



City of Hampton, VA

Meeting Minutes

City Council

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

W. H. "Billy" Hobbs, Jr. *Christopher G. Stuart*
Will Moffett *Donnie R. Tuck*
Chris Snead *George E. Wallace*
Molly Joseph Ward, Mayor

Staff:
Mary Bunting, City Manager
Cynthia Hudson, City Attorney
Katherine K. Glass, CMC, Clerk of Council

Wednesday, May 8, 2013 7:00 PM Council Chambers, 8th Floor, City Hall

CALL TO ORDER/ROLL CALL

MOLLY JOSEPH WARD PRESIDED

PRESENT: W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace

INVOCATION – Rather than giving the invocation, Councilman Tuck requested everyone stand for a moment of silence.

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

Mayor Ward welcomed everyone to the meeting.

CONSENT AGENDA

Mayor Ward noted that there were no requests made to remove any items from the Consent Agenda and called for the motion to approve items 1-7.

CONSENT ITEMS

1. 13-0134 Ordinance to Amend and Re-Enact Chapter 9 of the City Code of the City of Hampton, Virginia Entitled "Building and Development Regulations" by Deleting Article IV, Sections 9-131 Through 9-189 Pertaining to Site Plans.

APPROVED items 1 though 7 on the consent agenda.

Motion made by: Vice Mayor George E. Wallace

Seconded by: Councilmember W. H. "Billy" Hobbs, Jr.

Ayes: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph
Ward

Nays: 0

2. 13-0136 Ordinance To Amend And Reenact Chapter 24, Section 24-37 Of The Code Of The City Of Hampton Entitled "Accumulations Of Refuse Or Weeds Near Residential Or Commercial Structures." to Impose Increased Fees

APPROVED items 1 though 7 on the consent agenda.

Motion made by: Vice Mayor George E. Wallace

Seconded by: Councilmember W. H. "Billy" Hobbs, Jr.

Ayes: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph
Ward

Nays: 0

3. 13-0156 Resolution Adopting Revenue Guideline for Real Estate Tax Rate Adjustment.

WHEREAS, the City of Hampton Finance Committee, an advisory body appointed by the Hampton City Council, has considered the factors that should be considered in establishing the real estate tax rate in times of both real property assessment increases and real property assessment decreases, including housing market conditions, personal income, population and cost of living;

WHEREAS, the Finance Committee has also articulated a basic taxing philosophy that suggests that real estate revenue growth be limited or expanded based on relevant economic factors as set forth in the proposed Revenue Guideline for Real Estate Taxes, attached as Exhibit A to this resolution; and

WHEREAS, having reviewed and considered the information forming the basis for the Finance Committee's recommendation of the proposed Guideline, and finding application of the Guideline in the best fiscal interest of the citizens of Hampton.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hampton, Virginia that the Revenue Guideline For Real Estate Taxes proposed by the Hampton Finance Committee and set forth in Exhibit A shall govern the adjustment of the real estate tax rate.

A copy of Exhibit A is attached to the minutes.

APPROVED items 1 though 7 on the consent agenda.

Motion made by: Vice Mayor George E. Wallace

Seconded by: Councilmember W. H. "Billy" Hobbs, Jr.

Ayes: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph
Ward

Nays: 0

4. 13-0159 Resolution Approving the City of Hampton, Virginia's Participation and Appropriation of Funds for the Installation of the Living Shoreline Project at Blue Bird Gap Farm, Awarded by the Chesapeake Bay Restoration Fund Advisory Committee

WHEREAS, the Chesapeake Bay Restoration Fund Advisory Committee has awarded \$8,500 to the City of Hampton, with project implementation by the Virginia Cooperative Extension; and

WHEREAS, the City of Hampton will utilize funds to assist the Virginia Cooperative Extension in installing a living shoreline along the waterway located at Blue Bird Gap Farm, this is due to the erosion, increased sediment and nutrient loading at the site that has led to declines in natural fish population; and

WHEREAS, the grant award covers a 12-month period beginning on July 1, 2013;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hampton accepts and appropriates \$8,500 for the Chesapeake Bay Restoration Fund Advisory Committee Grant in accordance with the grant agreement.

BE IT FURTHER RESOLVED, that the City Council authorizes the City Manager to take necessary steps to implement this award.

APPROVED items 1 through 7 on the consent agenda.

Motion made by: Vice Mayor George E. Wallace

Seconded by: Councilmember W. H. "Billy" Hobbs, Jr.

Ayes: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

Nays: 0

5. 13-0160 Resolution Approving the City of Hampton, Virginia's Participation and Appropriation of Funds for the 2013 Summer Food Service Program for Children, Received from the U.S. Department of Agriculture.

WHEREAS, the City of Hampton has applied for the USDA Summer Food Service Program for children grant from the U. S. Department of Agriculture for \$252,472 in federal funds; and

WHEREAS, participation in the Summer Food Program fluctuates, either decreasing or increasing the final award amount; and

WHEREAS, the grant application covers the period June 17, 2013 through August 23, 2013;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hampton accepts and appropriates the USDA Summer Food Service Program for Children grant in the amount of \$252,472 and any related supplemental funding made by the U. S. Department of Agriculture in accordance with the grant agreement.

BE IT FURTHER RESOLVED that the City Council authorizes the City Manager to take the necessary steps to implement this grant award.

APPROVED items 1 through 7 on the consent agenda.

Motion made by: Vice Mayor George E. Wallace

Seconded by: Councilmember W. H. "Billy" Hobbs, Jr.

Ayes: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

Nays: 0

6. 13-0164 Ordinance To Amend And Reenact Chapter 38 Of The Code Of The City Of Hampton, Virginia, Entitled "Vehicles For Hire", Section 38-127, To Allow Holders Of Certificates Of Public Convenience And Necessity To Charge Discounted Rates To Certain Groups/Individuals Upon Approval From The Chief Of Police.

APPROVED items 1 through 7 on the consent agenda.

Motion made by: Vice Mayor George E. Wallace

Seconded by: Councilmember W. H. "Billy" Hobbs, Jr.

Ayes: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

Nays: 0

7. 13-0165 Approval of the minutes from the March 27, 2013, Spotlight on Citizens; the April 10, 2013, Evening Meeting, and the April 13, 2013, Special Meeting.

APPROVED items 1 through 7 on the consent agenda.

Motion made by: Vice Mayor George E. Wallace

Seconded by: Councilmember W. H. "Billy" Hobbs, Jr.

Ayes: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

Nays: 0

PRESENTATIONS, PROCLAMATIONS, AWARDS

PUBLIC HEARINGS

Clerk of Council Ms. Katherine Glass read the protocol for the Public Hearing items.

USE PERMIT

8. 13-0157 Use Permit Application No. 1085-2013: Proposal by Richard S. Ayers DBA Attic Tattoos, LLC to operate a tattoo parlor at 1073 N. King Street [LRSN 8000678].

City Planner Ms. Alison Alexander greeted those on the dais and presented them with the application. A copy of the presentation is attached to the minutes.

Ms. Alexander stated the applicant is proposing to open a tattoo parlor at the subject property located south of the intersection of King Street and Mercury Boulevard, specifically at 1073 North King Street as indicated on slides 3 and 4 of the presentation. She said the property is zoned C-2 limited commercial which permits a tattoo parlor subject to the approval of a use permit. She noted that the applicant held a community meeting on April 2, 2013, however, no one from the public was in attendance.

Ms. Alexander stated 8 conditions have been attached to this application. She continued stating that the Hampton Community Plan provides policies and guidance when reviewing this request such as it encourages nurturing small and start-up businesses, and it encourages location of businesses in commercial nodes to protect adjacent neighborhoods.

Ms. Alexander concluded her presentation stating staff and the Planning Commission recommend approval of this use permit with the 8 conditions. She noted that she and the applicant were available to answer questions posed by those on the dais.

