



# City of Hampton

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

## Council Approved Minutes - Final City Council Work Session

*Mayor Donnie R. Tuck*  
*Vice Mayor Linda D. Curtis*  
*Councilmember Jimmy Gray*  
*Councilmember W.H. "Billy" Hobbs*  
*Councilmember Will Moffett*  
*Councilmember Teresa V. Schmidt*  
*Councilmember Chris Snead*

*STAFF: Mary Bunting, City Manager*  
*Vanessa T. Valldejuli, City Attorney*  
*Katherine K. Glass, CMC, Clerk of Council*

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**Wednesday, May 24, 2017**

**1:00 PM**

**Council Chambers**

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### CALL TO ORDER

Mayor Tuck called the meeting to order at 1:01 p.m. All members of the City Council were present.

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

### DONNIE R. TUCK PRESIDED

### AGENDA

1. [17-0184](#) Briefing on Activation Plan for Carousel Park

Attachments: [Presentation](#)  
[Site Plan](#)

City Manager Mary Bunting introduced Mr. Jimmy Cerracchio, Downtown Hampton Development Partnership (DHDP) Director, and Ms. Gay LaRue, a member of the DHDP Board and Planning Commissioner, who would be presenting to Council. Ms. Bunting stated that they have developed ideas for investments into Carousel Park, noting that DHDP has offered to help pay for the investments.

Ms. LaRue gave a brief synopsis of who worked on the proposal for Carousel Park and why. Mr. Cerracchio expanded on Ms. LaRue's points and provided an overview of the activation plan. Ms. LaRue noted that DHDP funding is taxpayer money, as

they are funded by the extra property tax on the commercial properties in Downtown.

Vice Mayor Curtis stated that she believes this is what the City needs Downtown and it has been exciting to see the process evolve. She suggested Mr. Cerracchio contact Ms. Vivien Griese, Hampton City Schools (HCS) Fine Arts Director, for the artistic aspects.

Councilwoman Schmidt shared a positive experience she had in Georgia that is similar to an element suggested by this proposal.

Councilman Gray asked about the fence around the dog park. Mr. Cerracchio stated that it will be a decorative wrought iron fence approximately 4 feet tall, similar to other dog parks in the area.

Councilman Gray asked if Carousel Park has a set of operating hours like other parks around the City. Ms. Bunting stated that she does not believe it currently does, but certain elements of this proposal would make the addition of a set of operating hours wise.

There was general agreement from Council to move forward on this project.

Presented by Gay LaRue, Chair of the Public Space Committee of the Downtown Hampton Development Partnership (DHDP), and Jimmy Cerrachio, Executive Director of DHDP.

2. [17-0180](#) Regulation of Recreational Vehicles

**Attachments:** [Presentation](#)

Ms. Bunting stated that this is a follow up to a previous presentation. Staff has options available for Council to consider to move forward with this topic. She introduced Mr. Steve Shapiro, Public Works Deputy Director, and Mr. Phil Russell, Property Maintenance Division Manager, who would be presenting to Council.

During the presentation, Mayor Tuck noted that the City's definition of recreational vehicles (RVs) included several items beyond traditional motor homes. He asked what the definition encompassed at other localities. Mr. Shapiro stated that staff will research that information, although he believes surrounding localities use a similar definition.

Vice Mayor Curtis asked if the limit on RVs would include all forms of RVs, such as boats, motor homes, and jet skis. Ms. Bunting stated that staff will look into separating that, so that citizens can own several different items.

Councilman Gray asked for clarification on one of the vehicles provided as an example. He asked about properties with side-load driveways or corner lots. Mr. Russell confirmed that vehicles parked on paved surfaces in what is considered a side or rear yard in a corner lot are not considered in violation.

Councilwoman Snead asked if the vehicle in question would be in violation if it was in a front yard. Mr. Russell confirmed that it would be in violation because of the length; however, it would not be in violation if Council removed the length restriction because it meets the setback restrictions.

In response to Councilman Hobbs' question, Mr. Russell explained the citation process, beginning with a violation and leading to a possible summons. Councilman Hobbs asked how long it takes. Mr. Russell stated that there is no set time frame; the quickest turnaround is four weeks, but it can take as long as a year. Councilman Hobbs asked about those violators that are taken to court. Mr. Russell stated that judges generally allow the violator to move the vehicle. If they are still in violation, they are given a fine between \$10 and \$1,000. Councilman Hobbs asked if many violators go to court. Mr. Russell stated that they did not.

Councilwoman Schmidt stated that she would not like to see those who currently meet the Code to now be in violation. She asked if it was possible to allow a motor home not more than a certain amount of feet from the front of the house. Mr. Russell stated that the current issue with regulation is being able to measure the size of the motor home. Enforcement is only allowed on the property with the permission of the homeowner.

Councilwoman Schmidt asked about the laser measurement tools. City Attorney Vanessa Valldejuli stated that the City Attorney's Office is still researching to insure this new technology does not violate any laws. She also expanded on other options available to regulate motor homes.

Councilwoman Schmidt stated that she believes the problem everyone has with motor homes is security, safety, and aesthetics. If they can be regulated to not pass the frontage of the home, it would solve all these issues.

Councilman Moffett noted that there would be two opportunities for public input, at the Planning Commission and at a City Council meeting, before it would be voted on by Council. He asked if the Neighborhood Commission had been briefed on this. Mr. O'Neill stated that it had been presented to them, and they also struggled with the same aesthetic and safety concerns against motor home owners' rights that Council is dealing with.

