



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 Eleanor Weston Brown
Councilmember Steven L. Brown
Councilmember Michelle T. Ferebee
Councilmember Billy Hobbs

STAFF: Mary Bunting, City Manager
Cheran Cordell Ivery, City Attorney
Katherine K. Glass, CMC, Clerk of Council

Wednesday, March 23, 2022

6:30 PM

Council Chambers

CALL TO ORDER/ROLL CALL

Mayor Tuck called the meeting to order at 6:37 p.m. with all members of the City Council present.

Present: 7 - Councilmember Chris L. Bowman, Councilmember Eleanor Weston Brown, Councilmember Steven L. Brown, Councilmember Michelle T. Ferebee, Vice Mayor Jimmy Gray, Councilmember Billy Hobbs and Mayor Donnie R. Tuck

DONNIE R. TUCK PRESIDED

INVOCATION - Councilman Chris Bowman

Councilman Bowman gave the invocation.

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

Mayor Tuck shared that this week is Emergency Management Professionals Week in the Commonwealth of Virginia and spoke about the importance of emergency management and the work of emergency management professionals.

Mayor Tuck called upon the City Manager, Mary Bunting, to give the following update on the budget process.

Ms. Bunting shared that an extensive conversation took place earlier in the day in preparation for the release of the City Manager's recommended budget on April 13.

She explained that the state legally requires an ad to run about the budget; therefore, she felt that it was important to explain the required language which will soon appear in the ad.

Ms. Bunting explained that the ad language shows that the City is required to calculate what the tax rate would be if the City constrained assessments in City budget spending to 1%. The ad also allows the listing of the rate which is being proposed in lieu of that rate. Ms. Bunting reminded everyone that the intention has always been to lower the real estate tax rate; however, determining how much it will be lowered is difficult given that the state has not finalized its budget.

Ms. Bunting also shared that Governor Glenn Youngkin has set a date that he hopes the House and Senate will return with a budget, however, because that information is currently unknown, the advertised tax rate will be higher than what is hoped to be recommended. This is being done to allow flexibility should the state pass unfunded mandates to the City or cause unanticipated problems with revenues. Ms. Bunting noted that this is not expected to happen and the City Manager's recommended rate is expected to be lower. She announced that the advertised tax rate will be \$1.19, which is the equalized tax rate according to our Council Financial Policy, but the hope is that it will be lower by a penny or more, depending on how the grocery sales tax is handled.

CONSENT AGENDA

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

Approval of the Consent Agenda

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

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

1. [22-0116](#) Resolution Requesting that the Virginia Department of Transportation Program Incorporate Two New Capital Projects into its Six-Year Improvement Plan
Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

2. [22-0137](#) Resolution to Amend the Fiscal Year 2022 Council Approved Budget to Accept and Appropriate \$800,000 from the Federal and State Local Recovery Fund Pursuant to the American Rescue Plan Act of 2021 Appropriated during the 2021 Special Session II of the General Assembly to the Department of Criminal Justice Services To Provide a One-Time Grant to the City of Hampton to Support an Employment Program for Court-Involved Youths and Adults
Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

3. [22-0134](#) Motion Correcting the Terms of Three Appointees to the Coliseum Advisory Committee.
Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

4. [22-0125](#) Approval of the minutes from the work session of September 22, 2021, work session and the work and legislative sessions of March 9, 2022.
Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

PRESENTATIONS, PROCLAMATIONS, AWARDS

There were no items.

PUBLIC HEARINGS

There were no public hearings.

PUBLIC COMMENT

Ms. Glass read the protocol for the public comment period.

Mayor Tuck announced that four people signed up to speak and then called upon the first speaker, Cari Baughman, who was not present when her name was called three times. Mayor Tuck called upon the next speaker, Craig Knopp.

Mr. Craig Knopp greeted those on the dais and made the following statement: I just wanted to ask a couple of quick questions. About the last year or so, I've been contemplating looking for some ideas for some companies that I have that I would like to start. I've been talking to a few people that have started businesses recently and others that actually do have businesses that - probably some of these ones here. Actually, Pearls is my neighbor; the Krobs are very good neighbors. I like them. Anyhow, a couple of questions I have is basically any questions for small businesses whether it be starting or any follow up type stuff, those type of questions, who do I need to contact for that stuff? Would it be you, Mary, or would I send it to the Commissioner of the Revenues Office, certain places? That's all I have.

Mayor Tuck called upon the next speaker, Japharii Jones.