Councilman Moffett stated that he recently visited the area and noticed that a tattoo parlor is already at that location and asked if this application is in reference to that same parlor which has a sign in the window. Ms. Alexander replied yes and added that the applicant has begun interior work in anticipation that his request will be passed; however, the parlor is not yet open.

Conditions

1. Issuance of Permit

The Use Permit applies only to 1073 N. King Street [LRSN 8000678], and is not transferable to another location.

2. Hours of Operation

The hours of operation shall be limited to 10:00AM to 10:00PM from Sunday to Saturday.

3. Screening

All tattooing shall be screened in a way to not be visible from the exterior of the building.

4. Certificate of Occupancy

The applicant must obtain a Certificate of Occupancy prior to commencing the tattoo parlor operation.

5. Compliance with Applicable Laws

The applicant must comply with all Health Department, Virginia Code § 15.2-91 & 18.2-371.3, and City of Hampton Code requirements and regulations, and any and all other applicable Federal, State, and Local ordinances and regulations.

6. Nullification

a. The Use Permit shall become null and void if the use is not established within twenty-four (24) months of the date of approval by City Council.

b. The Use Permit shall become null and void if the facility is not used for the permitted use for a period of six consecutive months.

7. Termination

Notwithstanding any condition or provision of this Use Permit to the contrary, the Use Permit may be terminated immediately for violation of any terms or conditions of the Use Permit.

8. Term of Permit

The Use Permit shall be valid for 18 months from the date of approval by the Hampton City Council. After 12 months of operation, prior to the expiration date, the Use Permit will be scheduled for review by the Director of Community Development (the "Director") to consider if the continuation of the activities under the Use Permit would not cause public inconvenience, annoyance, disturbance, or have an undue impact on the community or be incompatible with other uses of land in the zoning district. The review will be based, in part, upon a physical site review, traffic flow and control, access to and circulation within the property, off-street parking and loading, hour and manner of operation, noise, light, neighborhood complaints, police service calls, and any violations of any federal, state, or local law. If after review, the Director determines that the Use Permit would not be detrimental to the public health, safety, and welfare and that to continue the activities under the Use Permit would not cause public inconvenience, annoyance, disturbance, or have an undue impact on the community or be incompatible with other uses of land in the zoning district, the Director may administratively extend the Use Permit in five (5) year increments. Each such extension shall be subject to the same administrative review. If the Director determines that the Use Permit would be detrimental to the public health, safety, and welfare and that to continue the activities under the Use Permit would cause public inconvenience, annoyance, disturbance, or have an undue impact on the community or be incompatible with other uses of land in the zoning district, the Director will notify the Permittee of a denial of the extension in writing. The denial of an extension of the Use Permit will not require the removal of any structure or structures constructed or installed for the live entertainment area(s). A Permittee aggrieved by the decision of the Director may, upon written request within 30 days of the decision, have the matter reviewed by the Planning Commission and the City Council. Nothing contained herein shall limit the rights of a Permittee to seek a new Use Permit.

Public Hearing:

Mayor Ward stated no one signed up to speak at the Public Hearing and called for speakers from the audience. There being none, she closed the Public Hearing.

PRESENTED by Alison Alexander, City Planner.

HELD PUBLIC HEARING - There were no speakers on this item.

APPROVED subject to 8 conditions.

Motion made by: Councilmember Christopher G. Stuart

Seconded by: Councilmember W. H. "Billy" Hobbs, Jr.

Aye: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

Nay: 0

ORDINANCES

9. 13-0158 Ordinance to amend and re-enact chapter 35 of the City Code of the City of Hampton, Virginia, Entitled "Subdivisions" by adding a new chapter 35.1 entitled "Site Plans", and to Establish Fees for Review and Administration of the Site Plan Ordinance as Authorized by VA. Code § 15.2-2241.A.9

Ms. Bunting noted that Council was briefed on this item at the last afternoon meeting. She clarified that the purpose of this Ordinance is to update the City Codes and Zoning Ordinances and to ensure clarity and consistency throughout our Code. She added that in the past, provisions were in different places throughout the Code, and, this will align all of the relevant sections in one part of the Code and will ensure that we are consistent with updated State law changes. She reiterated Council was fully briefed on this matter at the last meeting; however, Community Development Department Deputy Director Mr. Steven Shapiro was present to answer Council's questions if needed. No questions were posed to Mr. Shapiro.

PUBLIC HEARING:

Mayor Ward stated no one signed up to speak at the Public Hearing and called for speakers from the audience. There being none, she closed the Public Hearing.

HELD PUBLIC HEARING - There were no speakers on this item.

APPROVED

Motion made by: Councilmember W. H. "Billy" Hobbs, Jr.

Seconded by: Councilmember Christopher G. Stuart

Aye: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

Nay: 0

CAPITAL IMPROVEMENT PLAN

10. 13-0171 Public Hearing and Vote on Recommended Fiscal Year 2014-2018 Capital Improvement Plan (CIP)

Ms. Bunting stated Council was briefed on the proposed Capital Improvement Plan (CIP) at today's afternoon session and noted that the presentation could be given again if desired. She then directed Council to the revised CIP which incorporates the changes discussed at the afternoon meeting. A copy of the revised CIP is attached to the minutes.

Ms. Bunting elaborated on the specific changes in the revised CIP. There is \$2 million per year for Hampton City Schools (HCS) 1:1 Technology Investment Program funded with the dedicated tax rate increase as part of the invest strategy for our School System. This appears in FY14 and continues through FY18. We have also added the Commonwealth of Virginia \$3 million in funds to match our Joint Base Langley Eustis Clear Zone initiative. We have reduced the City Master Plan Acceleration Funds by

\$1 million as part of our strategy to bring down the real estate tax rate increase. She reiterated that all of the items discussed earlier are now reflected in the revised CIP which is the Plan Council is being asked to adopt after the Public Hearing has been held.

Vice Mayor Wallace asked if the Plan has been approved by the Planning Commission. Ms. Bunting replied the Plan was approved by the Planning Commission although they did not have the benefit of some of the changes which occurred as part of the budget process. She continued stating that they met last week and she shared with them that there would be potential changes particularly as it related to our final decision making on the tax rate and they fully understood that. She noted that the Planning Commission did endorse the projects that were included.

PUBLIC HEARING:

Mr. Edwin Boone, 48 Snow Street, greeted those on the dais and made the following statement: Through the Freedom of Information Act (FOIA), (you have to say this otherwise they will sit there and look at you and won't say anything). If you write this down, it is mandatory that they answer within five working (business) days. If they need more time, then you get an additional two or three days, I believe. Once you put this down (on paper), they are forced to answer legally.

Mayor Ward reminded Mr. Boone to address Council (on the issue at hand).

Mr. Boone continued his statement: Through the FOIA, list all money borrowed; when and for what purpose to purchase Harbor Square. Through the FOIA, what happened to the remaining monies from \$1.5 million to the \$300,000 that was used for the Brass Shop?

Mayor Ward reminded Mr. Boone again that his comments need to address Council.

Mr. Boone continued his statement: They had \$1.5 million set aside to open up a business in downtown Hampton and/or downtown Phoebus. The Brass Shop got \$300,000. Through the FOIA, what happened to the \$1.2 million that was supposed to be left over? I would like to turn this in to the Clerk of Council.

