. I've been involved in the community, through my church and a lot of different ways. I wanted to be more involved in the other areas of the community that I see that need assistance.

Mayor Tuck interrupted Mr. Chapman and stated he would allow Mr. Chapman to introduce himself but he was not permitted to make a political statement or speech and would be unable to continue with respect to introducing himself as a candidate for office.

Mr. Chapman continued to state as a citizen of Hampton, I want to recognize one of the things that I observed this evening, and my heart was lifted. Just as you started the proceedings this evening by recognizing the Foster Grandparents. That is one of the things that is dear to my heart because I've been a foster parent in the past. So I see the need, and there are other areas that I just love to be involved in. I just want to make myself available to be able to help in whatever way that I can.

Craig Knopp introduced himself and made the following comment. Volunteering is one of the biggest things here I would like to encourage people to do. With a population of 139,000. just think if we had one person give one hour a year, that is a lot of time. One of the things I'm trying to do is look at ways that we can help with the budget in the city. One of the ways that we can help with the budget is by increasing volunteerism. It is hard to get people out to volunteer, it's about one out of maybe every 20 people that tell me that they will show up, and out of that five that show up out of 100 people I have asked, and there might be one person that returns for a second time. So it's a very hard thing. Where do you normally spend all your



time? At home. I would like to talk to the Clean City Commission about having available cleaning equipment in other places besides being at the libraries so they may be closer for people to go out and get. I will be sending an email to maybe get some ideas from you since you talk to a lot more people than I do to see how we can increase volunteering. I would like to see if we can expand the availability of getting equipment out to the people so that way we can get out there daily while people are out and about. Buckroe Beach is probably one of the greatest areas that we have for people out and about. They go out to the beach, and they're picking up trash on a daily basis. It is one of the go-to areas that I would like to use as an area to showcase for our citizens. So that's all I had. Thank you.

Debbie Scott spoke requesting an expedited search for a replacement line dancing instructor at Hampton's Senior Center. Kathleen Harmon spoke about speeding in her neighborhood (Tide Mill Lane) and thanked Council for their attention to the issue. Jaime Rastatter and Phyllis Lane Palin signed up but were not present when called. Chuck Jordan spoke on the appointment of Jimmy Wideman as the new Police Chief later this month. Scott Woodruff spoke on his concern with the low quality of cable services and service for wireless phones in his area. John Chapman offered his availability to the community and his intent to run for office and the Mayor explained to him that announcements such as that are not permitted by the public comment protocol. Craig Knopp spoke about the importance of volunteerism.

Ms. Bunting, the City Manager, shared information about the City's interaction with Cox and Verizon with respect to improving infrastructure and services in Hampton. She also shared that the City will not give up until we find a line dancing instructor.

## **GENERAL ITEMS**

There were no general items on the agenda.

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

Ms. Bunting addressed the cable franchise a little bit more. At this point, we have a little bit more flexibility to talk. I want to assure folks that every time we have the opportunity to interact with Cox and or Verizon, whether it's at a franchise renewal agreement, or other times when we're just meeting, we stress the need for expansion

and updating of the network in our community. As one example, as someone who lived in one part of the city and had one of the providers and I moved to another part and couldn't have that provider, I struggled with that myself why we don't have the whole community covered by both providers, as well as why we do not have the more modern equipment. The fact of the matter is, though, that while the state gives us the ability to do the franchise agreements, we do not have some of the power that that might imply. To expound a bit on it, generally, unless the company is in default, under their original franchise, we are obligated to honor the renewable schedule. So just because we haven't netted more improvement necessarily doesn't mean we haven't tried. And doesn't mean we won't continue to try. And we do not have to wait three or five years to continue to try. Without getting into detailed conversations with companies that I would not be at liberty to share, I can say they provide various reasons for why they haven't done things on schedules. And again, we don't have power through the franchise agreement to make them do something more. We try to persuade them to our point of view over time, and we will continue to do that. I don't want you to think we're going to wait for three or five years.

On another note, Southside communities went in on a fiber network ring, and that was sort of the first effort in the region. Hampton and Newport News recently applied for federal grants that were available under the Infrastructure Act to expand that fiber broadband across the Hampton Roads Bridge Tunnel and into Hampton and Newport News. We did not get the funding on the first round, but we will continue to apply for that funding so we can amplify our local resources in terms of expanding access because we do understand that fast-speed data transfer is part of building a modern economy and enhancing our economy. So I just wanted to take a moment to elaborate on that, that it has been a council priority, both with current providers as well as more generally.

The other thing in response to comments I wanted to assure Miss Scott, that we will not give up until we find a replacement instructor for the line dancing. We will try to follow up with her to see if she has some thoughts as to a more robust search and the dance line dance community, they may have some contacts to follow up on. We will do our best and we want to make sure that we can offer the services and our recreational centers that our public would like to see.

## **MISCELLANEOUS NEW BUSINESS**

Councilman Bowman mentioned that the Hampton Roads Community Action Program had an awards reception in June of this year, and Mayor Donnie Tuck received a Community Builders Award.

**ADJOURNMENT**

The meeting adjourned at 9:19 p.m.

\_\_\_\_\_  
Donnie R. Tuck  
Mayor

\_\_\_\_\_  
Katherine K. Glass, CMC  
Clerk of Council

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