Mr. Japharii Jones greeted those on the dais and made the following statement: I'm the president of BLM 757 (Black Lives Matter 757). It is beautiful to see so many businesses honored here today. We have actually been servicing the Hampton Roads community for five years. It will be five and one half...it will be six years on July 10, so we are dedicated to the cause here. The subject at hand today is Codi Bigsby. Codi Bigsby was reported missing on January 31. I know it seems redundant for me to keep repeating it, but some people are hearing this for the first time and this is public record, but there was no alert system issued and that's not a problem that any of us caused, but we do feel like we can be the catalyst to form an actual alert system that will help that would assist a family like this, and we could be the ones to champion that. So, we are approaching you all to see if that's something that you would consider. BLM 757 and W.A.T.E.R. Team Inc., (We Are The Emergency Response) have realized the severity of missing children in our area. I can confidently say that our organizations are 100% willing to offer their services as we are both legitimate organizations. Codi Bigsby is no longer on our T.V. screens and we are trying to prevent his tragedy from slipping into the cold cases that have muted around the region. We understand resources are limited, so we are asking you to take it to the next level and bring in statewide agencies. There hasn't been a physical search effort for Codi by law enforcement since the 5th day, and this is not a shot at law enforcement, this is a fact. So, therefore, the only search efforts that

are going on are ourselves and W.A.T.E.R. Team Inc., and a handful of citizens, and that is very concerning considering a jacket was found that we still don't know the status of. We are requesting a meeting with the Mayor with cooler heads, the City Manager and the Chief to see how we can remedy the missing persons pandemic. We are requesting that these matters be presented to the Governor and the Lt. Governor, Glenn Youngkin and Winsome Sears. A.C. Cordoza is actually the delegate who is over that district, so if it were down to government officials, he would be the one pretty much to champion. As we all know, Bobby Scott is a Congressman, so he would be able to help push that through. We have the tools right here to kind of get it done and actually be able to champion and help the rest of the world. So, the world is watching. The world is really, really watching. World News Tonight, Court T.V., News Nation, TheGrio, Daily Mail, Nancy Grace and many others are sharing this story. So, it's all eyes on us and we can really take this tragedy and turn it into a positive for future missing lives. So, that's just our piece and we hope you consider it. We hope to hear from you soon.

Mayor Tuck called upon the next speaker, Nikia Miller.

Ms. Nikia Miller greeted those on the dais and made the following statement: I'm going to start my public comments today discussing the word respect. I will respect this body by maintaining decorum and respecting the protocol as directed by the Council Clerk. In turn, I expect that the members of this body not take personal pot shots at me for the purpose of sound bites. Okay? So, I want to start by stating and reflecting back on comments that were made in the last City Council meeting. If members of this body had been paying attention to anything that I have said in public, it would have been known that number 1, the age that was presented of my daughter's assailant was stated wrong, and number 2, that I've never asked for my daughter's assailant to become a part of the Juvenile Justice System. Also, when speaking of the response of our City Council, not only in response to my daughter's situation, but also in response to Codi Bigsby, it is absolutely a function of our City Council to present public confidence and a response that shows an equitable interest in issues of our citizens. Leaders from other cities in the 757 have traded their dress boots for tennis shoes and have been beating the ground trying to locate Codi Bigsby. It is an expectation that members of this body also do so in order to make sure that our community knows that there is a vested interest in finding Codi and bringing him home, as well as acting as an intermediary between government agencies, including the Hampton City Schools, in order to provide equitable relief for what happened to my daughter, Celeste. I'm not going to continue forth because I feel like what I am saying is a broken record and I don't feel that I am being listened to, but when you have someone who has ran in 15 different election cycles and three different cities whose only success came from mobilizing white citizens of the City of Hampton against communities of color, you would think that they would think

twice before weaponizing their words against a life-long citizen. Thank you.

GENERAL ITEMS

Ordinances

5. [22-0115](#) Ordinance to Amend Chapter 18.1, Article II, Division 5, Section 18.1-131(a) of the City Code of the City of Hampton, Virginia, Titled, "Tax; Limitations" as it Pertains to Peddlers and Itinerant Merchants

Attachments: [Sec 18.1-131 Amendment 3.7.23](#)

Ms. Glass read the title for the item.