Mr. Hugh Bassette, 117 Rip Rap Road, made the following statement: I am speaking as President of the Old Northampton Community Organization. (1) One of the things you have in here is \$1.7 million for the Virginia School for the Deaf and Blind. Last summer, they had a meeting and they told the residents that they were working on putting some housing there. Now, it seems that that has disappeared and they are talking about putting a VA Help Center there. (2) Regarding the Commerce Drive Extension. We (Old Northampton Community Organization) are definitely against that. You want to run a four lane highway through a black community cemetery where both of my parents are buried, and a set of my grandparents are buried there. It is a nice, quiet, beautiful area. For some reason, you want to send a four way highway through there. I think that is an insult to me and my predecessors. Most black people around my age have parents buried there. Now you can be buried anywhere you want to be buried, except for my back yard which is where I want to be (buried). We don't think that is necessary. People have been driving around getting to Butler Farm Road all of these years, I don't think it will kill them to keep doing that. (3) On the Master Plan. There is nothing in these Master Plans (not one cent) that goes to Old Northampton. I know what you all are

going to say. Y.H. Thomas (Community Center). Every year, you bring that up. That is just like saying when you put a roof on City Hall, you invested in Pasture Point neighborhood. Mr. Simpson used to say Y.H. Thomas is in Old Northampton, but it is not of Old Northampton. We want to see some other projects to improve our community other than every year you put Y.H. Thomas in there and when we ask for improvements, you all say "Y.H. Thomas". It is not that we are against Y.H. Thomas because it is a fine facility – even though half of it is for City use. (4) On the Streets. You know what I am going to say, right? Here is a letter dated May 13, 2009. We call it in Old Northampton, the "Pete Peterson Letter" where you said you were going to complete the curb and gutter. You did Phase 1; you did Phase 2, but all of a sudden, now, Phase 3 Langley Avenue, is all we are asking for, one block. Where would that money come from? Out of the \$6 million that you have for street resurfacing. We are saying to you to take some of that money and finish the commitment you made to us over 20 years ago.

(5) On the King Street Master Plan. The King Street Master Plan has things that involve Old Northampton also. These are the pages directly from the Plan. As a matter of fact, they have some street extensions, one coming right through my front door. I don't know if I am against that because the way you all pay for the property you buy, I will be rich and I can retire from retiring. They also have some improvements on Rip Rap Road. So, we are saying that when you talk about the King Street Master Plan, we want to see some of the improvements included in the King Street Master Plan that affect the neighborhood and not just Little Back River Road where you all put up a street sign and a traffic sign that we didn't even want. Thank you.

Mayor Ward called for additional speakers from the audience. There being none, she closed the Public Hearing and called for questions from those on the dais.

Councilman Tuck said we accumulated property in Buckroe for a community center, yet he does not see anything in the CIP about how we plan to utilize it. He asked if that is off the table completely.

Ms. Bunting replied stating the land we were acquiring in Buckroe was primarily for a school. The concept was that there might be a community center adjacent to it or nearby; however, we have not completely acquired all of the necessary properties. She explained that we have only acquired the properties we could acquire from willing sellers, but there are still some properties which need to be assembled to complete the site. She further explained that when the economy slowed and we had to postpone new school construction, we did not advance the issue to see if Council or the School Board wanted to proceed. She noted that at some point we will resurface that to Council, but this explains why it is not in the CIP at this point.

PRESENTED by Mary Bunting, City Manager.

HELD PUBLIC HEARING - Edwin Boone and Hugh Bassette spoke on this item.

APPROVED

Motion made by: Councilmember Christopher G. Stuart

Seconded by: Councilmember W. H. "Billy" Hobbs, Jr.

Aye: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

Nay: 0

GENERAL ITEMS**BUDGET ORDINANCES – SECOND READING (FIRST READING - May 1, 2013)**

Ms. Bunting stated that over the last several months, we have heard much from the community, in Council meetings, at Budget Hearings and work sessions about where we should end up at the end of this budget process. The general will of Council was to reduce the tax rate increase from the 23 cent maximum proposed to something lesser while maintaining a momentum in community improvements that citizens expressed a desire to see. She noted that there was a desire to protect and invest some in our momentum, but not the full 23 cents that was in the Manager's Recommended Budget.

For the benefit of the public, Ms. Bunting gave the following summary of the scenario she presented to Council this afternoon which she believes accomplishes Council's desires/feedback: When I have finished explaining the things which will be added and subtracted, the proposed tax rate increase will be 20 cents (as opposed to 23 cents) which includes a mix of protecting both City and School services as well as investing in the future for our youth and all of our residents.

Ms. Bunting then broke down the tax increase into various areas.

The School's Budget included a proposed 8 cent tax increase to protect existing school services including the things we talked about in the community which might have to be cut if we didn't have that tax increase. If approved, the Council is supporting the recommendation for the 8 cent increase. Additionally, there is a 2 cent factor to invest in our school technology. As we heard from the school team, we are pleased to put that specifically into a 1:1 technology initiative so that over the next several years all of our students from 5-12 grades will benefit from having equal access to technology resources both in their schools and in their homes. Because this is a capital initiative, it will be reflected in the Capital Budget as reflected in the Capital Improvement Plan (CIP) just adopted. She noted this brings the amount of the tax increase to support our schools to a total of 10 cents.

On the City side, the proposal before Council for final vote is a 6 cent increase to protect City services. We started at a 7 cent (increase) per community input; however, her Manager's Recommended Budget included a 5 cent (increase). She explained she arrived at that amount by cutting some things that Council has since expressed a desire to restore. We are restoring the 311 night and weekend hours, the Old Hampton Community Center (OHCC) operation, honoring our pledge to Christopher Newport University for the remaining period of that pledge, setting aside the money necessary to pay the group life insurance premium for the Virginia Retirement System (VRS) and \$200,000 for a Federal Budget Sequestration reserve so that we have a buffer if consumer oriented taxes are impacted in the upcoming Federal budget issues. This protect scenario takes the tax rate increase to 6 cents. She explained we scaled back the invest strategy in a few ways bringing it down to 1 cent for reinvestment and maintenance and 3 cents for Master Plan acceleration for a total of 10 cents on the City side.

Ms. Bunting clarified there will be a 10 cent tax rate increase for both the City and School sides for a total of a 20 cent tax rate increase achieving the restorations described earlier and investing in the 1:1 initiative for the schools and in Master Plan

acceleration for the neighborhood and community Master Plans that have been developed in concert with the citizens.

In response to Councilman Stuart's inquiry regarding protecting Moton Early Childhood Center, Ms. Bunting confirmed that institution has been protected as well as many other things including the block schedule, elementary school counselors, nurses, and various other things which were a part of the protect scenario.

Mayor Ward recognized School Superintendent Dr. Linda Shifflette and the members of the School Board who were in attendance, Ms. Martha Mugler, Ms. Jennifer Phillips, Mr. Joe Kilgore, Ms. Phyllis Henry and Ms. Monica Smith. She thanked them for attending the Council meetings and for their participation in this process.

Ms. Bunting read the following statement regarding the budget: By tradition and practice, even though we anticipated subsequent changes to the budget after last week's meeting, Council approved all the Budget Ordinances as they were presented for first reading to move things along. Having now incorporated Council's desired changes just outlined, we will seek approval of amended Ordinances as necessary on second reading to reflect those changes.

Mayor Ward asked the Clerk to read the various motions required for items 11-20 on the FY14 Budget items Council voted on last week on first reading which now require a second vote for final approval. She noted that wherever staff has made amendments to the Ordinances since the first reading, the Clerk will read the proposed amending language (Action). She further noted that she will ask for Council action on each item following the reading from the Clerk.

11. 13-0143 An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the City of Hampton, Virginia for the Fiscal Year Beginning July 1, 2013 and Ending June 30, 2014.

MOVED TO amend AGENDA ITEM NO. 13-0143, the City's Fiscal Year 2014 Operating Budget (as set forth in the budget document) and in an Ordinance Appropriating Monies for the General Expenses of the City, adopted on first reading, as read by the Clerk, and attached hereto as Exhibit A.

A copy of Exhibit A is attached to the minutes.

Motion made by: Councilmember Chris Snead

Seconded by: Councilmember Will Moffett

Ayes: 6 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, George E. Wallace, Molly Joseph Ward

Nays: 1 - Donnie R. Tuck

MOVED TO adopt Agenda Item 13-0143 on second and final reading, as amended.

