



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 Billy Hobbs
Councilmember Chris Snead

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

Wednesday, July 8, 2020

6:30 PM

Council Chambers

CALL TO ORDER/ROLL CALL

Mayor Tuck called the meeting to order at 6:49 p.m. with all members of the City Council present.

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

DONNIE R. TUCK PRESIDED

INVOCATION - Councilman Steven Brown

Councilman Brown gave the invocation.

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

Mayor Tuck noted that the evening meeting was delayed due to the number of items discussed during the afternoon session and due to an extended closed session. He thanked everyone for their patience.

Mayor Tuck also reminded everyone that the City is considering selling the boat ramp at Sunset Creek. He continued by saying that many individuals expressed concern about there not being a suitable replacement for the ramp; and, therefore, a Public Boat Ramp Advisory Committee has been formed to consider developing a better location for the ramp. He announced the names of those who have been

selected for the committee and noted that those individuals will receive further instructions from the Clerk of Council.

Mayor Tuck announced the citizens asked to serve on the Boat Ramp Advisory Committee: Ali Afonja, Charmaine Bell, Frank Belton, Gary Bodie, Kevin Davis, Danny Forehand, Katherine Kearney, Cheryl Marek, Jerry Olsen, Charles Randolph, Jason Samuels, Molly Ward, and Wilson Ziegenbein.

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 Snead and seconded by Councilman Brown, to approve the Consent Agenda. The motion carried by the following vote:

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

1. [20-0139](#) Request for Approval of Refund of Certain Erroneously Assessed Bank Franchise Tax on Bank of America, N.A.
Item approved.

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

2. [20-0176](#) Request for Approval of Refund of Certain Erroneously Assessed Bank Franchise Tax Levied on Branch Banking and Trust Company
Item approved.

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

3. [20-0181](#) Resolution to amend the Fiscal Year 2021 Council Approved Budget and Accept and Appropriate State Fiscal Year 2021 Part C of the Individuals with Disabilities Education Act (IDEA Grant)

Funding Awarded by the Department of Behavioral Health and Developmental Services for Infants & Toddlers with Disabilities and their Families

Attachments: [Grant Proposal Overview - FY2021](#)
[Contract Renewal](#)
[Grant approvals](#)
[Grant Routing Form -SFY2021](#)

Item approved.

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

4. [20-0200](#) Resolution to Amend the Fiscal Year 2021 Council Approved Budget and Accept and Appropriate the 2020 Summer Food Service Program Grant for Children through the U.S. Department of Agriculture (USDA)

Attachments: [Grant Application](#)

Item approved.

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

5. [20-0203](#) Resolution to Amend the Fiscal Year 2021 Approved Budget to Accept the Local Allocation of Funds to be Received through the Coronavirus, Aid, Relief, and Economic Security (CARES) Act of 2020 for the Hampton Voter Registrar's Office and to Appropriate those Funds to the Grants Fund

Attachments: [Award Email](#)
[Award Certification](#)

Item approved.

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

6. [20-0133](#) Resolution to Amend the Fiscal Year 2021 Council Approved Budget to Accept and Appropriate the 2021 Virginia Homeless

Solutions Program Grant through the Virginia Department of Housing and Community Development

Attachments: [VHSP Grant Agreement FY2021.pdf](#)
[Grant Proposal VHSP FY2021 \(3\).pdf](#)

Item approved.

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

7. [20-0204](#) Resolution to Amend the Fiscal Year 2021 Council Approved Budget to Accept and Appropriate the 2020-2021 Victim Witness Program Grant 21-A8574VW19 awarded by the Virginia Department of Criminal Justice Services in the amount of \$402,934 for Use by the City of Hampton Victim Witness Assistance Program

Attachments: [2021 Hampton VSU Grant](#)
[SOGA VSU 2021](#)
[2021 Hampton VSU Grant](#)

Item approved.

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

8. [20-0205](#) Resolution to Amend the Fiscal Year 2021 Council Approved Budget to Accept and Appropriate the 2020-2021 Victim Witness Program Grant 21-B4712VP19 Awarded by the Virginia Department of Criminal Justice Services in the amount of \$96,539 to the City of Hampton, Virginia Victim Witness Assistance Program

Attachments: [VOCA SIPV RESET GRANT](#)
[SOGA RESET Grant 2021](#)

Item approved.

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

9. [20-0190](#) Motion to accept the donation of equipment valued at \$64,406.00 from the Hampton Roads Metropolitan Medical Response System to the City for use by the Hampton Fire Division.

Attachments: [Acknowledgment of Receipt MRAT - HDFR 061520](#)
[MRAT specifications HDFR 061620](#)

Item approved.