Ms. Bunting reminded everyone that several months ago, a Hampton resident and business owner came before Council to ask questions about the promoter's license. She clarified that Hampton does not have something called a promoter's license, instead it has the Show and Sale Business License that comes under the Peddlers and Itinerant Merchant section of the City Code. She shared that after speaking with the resident, she learned that some residents were under the impression that City Code would require the assessed charge of \$500 to be charged per event when in fact that is the annual charge. As a result of this misunderstanding, staff consulted with the Commissioner of the Revenue who indicated that the charge is billed only once per year. Recognizing that the Code could be read in different ways, staff wanted to bring forward an ordinance to clarify the annual fee so that business owners and residents do not misinterpret the Code and understand that the City is only seeking that fee once per year. This ordinance makes that clarification.

Ms. Bunting thanked the resident for bringing this issue forward and allowing staff to provide clarity to residents and small business owners.

Mayor Tuck opened the floor for questions from Council, but none were posed.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Steven Brown, that this Ordinance-Coded be approved. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

Appointments

6. [22-0101](#) Consideration of Appointments to the Peninsula Stadium Authority
- A motion was made by Councilmember Billy Hobbs to reappoint Garth Wallis to his first full term, Randall Price to his second term, and to appoint Ruth Simmons to her first term, all of which will expire on February 28, 2026. The motion carried by the following vote:
- Aye:** 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck
7. [22-0118](#) Consideration of Appointments to the Hampton Economic Development Authority (EDA)
- A motion was made by Councilmember Billy Hobbs to reappoint Richard Bagley and James A. "Pete" Peterson to their second full terms expiring on March 31, 2026. The motion carried by the following vote:
- Aye:** 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck
8. [22-0120](#) Consideration of Appointments to the Hampton Redevelopment & Housing Authority (HRHA)
- A motion was made by Councilmember Billy Hobbs to James Young to fill the unexpired portion of a term until June 30, 2023. The motion carried by the following vote:
- Aye:** 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck
9. [22-0122](#) Consideration of an Appointment to the Board of Zoning Appeals (BZA)
- A motion was made by Councilmember Billy Hobbs to recommend Reginald Warren be appointed to fill a vacancy until December 31, 2023. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

10. [22-0127](#) Consideration of Appointments to the Hampton Senior Citizens Advisory Committee

A motion was made by Councilmember Billy Hobbs to appoint Tonya L. Grant to serve a partial term until February 28, 2026, and Graylyn Owens to serve a partial term until March 30, 2025, and to appoint Lewis Dawley, III to a first term expiring on March 30, 2026, to reappoint Cynthia Harris and Martha Johnson to their second terms which will expire on March 30, 2026. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

11. [22-0128](#) Consideration of Appointments to the Grievance Board

A motion was made by Councilmember Billy Hobbs to appoint Toyzette Dance to fill the unexpired portion of a term until June 30, 2025, and Karen Alba to a first term expiring on March 30, 2026. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

12. [22-0129](#) Consideration of Appointments to the Athletic Hall of Fame Committee

A motion was made by Councilmember Billy Hobbs to reappoint Woube Gebre and Boo Williams to their second terms which will expire on June 30, 2023. One vacancy remains. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

13. [22-0130](#) Consideration of Appointments to the Citizens' Unity Commission

(CUC)

A motion was made by Councilmember Steven Brown and seconded by Councilmember Billy Hobbs, that this Appointment be deferred to the City Council Legislative Session, due back on 4/27/2022. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

14. [22-0131](#) Consideration of Appointments to the Citizens Engagement Advisory Review Commission (CEARC)

A motion was made by Councilmember Billy Hobbs to reappoint Alice Callahan, Michele Benson, and James Williams, to their second terms expiring on March 30, 2027, and to reappoint Ryan Kotrch to his first full term which will expire on March 30, 2027. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

15. [22-0132](#) Consideration of an Appointment to the Hampton Clean City Commission (HCCC)

A motion was made by Councilmember Billy Hobbs to reappoint Barbara Abraham to her second term expiring on March 31, 2026. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

16. [22-0135](#) Consideration of Appointments to the Purchasing and Procurement Oversight Committee (PPOC)

A motion was made by Councilmember Billy Hobbs to appoint Tyller Jackson to fill the unexpired portion of a term until June 30, 2024; William Brown to fill the unexpired portion of a term until June 30, 2023; and to appoint Michael Johnson to a first full term expiring on March 31, 2026. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

There were no reports.

MISCELLANEOUS NEW BUSINESS

There were no items of new business.

ADJOURNMENT

The meeting adjourned at 6:59 p.m.

Contact Info:

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

Donnie R. Tuck
Mayor

Katherine K. Glass, CMC
Clerk of Council

Date approved by Council _____