Motion made by: Councilmember Chris Snead

Seconded by: Vice Mayor George E. Wallace

Aye: 6 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, George E. Wallace, Molly Joseph Ward

Nay: 1 - Donnie R. Tuck

12. 13-0138 An Ordinance to Adopt a Budget and Appropriate Monies for the Capital Budget for the City of Hampton, Virginia for the Fiscal Year Beginning July 1, 2013 and Ending June 30, 2014.

At Councilman Moffett's request, Ms. Bunting clarified what Council was about to vote on. She said the language in the Ordinance is our best attempt to capture what Council said at the afternoon meeting. She understood Council to mean they wanted us to continue to advance the initiatives, but bring them back at a subsequent time when Council would prioritize funding levels and order of projects. She said this was an attempt to capture the idea that we would continue to work with various committees. For example, in the case of the Martin Luther King memorial effort, we would work with the Martin Luther King Committee; in the case of the Tucker Family Cemetery, we would do the title search work that was suggested; we would work with the 1619 commission; the Buckroe Splash Pad and Waterpark would also continue to be advanced to the point where we could bring you detailed plans. Ms. Bunting explained that in accordance with what was suggested at a prioritization meeting, Council could identify how much funding they were willing to put to each of these initiatives.

A copy of Exhibit B is attached to the minutes.

MOVED TO amend AGENDA ITEM NO. 13-0138, an ordinance to adopt a budget and appropriate monies for the Capital Budget of the City of Hampton, Virginia for the Fiscal Year Beginning July 1, 2013 and ending June 30, 2014, adopted on first reading, as read by the Clerk and attached hereto as Exhibit B.

Motion made by: Vice Mayor George E. Wallace

Seconded by: Councilmember W. H. "Billy" Hobbs, Jr.

Ayes: 6 - W. H. "Billy" Hobbs, Jr., Will Moffett, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

Nays: 0

Abstain: 1 – Chris Snead

MOVED TO adopt Agenda Item 13-0138 on second and final reading, as amended.

Motion made by: Councilmember Will Moffett

Seconded by: Vice Mayor George E. Wallace

Aye: 5 - W. H. "Billy" Hobbs, Jr., Will Moffett, Christopher G. Stuart, George E. Wallace, Molly Joseph Ward

Nay: 1 - Donnie R. Tuck

Abstain: 1 – Chris Snead

13. 13-0148 An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Solid Waste Management Fund for the Fiscal Year beginning July 1, 2013 and ending June 30, 2014.

MOVED TO adopt AGENDA ITEM NO. 13-0148, An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Solid Waste Management Fund for the Fiscal Year beginning July 1, 2013 and ending June 30, 2014, on second and final reading.

Motion made by: Vice Mayor George E. Wallace

Seconded by: Councilmember Will Moffett

Ayes: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

Nays: 0

14. 13-0149 An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Stormwater Management Fund for the City of Hampton, Virginia, for the Fiscal Year Beginning July 1, 2013 and Ending June 30, 2014.

MOVED TO adopt AGENDA ITEM NO. 13-0149, An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Stormwater Management Fund for the City of Hampton, Virginia, for the Fiscal Year Beginning July 1, 2013 and Ending June 30, 2014, on second and final reading.

Motion made by: Councilmember Chris Snead

Seconded by: Councilmember W. H. "Billy" Hobbs, Jr.

Ayes: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

Nays: 0

15. 13-0152 An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Wastewater Management Fund for the City of Hampton, Virginia for the Fiscal Year Beginning July 1, 2013 and ending June 30, 2014.

MOVED TO adopt AGENDA ITEM NO. 13-0152, An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Wastewater Management Fund for the City of Hampton, Virginia for the Fiscal Year Beginning July 1, 2013 and ending June 30, 2014, on second and final reading.

Motion made by: Councilmember Chris Snead

Seconded by: Councilmember W. H. "Billy" Hobbs, Jr.

Ayes: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

Nays: 0

16. 13-0142 An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Fleet Services Fund for the City of Hampton, Virginia, for the Fiscal Year Beginning July 1, 2013 and Ending June 30, 2014.

MOVED TO adopt AGENDA ITEM NO. 13-0142, An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Fleet Services Fund for the City of Hampton, Virginia, for the Fiscal Year Beginning July 1, 2013 and Ending June 30, 2014, on second and final reading.

Motion made by: Councilmember Will Moffett

Seconded by: Councilmember Chris Snead

Ayes: 6 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, George E. Wallace, Molly Joseph Ward

Nays: 1 - Donnie R. Tuck

17. 13-0147 An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Risk Management Fund for the City of Hampton, Virginia, for the Fiscal Year Beginning July 1, 2013 and Ending June 30, 2014.

MOVED TO adopt AGENDA ITEM NO. 13-0147, An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Risk Management Fund for the City of Hampton, Virginia, for the Fiscal Year Beginning July 1, 2013 and Ending June 30, 2014, on second and final reading.

Motion made by: Vice Mayor George E. Wallace

Seconded by: Councilmember Chris Snead

Ayes: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

Nays: 0

18. 13-0155 An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Steam Plant for the Fiscal Year beginning July 1, 2013 and ending June 30, 2014.

MOVED TO adopt AGENDA ITEM NO. 13-0155, An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Steam Plant for the Fiscal Year beginning July 1, 2013 and ending June 30, 2014, on second and final reading.

Motion made by: Vice Mayor George E. Wallace

Seconded by: Councilmember Chris Snead

Ayes: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

Nays: 0

19. 13-0139 An Ordinance to adopt a budget and appropriate monies for the general expenses of the Hampton Coliseum and Arts Fund for the fiscal year beginning July 1, 2013 and ending June 30, 2014.

MOVED TO adopt AGENDA ITEM NO. 13-0139, An ordinance to adopt a budget and appropriate monies for the general expenses of the Hampton Coliseum and Arts Fund for the fiscal year beginning July 1, 2013 and ending June 30, 2014, on second and final reading.

Motion made by: Councilmember Chris Snead

Seconded by: Councilmember W. H. "Billy" Hobbs, Jr.

Ayes: 6 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, George E. Wallace, Molly Joseph Ward

Nays: 1 - Donnie R. Tuck

20. 13-0140 An ordinance to adopt a budget and appropriate monies for the general expenses of the Hampton Roads Convention Center Fund for the fiscal year beginning July 1, 2013 and ending June 30, 2014.

MOVED TO adopt AGENDA ITEM NO. 13-0140, An ordinance to adopt a budget and appropriate monies for the general expenses of the Hampton Roads Convention Center Fund for the fiscal year beginning July 1, 2013 and ending June 30, 2014, on second and final reading.

Motion made by: Councilmember W. H. "Billy" Hobbs, Jr.

Seconded by: Vice Mayor George E. Wallace

Ayes: 5 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, George E. Wallace, Molly Joseph Ward

Nays: 1 - Donnie R. Tuck

Abstain: 1 – Christopher G. Stuart

BUDGET ORDINANCES – FIRST AND FINAL READING

21. 13-0144 An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Information Technology Fund for the City of Hampton, Virginia, for the Fiscal Year Beginning July 1, 2013 and Ending June 30, 2014.

MOVED TO adopt, in the form submitted this evening, AGENDA ITEM 13-0144, An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Information Technology Fund for the City of Hampton, Virginia, for the Fiscal Year Beginning July 1, 2013 and Ending June 30, 2014.

Motion made by: Vice Mayor George E. Wallace

Seconded by: Councilmember Chris Snead

Ayes: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

Nays: 0

22. 13-0141 An Ordinance to adopt a budget and appropriate monies for the Economic Development Fund for the Fiscal Year Beginning July 1, 2013 and Ending June 30, 2014.

MOVED TO adopt AGENDA ITEM 13-0141 An Ordinance to adopt a budget and appropriate monies for the Economic Development Fund for the Fiscal Year Beginning July 1, 2013 and Ending June 30, 2014.