Councilman Gray asked if staff could look at how to address corner lots. It could be frustrating to citizens to see those on corner lots having more leeway than those that are not, especially since the same safety and aesthetic concerns exist. Mr. Shapiro stated that staff will look into that.

Vice Mayor Curtis stated that she is not sure if there is a way to resolve the situation proposed by Councilman Gray, because there are many different lot sizes and setbacks. She would be interested to see if there is a way to resolve the situation.

Mayor Tuck asked what Council was being asked for today. Ms. Bunting stated there are two different issues: amending the Zoning Ordinance to move violations into the City Code, allowing easier regulation and immediate ticketing; and the various regulation aspects, such as size and location limitations, that could be changed on the ordinance.

Councilwoman Snead stated that she believes RVs should be allowed in the front yard; there should only be one allowed in the front yard; there should be a size limit, and staff should develop a recommendation; only two RVs should be stored on a property; and, the ordinance should be moved to the City Code.

Councilman Moffett stated that he is still undecided. He would like to hear from citizens in the RV community before he can make an informed decision. Councilman Hobbs stated that he felt the same. He would like to convene some sort of Town Hall meeting with RV owners.

Vice Mayor Curtis stated that any survey issued or meeting held should involve more than just the RV community, as she has received a number of emails from people who do not want RVs in their neighborhoods at all, under any circumstances. There are issues faced by neighbors who do not own RVs.

Ms. Bunting noted that the City suspended the ordinance in early 2016 and did not bring Council anything until late 2016 because staff was doing outreach through the Neighborhood Commission, as those commissioners solicit feedback from their neighborhoods. Vice Mayor Curtis asked if there was any data or feedback from that outreach. Mr. O'Neill stated that there were no strong, definitive conclusions. Typically when staff involves the Neighborhood Commission, a spread of opinions and concerns are brought forth, which is useful input for the City.

Councilman Moffett stated that he does not want to slow the process down, but he needs more information. He stated that the Neighborhood Commission does not embody the entire community, as some commissioners are stronger and more

active than others. He would have a better sense of how to move forward if there was a survey or Town Hall-type meeting.

Councilwoman Schmidt reiterated that she does not want people to have to get rid of RVs if they are currently in compliance. She would not like to see them extend beyond 28 feet of their frontage, but otherwise she does not care.

Councilwoman Snead stated that she is amenable to hearing more from the community. She believes there will still be a divide. She asked if there was a way to grandfather current RV owners. Mr. Shapiro stated that if it remained in the Zoning Ordinance there could be a grandfather clause, but not if it moves to the City Code. Ms. Valldejuli stated that it would be an exception for certain categories, but it would not be considered "grandfathering."

Ms. Bunting stated that additional public input seems necessary, whether it is a forum or a survey. Staff will need time to structure that and will keep Council apprised. The timeline shared in the presentation will be adjusted accordingly.

Mayor Tuck noted that there were two RV owners in the audience. He stated that opening it up to public input will open it up to those who desire no RVs in a yard at all, to include more than just motor homes. Council will have to consider how to respect the process of public input and any possible skewing of information. He stated that he believes it is better to get the decision right than to meet a timetable.

Councilwoman Schmidt stated that she agrees with Mayor Tuck, noting that there are a limited number of RV owners in the City, and it is not fair to the owners currently in compliance to be denied now because of those who do not own RVs. Ms. Bunting stated that the City will have to find a nuanced solution to bring this to conclusion.

Ms. Valldejuli reminded Council that the term "RV" includes boats, so any survey issued to RV owners would have to include those who have boats. Ms. Bunting stated Council needs to determine if they would like to retain the current definition of RVs or if they would like to change it to just motor homes. There are several options available.

Councilwoman Snead stated that there are people with two boats in the front yard, so the definition should include it all.

Councilman Moffett stated that he believes the City Manager and staff should develop a process to move forward for additional information. He does not feel informed enough to make a decision.

Vice Mayor Curtis stated that she believes boats should be included because the same safety issue is there with large boats or large motor homes. Councilman Hobbs stated that he would like to look at all of them, and Councilwoman Schmidt and Councilman Gray agreed.

Mr. Shapiro reminded Council that all enforcement activities have been suspended at this time.

Presented by Steve Shapiro, Deputy Director of Community Development. Also presenting information were Phillip Russell, Property Maintenance Division Manager, and Bonnie Brown, Senior Assistant City Attorney. Terry P. O'Neill, Director of Community Development, also provided information.

## REGIONAL ISSUES

## NEW BUSINESS

Ms. Valldejuli introduced the City Attorney Office's intern Ms. Emily Fornshell, and new litigation attorney, Ms. Jennifer Damelio.

## CLOSED SESSION

3. [17-0164](#) Closed session pursuant to Virginia Code Sections 2.2-3711.A.1 and .3 to discuss appointments to the Hampton Clean City Commission, the Citizens Policy Advisory Group and to the Planning Commission and to discuss or consider the acquisition of real property for a public purpose in the Fox Hill and Coliseum Central areas or the disposition of publicly held real property in the area of Downtown Hampton, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the City

At 2:16 p.m., a motion was made by Councilmember Gray and seconded by Councilmember Moffett, that this Closed Session - Motion be approved. The motion carried by the following vote:

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

4. [17-0126](#) Consideration of appointments to the Planning Commission

**CERTIFICATION**

5. [17-0170](#) Resolution Certifying Closed Session

at 5:24 p.m., a motion was made by Councilmember Moffett and seconded by Councilmember Schmidt, that this Closed Session - Certification be approved. The motion carried by the following vote:

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

**ADJOURNMENT**

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Donnie R. Tuck  
Mayor

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Katherine K. Glass, CMC  
Clerk of Council

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