Motion made by: Councilmember W. H. "Billy" Hobbs, Jr.

Seconded by: Councilmember Chris Snead

Ayes: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

Nays: 0

23. 13-0150 An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of The Hamptons Golf Course for the Fiscal Year Beginning July 1, 2013 and ending June 30, 2014.

MOVED TO adopt AGENDA ITEM 13-0150, An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of The Hamptons Golf Course for the Fiscal Year Beginning July 1, 2013 and ending June 30, 2014.

Motion made by: Vice Mayor George E. Wallace

Seconded by: Councilmember W. H. "Billy" Hobbs, Jr.

Ayes: 6 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, George E. Wallace, Molly Joseph Ward

Nays: 1 - Donnie R. Tuck

24. 13-0151 An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of The Woodlands Golf Course for the Fiscal Year Beginning July 1, 2013 and ending June 30, 2014.

MOVED TO adopt, in the form submitted this evening, AGENDA ITEM 13-0151, An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of The Woodlands Golf Course for the Fiscal Year Beginning July 1, 2013 and ending June 30, 2014.

Motion made by: Vice Mayor George E. Wallace

Seconded by: Councilmember Chris Snead

Ayes: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

Nays: 0

BUDGET: TAX AND FEE ORDINANCES – SECOND READING (FIRST READING - May 1, 2013)

25. 13-0146 An Ordinance to Increase the Tax Rate on Real Properties in the City of Hampton, Virginia, for the Fiscal Year Beginning July 1, 2013 and Ending June 30, 2014.

Mayor Ward offered an opportunity for each member of Council to make comments regarding the overall budget.

Councilman Hobbs stated he was pleased with the budget process as a whole as well as how City staff, the School Board staff, and the School staff put everything together for Council. He stated this has not been an easy process for him as it was his first budget; however, he believes in order to keep Hampton strong, we have to vote in favor of increasing the tax rate, therefore, he is in favor of it.

Councilman Tuck stated he recognizes the need to increase taxes, however, in his opinion, considering a 20 cent increase assumes that the last eight to nine years did not exist if we recognize that from approximately 2005-2008, we experienced exorbitant increases in real estate taxes and, in fact, our taxes were higher than we put in our budget as far as the estimate. He continued stating that he believes we should consider an incremental approach and that he supports the schools and City government. He

said he really believes in government; however, government does things that most private businesses would not do. He said he believes government has to be efficient and should not take more money than it needs to operate and provide services. He said with so much uncertainty in this economy, he believes we are really going to hurt ourselves competitively as well as create some hard feelings in the City by increasing the proposed 20 cent rate and therefore, he will not support it.

Councilwoman Snead commended Ms. Bunting and Dr. Shifflette for their public outreach efforts, particularly when discussing issues that have been facing this City. She also commended them for spending a lot of time attempting to educate the citizens on the challenges in this budget. She stated as a citizen of Hampton, she does not necessarily want her taxes to be increased; however, she realizes that it is necessary. She said she believes an incremental approach should have been taken years ago, but now we are at a point where we have cut as much as can be cut from these budgets, so now is the time to increase the tax rate. She added that she has participated on both sides as a staff person and now as a Councilmember which has been difficult and different; however, she feels confident that staff has done everything in their power. She stressed the importance of investing in our City in order to strategically move forward, and for those reasons, she supports the budget.

Councilman Moffett commended Ms. Bunting, Dr. Shifflette, the School Board, the Councilmembers and all of the support staff for their extraordinary job in outreach to the community. He said there is a lot of work that goes into this process and not only did we have major meetings, but the City Manager and the School Superintendent also held meetings at civic associations, business organizations, the three high schools, the Ruppert Sargent building, and conducted scientific polls. He said he doesn't think he could find another City in our region that goes the extra mile like Hampton does and he is very thankful to be in a City such as Hampton, America's first. He said in order for us to go from great to greater, we will have to stand up and lead. As one of our founding fathers, Mr. Thomas Paine, said, you must lead, follow or get out of the way. He said we should not be concerned about the risks or our political future; instead, we should be concerned about Hampton and what is best for our people. He noted he was honored to participate in this process and it is very important that the citizens know we heard them when they weighed in. He said he pledged to fully fund education and he stands by that commitment. In addition to that, we put \$19.3 (million) into our waterways which shows that Hampton is moving forward and he is proud of this City, but he believes we are capable of more and of being a world class City. He said he will proudly vote in favor of the budget.

Councilman Stuart said after three years on Council, he is aware of what we can and cannot accomplish without a certain amount of funds that our School System needs. He continued stating that sometimes forces larger than our City such as Federal challenges or State challenges and mandates from both of those bodies, as well as the real estate market, means that there are certain things that we have to do at a City level; however, our citizens seemed to intuitively understand that what our City needed was to either protect or invest. He said this budget is a collection of intelligently thought out ways that we shore up the services that our citizens deserve and have the right to, whether that be City or School services. When it comes to the CIP, it is putting money where the citizens expect us to. As Councilman Moffett mentioned, the waterways is a serious issue that we have to support. He said we need to prepare ourselves to be better positioned than most of the other municipalities around us – people will wait to see what will happen with

the economy while programs such as the Ipad program will take our School System on the quantum leap to where people cannot wait to look at homes in Hampton, which makes our home property values go up. He said since the citizens have told us what they expect, he believes the correct thing to do is to vote yes on the issue.

Vice Mayor Wallace stated government exists because it is an institution that has been developed to provide services for individuals and people that cannot individually provide for themselves in a rational and efficient basis. He emphasized that the people dictated what services they wanted provided; therefore, the budget reflects a means to provide the services that individuals expect. He commended Ms. Bunting and Dr. Shifflette for conducting one of the most transparent processes in terms of explaining the intricacies of the budgetary process that he has seen in his 30 years. He said no one does it better in terms of transparency than the City Manager and Superintendent. He said one of the reasons there are not a lot of people screaming foul is because there has been a thorough vetting process. He said we are trying to rationalize and keep our community strong, viable, and sustainable and a place he hopes his grandson will come to live. He said he will support this endeavor with enthusiasm because it reflects what he believes is necessary and vital to keep our community strong and moving forward.

Mayor Ward commented that she supports the increase. She commended Dr. Shifflette, the City Manager and the School Board Members who have shown tremendous bravery and foresight. She noted the School Board Members deserve a large amount of the credit regarding the 10 cent school increase. She thanked the School Board Members for explaining exactly what they needed and for their advocacy and support. She noted Dr. Shifflette and Ms. Bunting did a tremendous job in making sure the citizens were informed and engaged in what was going on throughout the process. She stated while everyone would rather not raise taxes, we have let this go on too long and we tried to endure the cuts while the economy was tough but we have gotten to a point where there is no place to cut and we were looking at another dip in revenues. We had to make a decision as a community that we were not only going to maintain the status quo, but reinvest and make Hampton the best it can be. She said she supports many of the things that were said on the dais and appreciates the community support, particularly all of the people who have come to the meetings, sent emails, posted on the internet, and answered online surveys and phone calls.

MOVED TO amend AGENDA ITEM 13-0146, An Ordinance to Increase the Tax Rate on Real Properties in the City of Hampton, Virginia, for the Fiscal Year Beginning July 1, 2013 and Ending June 30, 2014, adopted on first reading, as follows: to set the rate at \$1.24 per \$100.00 of assessed value (instead of \$1.27).

Motion made by: Vice Mayor George E. Wallace

Seconded by: Councilmember Chris Snead

Ayes: 6 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, George E. Wallace, Molly Joseph Ward

Nays: 1 - Donnie R. Tuck

MOVED TO adopt Agenda Item 13-0146 on second and final reading, as amended.

Motion made by: Vice Mayor George E. Wallace

Seconded by: Councilmember Chris Snead

Aye: 6 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, George E. Wallace, Molly Joseph Ward

Nay: 1 - Donnie R. Tuck

- 26. 13-0145 An Ordinance to Set the Tax Rate on Tangible Personal Property, Vehicles Without Motive Power (Manufactured Homes), Motor Vehicles Specially Equipped to Provide Transportation for Physically Handicapped Individuals, Machinery and Tools, Machinery and Tools Used Directly in the Manufacture of Precision Investment Castings; Boats or Watercraft Weighing Five Tons or More, Not Used Solely For Business Purposes; Boats or Watercraft Weighing Less Than Five Tons, Not Used Solely for Business Purposes; Boats or Watercraft Weighing Five Tons or More, Used for Business Purposes Only; Boats or Watercraft Weighing Less Than Five Tons, Used For Business Purposes Only and Privately Owned Camping Trailers and Motor Homes Used For Recreational Purposes Only, and Motor Vehicles Owned Regularly Used by Disabled Veterans in the City of Hampton, Virginia for the Calendar Year Beginning January 1, 2014 and Ending on December 31, 2014.

MOVED TO adopt AGENDA ITEM 13-0145, An Ordinance to Set the Tax Rate on Tangible Personal Property, Vehicles Without Motive Power (Manufactured Homes), Motor Vehicles Specially Equipped to Provide Transportation for Physically Handicapped Individuals, Machinery and Tools, Machinery and Tools Used Directly in the Manufacture of Precision Investment Castings; Boats or Watercraft Weighing Five Tons or More, Not Used Solely For Business Purposes; Boats or Watercraft Weighing Less Than Five Tons, Not Used Solely for Business Purposes; Boats or Watercraft Weighing Five Tons or More, Used for Business Purposes Only; Boats or Watercraft Weighing Less Than Five Tons, Used For Business Purposes Only and Privately Owned Camping Trailers and Motor Homes Used For Recreational Purposes Only, and Motor Vehicles Owned Regularly Used by Disabled Veterans in the City of Hampton, Virginia for the Calendar Year Beginning January 1, 2014 and Ending on December 31, 2014, on second and final reading.

Motion made by: Councilmember Chris Snead

Seconded by: Councilmember W. H. "Billy" Hobbs, Jr.

Ayes: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

Nays: 0

- 27. 13-0135 An Ordinance To Amend And Reenact Chapter 37 "Taxation", Of The Code Of The City Of Hampton, Article VIII, "Transient Lodging Tax", Section 37-252 "Levied; Amount" To Impose, In Addition to the Tax, A Flat Fee Of One Dollar (\$1.00) For Each Night Per Room Of Lodging At Any Hotel

Vice Mayor Wallace asked for clarification if this is to amend and react in one motion. The Clerk clarified that it is to adopt it as presented.

MOVED TO adopt AGENDA ITEM 13-0135, An Ordinance To Amend And Reenact Chapter 37 "Taxation", Of The Code Of The City Of Hampton, Article VIII, "Transient Lodging Tax", Section 37-252 "Levied; Amount" To Impose, In Addition to the Tax, A Flat Fee Of One Dollar (\$1.00) For Each Night Per Room Of Lodging At Any Hotel, on second and final reading.

Motion made by: Vice Mayor George E. Wallace

Seconded by: Councilmember W. H. "Billy" Hobbs, Jr.

Ayes: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

Nays: 0

28. 13-0137 An Ordinance To Amend And Reenact Chapter 33.1 "Stormwater Management", Of The Code Of The City Of Hampton, Article II, "Service Charges And Revenues", Section 33.1-21 "Same-Billing, Payment, Interest, Fee And Lien" to Increase the Stormwater User Fee

MOVED TO adopt AGENDA ITEM 13-0137, An Ordinance To Amend And Reenact Chapter 33.1 "Stormwater Management", Of The Code Of The City Of Hampton, Article II, "Service Charges And Revenues", Section 33.1-21 "Same-Billing, Payment, Interest, Fee And Lien" to Increase the Stormwater User Fee to \$6.99 per ERU per month, on second and final reading.

Motion made by: Councilmember Chris Snead

Seconded by: Vice Mayor George E. Wallace

Ayes: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

Nays: 0

Mayor Ward noted that concludes the approval of the budget for FY14.

Ms. Bunting acknowledged the work of Dr. Shifflette as well as City staff. She publicly acknowledged the team of people we have who worked behind the scenes including the Budget Office staff, the Finance Office staff, and the Assistant City Managers. She said she believes Dr. Shifflette shares in the positive recognition of her staff as well and that as a community, we are blessed to have such dedicated employees throughout the entire City staff. She said she speaks for City staff when she says thank you for reinvesting in them as it has been a few tough years for both citizens and employees. Ms. Bunting thanked the citizens who participated in the process and stated it was heartwarming to see so many residents turn out to the forums. She said this speaks about what a great City we are. She thanked Council for the time to acknowledge staff and the citizens and for the compliments they passed on to everyone.

At Vice Mayor Wallace's request, Mayor Ward clarified that we will be considering and discussing the Deferral Exemption Freeze Proposal at the June meeting.

ORDINANCES

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

THERE WERE NO NEW MISCELLANEOUS NEW BUSINESS ITEMS DISCUSSED

THE MEETING WAS ADJOURNED AT 7:59 P.M.

Molly Joseph Ward
Mayor

Katherine K. Glass, CMC
Clerk of Council

Date approved by Council _____

Exhibit A

Proposed Revenue Guideline for Real Estate Taxes

When property assessments increase:

The Real Estate tax rate should be adjusted downward annually based on a minimum assessment increase of the equivalent of at least one penny on the tax rate as compared to the previous fiscal year.

The annual Real Estate tax rate adjustment shall be limited by the resident income growth factor and/or inflationary cost needs. Flexibility will be provided to the governing body regarding the application of this tax rate factor.

When property assessments decrease:

The Real Estate tax rate should be adjusted upwards annually based on a minimum assessment decline of the equivalent of at least one penny on the tax rate as compared to the previous fiscal year.

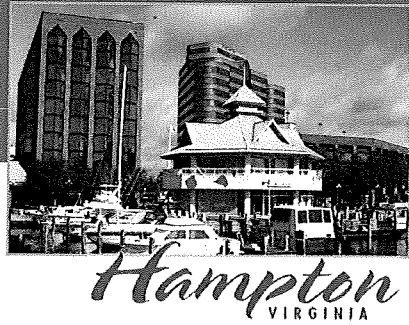
Additional factors to be considered include cost pressures and resident income growth. Flexibility will be provided to the governing body regarding the application of this tax rate factor.

When property assessments increase or decrease:

At a minimum, all revenues and fees should be examined each year to encourage diversity and less reliance on real property revenues during economic declines.

To the extent that budgetary needs (new services, capital investments) require the Real Estate tax rate to be adjusted higher or lower than the factors identified in this guideline, the City Manager and Council shall explicitly explain the budget driving factors causing this so that residents may have a concise and clear understanding of the need to deviate from this financial guideline.

**Use Permit Application
No. 1085-2013**



Richard S. Ayers DBA
Attic Tattoos, LLC

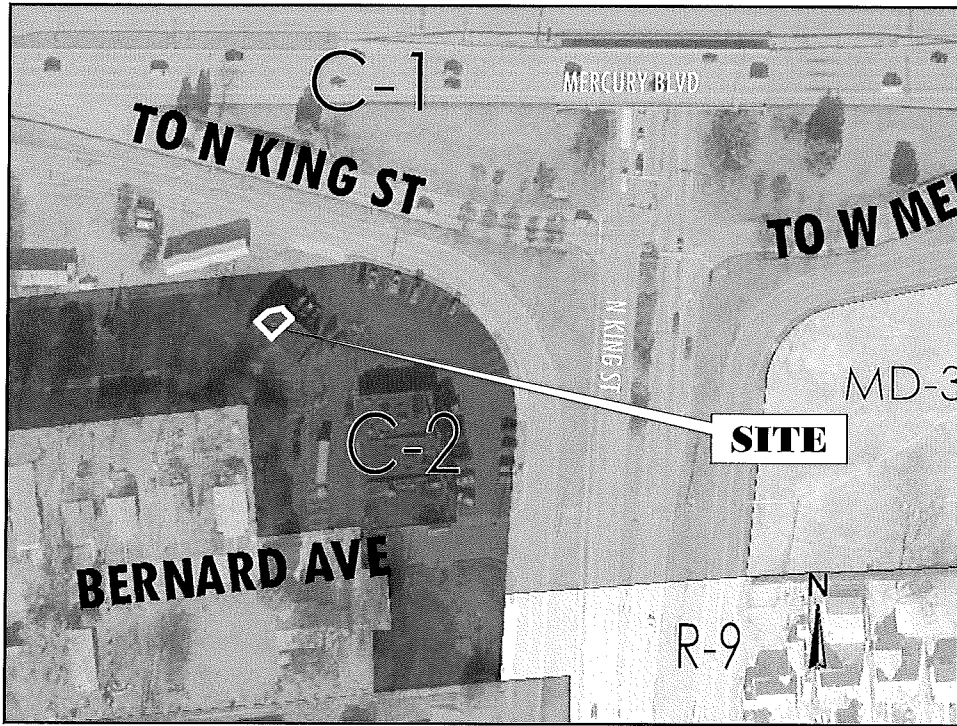
City Council
May 8, 2013

Application

1 tattoo parlor

City Council
May 8, 2013

Use Permit No. 1085-2013



Community Meeting

APRIL 2013

SUN	MON	TUE	WED	THU	FRI	SAT
	1	X	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

City Council
May 8, 2013

Use Permit No. 1085-2013

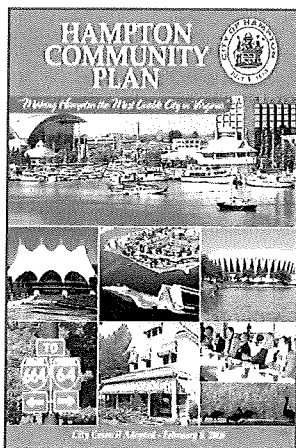
Conditions

- ⌘ **Hours of operation**
- ⌘ **Health Regulations**
- ⌘ **Screening**
- ⌘ **Termination**
- ⌘ **Term of Permit**

City Council
May 8, 2013

Use Permit No. 1085-2013

Public Policy



- ⌘ **Nurture small and start-up businesses**
- ⌘ **Encourage location of businesses in commercial nodes to protect adjacent neighborhoods**

City Council
May 8, 2013

Use Permit No. 1085-2013

Recommendation

**Approve
Use Permit Application
No. 1085-2013
with 8 conditions**

City Council
May 8, 2013

Use Permit No. 1085-2013

*Revised Capital Improvement Plan
by Expenditure Categories
Fiscal Years 2014 - 2018*

Revenue Sources	FY14	Planned Year FY15	Planned Year FY16	Planned Year FY17	Planned Year FY18	TOTAL
General Fund Revenues						
General Fund Balance Transfer	\$3,750,000	\$2,700,000	\$2,000,000	\$2,000,000	\$2,000,000	\$12,450,000
General Fund Operating Revenues	2,622,330	3,138,411	3,232,265	3,232,265	3,232,265	15,457,536
Dedicated Tax Rate Increase: City Investments*	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000	15,000,000
Dedicated Tax Rate Increase: Hampton City Schools Investments**	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	10,000,000
Urban Maintenance Contribution	5,691,182	5,805,006	5,921,106	6,039,528	6,160,318	29,617,140
VDOT Revenue Sharing <i>City Match</i>	785,000	1,067,500	3,125,000	0	0	4,977,500
Total:	17,848,512	17,710,917	19,278,371	16,271,793	16,392,583	87,502,176
Other Revenues						
Capital Projects Fund Balance	1,200,000	0	0	0	0	1,200,000
Commonwealth of Virginia ☼	3,000,000	0	0	0	0	3,000,000
Congestion Mitigation Air Quality Funds	1,200,000	553,000	698,000	0	920,000	3,371,000
Economic Development Fund	55,000	35,000	260,000	0	0	350,000
General Obligation Bond Proceeds ~ City	7,300,000	7,450,000	8,695,000	5,857,500	3,600,000	32,902,500
General Obligation Bond Proceeds ~ Hampton City Schools	5,287,500	5,287,500	10,287,500	5,287,500	10,287,500	36,437,500
Stormwater Fund	2,528,241	3,685,000	3,935,000	4,185,000	4,685,000	19,018,241
VDOT Revenue Sharing <i>State Match</i>	840,000	1,102,500	3,385,000	0	0	5,327,500
Wastewater Fund	3,327,000	4,390,000	6,550,000	8,700,000	8,650,000	31,617,000
Total:	24,737,741	22,503,000	33,810,500	24,030,000	28,142,500	133,223,741
GRAND TOTAL ~ Revenues	\$42,586,253	\$40,213,917	\$53,088,871	\$40,301,793	\$44,535,083	\$220,725,917

Projects by Expenditure Categories	FY14	Planned Year FY15	Planned Year FY16	Planned Year FY17	Planned Year FY18	TOTAL
1. Education						
Hampton City Schools General Maintenance Projects	\$2,387,500	\$2,387,500	\$2,387,500	\$2,387,500	\$2,387,500	\$11,937,500
Hampton City Schools Investment Panel Improvement Projects	2,900,000	2,900,000	2,900,000	2,900,000	2,900,000	14,500,000
Hampton City Schools Major Renovation Projects	0	0	5,000,000	0	5,000,000	10,000,000
Hampton City Schools "One-to-One" Technology Initiative**	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	10,000,000
Thomas Nelson Community College Site Improvements	169,104	169,104	169,104	169,104	169,104	845,520
Total:	7,456,604	7,456,604	12,456,604	7,456,604	12,456,604	47,283,020

2. Hampton's Waterways						
Berkshire Terrace Improvements from Mary Peake Study	125,000	50,000	1,250,000	0	0	1,425,000
Burbank Elementary School Best Management Practices	100,000	900,000	0	0	0	1,000,000
Coliseum Lake Retrofit Construction	850,000	0	0	0	0	850,000
Forrest Elementary School Best Management Practices	0	1,500,000	0	0	0	1,500,000
Mary Peake Outfall Improvements at Newmarket Creek	150,000	50,000	1,500,000	0	0	1,700,000
Neighborhood Stormwater Improvements	585,000	585,000	585,000	585,000	585,000	2,925,000
Water Quality Improvements from on-going Watershed Studies	0	0	0	3,000,000	3,500,000	6,500,000
Watershed Studies	718,241	600,000	600,000	600,000	600,000	3,118,241
Total:	2,528,241	3,685,000	3,935,000	4,185,000	4,685,000	19,018,241

3. Maintenance of Public Properties and Performance Support						
Breakwater at Buckroe Beach	500,000	0	0	0	0	500,000
Circuit Courthouse (renovation of old facility)	100,000	0	0	2,000,000	1,000,000	3,100,000
City-wide and Downtown Landscaping Enhancements	0	800,000	100,000	100,000	100,000	1,100,000
Downtown Marina Dredging	140,000	0	0	0	0	140,000
Infrastructure Rehabilitation Program	3,327,000	4,390,000	6,550,000	8,700,000	8,650,000	31,617,000

*Revised Capital Improvement Plan
by Expenditure Categories
Fiscal Years 2014 - 2018*

Projects by Expenditure Categories	FY14	Planned Year FY15	Planned Year FY16	Planned Year FY17	Planned Year FY18	TOTAL
3. Maintenance of Public Properties and Performance Support (Cont'd)						
Langley Air Force Base Clear Zone ☼	6,000,000	0	0	0	0	6,000,000
Parks and Recreation Maintenance	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	10,000,000
Public Facility Improvements	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	10,000,000
Re-engineering Technology	100,000	100,000	100,000	100,000	100,000	500,000
Virginia School for the Deaf and Blind Demolition	1,750,000	0	0	0	0	1,750,000
Total:	15,917,000	9,290,000	10,750,000	14,900,000	13,850,000	64,707,000
4. Master Plans						
Commerce Drive Extension	200,000	0	900,000	0	0	1,100,000
Mallory Streetscape (County Street to Mercury Boulevard)	0	0	100,000	807,500	0	907,500
Master Plan Strategic Area Investments*	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000	15,000,000
Phoebus Investments	0	2,000,000	0	0	0	2,000,000
Total:	3,200,000	5,000,000	4,000,000	3,807,500	3,000,000	19,007,500
5. Neighborhood Support						
Blighted Property Acquisition and Demolition	250,000	250,000	250,000	250,000	250,000	1,250,000
Housing Improvement Grants	100,000	0	100,000	0	100,000	300,000
Neighborhood Improvement Funding	0	100,000	0	100,000	0	200,000
Total:	350,000	350,000	350,000	350,000	350,000	1,750,000
6. Other CIP Projects						
Contingency	98,937	105,018	198,872	198,872	198,872	800,571
HRHA Redevelopment Projects	450,000	350,000	350,000	350,000	350,000	1,850,000
Motorola Lease Payment	1,864,289	1,864,289	1,864,289	1,864,289	1,864,289	9,321,445
Short-term Capital Initiatives	550,000	0	0	0	0	550,000
Total:	2,963,226	2,319,307	2,413,161	2,413,161	2,413,161	12,522,016
7. Other Economic Development Projects						
Coliseum Central Opportunity/Incentive Funds	0	600,000	600,000	600,000	600,000	2,400,000
Total:	0	600,000	600,000	600,000	600,000	2,400,000
8. Public Safety						
Self Contained Breathing Apparatus	0	2,000,000	0	0	0	2,000,000
Wythe Fire Station	0	500,000	5,050,000	0	0	5,550,000
Total:	0	2,500,000	5,050,000	0	0	7,550,000
9. Streets and Infrastructure						
Buckroe Avenue Reconstruction - Phase I	500,000	0	0	0	0	500,000
City-wide Traffic Signal Upgrades - Phase 3	1,200,000	0	0	0	0	1,200,000
City-wide Traffic Signal Upgrades - Phase 4	0	553,000	0	0	0	553,000
Cunningham Drive Sidewalks	0	0	0	0	920,000	920,000
Franklin Street Extension	90,000	435,000	0	0	0	525,000
Freeman Drive Alignment	125,000	300,000	750,000	0	0	1,175,000
Kecoughtan Road/Sunset Creek Railing	0	350,000	0	0	0	350,000
Mercury Boulevard Sidewalks (Coliseum Drive to Armistead Avenue)	125,000	100,000	950,000	0	0	1,175,000
Newmarket Creek Trail	0	400,000	1,400,000	0	0	1,800,000

*Revised Capital Improvement Plan
by Expenditure Categories
Fiscal Years 2014 - 2018*

Projects by Expenditure Categories	FY14	Planned Year FY15	Planned Year FY16	Planned Year FY17	Planned Year FY18	TOTAL
9. Streets and Infrastructure (Cont'd)						
North Campus Parkway Final Surface Overlay	280,000	0	0	0	0	280,000
North King Street Streetscape {Lincoln Street to I-64}	0	0	45,000	450,000	0	495,000
North King Street Streetscape - Phase 3	300,000	600,000	2,100,000	0	0	3,000,000
Old Buckroe Avenue {Mercury Boulevard to Woodland Road}	110,000	70,000	520,000	0	0	700,000
Pembroke Avenue Reconstruction - Phase 3	150,000	300,000	1,050,000	0	0	1,500,000
Traffic Signal System Retiming	0	0	698,000	0	0	698,000
Transportation Initiatives	1,500,000	0	0	0	0	1,500,000
Street Resurfacing	5,691,182	5,805,006	5,921,106	6,039,528	6,160,318	29,617,140
VDOT Supplemental Project Funds	100,000	100,000	100,000	100,000	100,000	500,000
Total:	10,171,182	9,013,006	13,534,106	6,589,528	7,180,318	46,488,140
GRAND TOTAL ~ Projects by Expenditure Category	<u>\$42,586,253</u>	<u>\$40,213,917</u>	<u>\$53,088,871</u>	<u>\$40,301,793</u>	<u>\$44,535,083</u>	<u>\$220,725,917</u>

EXH. A - Proposed Amendments to General Fund Budget Ordinance

Manager's Recommended FY 2014 Revenue Estimate	\$451,602,259
Decrease in Revenues:	
Real Estate Current: Revised Real Estate Tax Rate Increase - FY13 tax rate = \$1.04. City Manager recommended FY14 tax rate increase - 23 cents to \$1.27 - Final FY14 recommended tax rate increase is 20 cents to \$1.24 per \$100 of assessed value. Final recommended allocation = 10 cents for City; 10 Cents for Schools	<u>(3,000,000)</u>
Total Revenue Estimate	\$448,602,259
Manager's Recommended FY 2014 Expenditures	\$451,602,259
Decrease Appropriations:	
School Operations: Reduction of local contribution; reduction of two cents in tax rate	(2,000,000)
School Operations: Reduction of local contribution; transfer to Capital Budget	(2,000,000)
Transfer to Other Funds - Capital Projects Fund: Reduction to Road Resurfacing Projects	(1,000,000)
Departmental Support - Contractual: Reduction of PTC incremental taxes	(52,358)
Transfer to Other Funds - Capital Projects Fund: Master Plan Strategic Areas(City) Reduction of one cent in tax rate	(1,000,000)
Civic & Community Support: Transfer of funds to non-departmental for Peninsula Regional Animal Shelter	(196,944)
Increase Appropriations:	
Strategic Customer Service: Restoration of 311 evening and night hours	55,000
Recreation & Community Centers: Reopening of Old Hampton Community Center	190,800
Retirement and Employee Benefits: City absorbing employee portion of VRS Life Insurance premiums	545,000

Civic & Community Support: Restore CNU Capital Pledge	50,000
Transfer to Other Funds- Capital Project Fund: \$2M for Hampton City Schools One to One Technology Project	2,000,000
Non-Departmental: Sequestration Reserve- anticipated economic impacts	211,558
Non-Departmental: Transfer of funds from Civic and Community Support - Peninsula Regional Animal Shelter	196,944
Total Expenditures - FY14	\$448,602,259

EXH. B – Proposed Amendments to Capital Budget on Second Reading – May 8, 2013

Decrease Revenue

General Fund:

Transfer from General Fund Revenues	(\$1,000,000)
Urban Maintenance Contribution	(\$1,000,000)

Increase Revenue

General Fund:

Transfer from General Fund Revenues	\$2,000,000
Other Revenues:	
Commonwealth of Virginia	\$3,000,000

Decrease Appropriation

Master Plans:

Master Plan Area Strategic Investments	(\$1,000,000)
--	---------------

New Facilities:

1619 Tucker Historical Landmark Project	(\$150,000)
Buckroe Splash Pad/Water Park	(\$200,000)
Dr. Martin Luther King, Jr. Memorial	(\$200,000)

Streets and Infrastructure:

Street Resurfacing	(\$1,000,000)
--------------------------	---------------

Increase Appropriation

Education:

Hampton City Schools "One-to-One" Technology Initiative	\$2,000,000
---	-------------

Other CIP Projects:

Short-term Capital Initiatives	\$550,000
--------------------------------------	-----------

Maintenance of Public Properties and Performance Support:

Langley Air Force Base Clear Zone	\$3,000,000
---	-------------