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

10. [20-0189](#) Approval of the minutes from the work and legislative sessions of June 10, 2020.

PRESENTATIONS, PROCLAMATIONS, AWARDS

There were no presentation, proclamations or awards.

PUBLIC HEARINGS

The Clerk of Council read the protocol for public hearings.

11. [20-0191](#) Approval of Proposed Amendments to the Citizen Participation Plan with Respect to Funding Received by the Department of Housing & Urban Development (HUD)

Attachments: [Presentation](#)
[Citizen Participation Plan Draft FINAL 062020](#)

The Clerk of Council read the title for the item.

City Manager Mary Bunting introduced the item and welcomed Chief Neighborhood Development Specialist, Lauren White, who was presenting to Council for the first time.

Ms. White, greeted those on the dais; said that she would present the amendments to the Citizen Participation Plan (CPP); and then provided a brief summary about the CPP.

Ms. White listed the topics included in the plan as: public hearing, reasonable accommodations, CAPER public comment period, substantial amendment, emergency procedures and complaint procedures. She then spoke about how each

topic is addressed under the current plan and how each topic will be addressed with the proposed changes to the plan. She noted that the proposed changes will bring the plan into conformance with current Housing and Urban Development (HUD) guidelines.

Ms. White shared the next steps in the process. The plan requires a 30 day public comment period (the public comment period has ended and the City received no written comments) and a Public Hearing (taking place this evening). Following City Council's review and approval, staff will submit the plan to HUD for review and approval.

Ms. White opened the floor for questions from those on the dais. No questions were posed.

PUBLIC HEARING:

Mayor Tuck opened the public hearing. There were no speakers. The Mayor closed the public hearing and called for the motion.

A motion was made by Councilmember Chris Snead and seconded by Councilmember Billy Hobbs, that this Public Hearing be approved. The motion carried by the following vote:

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

Rezoning

Use Permits

Ordinances

12. [20-0197](#) Ordinance To Amend And Re-Enact Chapter 2 Of The Zoning Ordinance Of The City of Hampton, Virginia Entitled, "Definitions" by Amending Section 2-2 Pertaining to Infill Lot

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

The Clerk of Council read the titles for items 20-0197 and 20-0196 and noted that a joint public hearing will be held for these items.

Ms. Bunting introduced the item.

Zoning Official Angela Leflett greeted those on the dais and provided the following history about infill housing overlay districts: The infill housing overlay was created to allow development on substandard lots within the residential districts (R-13, R-11, R-9 and R-8). Substandard is defined in our Zoning Ordinance as lots that do not meet today's dimensional requirements in regards to lot width or area. Currently, base residential districts have a minimum front yard setback of 30 feet. These proposed changes will only affect the front yard setback within the infill housing overlay and will not affect the side or rear yard setbacks.

Ms. Leflett provided the following explanation for the change for the front yard setback: The infill housing overlay does not have a maximum front yard setback. Currently, the front yard setback is based on average of the block, the average of each residential house within 300 feet in both directions of the subject property on the same side of the street. This creates the potential for smaller lots within a neighborhood that have deeper lots having a greater average of the block setback which could result in the home encroaching on neighboring lots or deem the lot undevelopable.

Ms. Leflett said earlier this year, the Board of Zoning Appeals heard a variance request in which a reduction for the front yard setback was requested and the average of the block put the front setback line on the property behind the lot in question. The Board denied the request and recommended a zoning ordinance amendment be considered because this type of request is so recurring in nature.

Ms. Leflett shared examples of how instances like the one described above would be addressed under the current ordinance.

Ms. Leflett explained that item 20-0196 is to amend section 9-43(3) for development standards for the front yard setback. Item 20-0197 is to amend the definitions to remove the definition of infill housing. She also explained that the proposed change would still require average of the block to be performed; however, for the lots that have average of the block that are greater than 30 feet, there would be no build-to line, and minimum setback would be 30 feet, the same as residential based districts if the infill lot falls within.

Ms. Leflett shared examples of how instances like the one described above would be addressed under the proposed ordinance.

Ms. Leflett noted that the proposal to remove the infill definition is a housekeeping change as the infill definition is duplicative in the current ordinance.

Ms. Leflett stated that staff and the Planning Commission recommend approval of Zoning Ordinance Amendments 20-0196 and 20-0197 and then opened the floor for questions from those on the dais. No questions were posed.

PUBLIC HEARING:

Mayor Tuck opened the public hearing. There were no speakers. The Mayor closed the public hearing and called for the motion.

A motion was made by Councilmember Chris Snead and seconded by Councilmember Steven Brown, that this Zoning Ordinance - Text be approved. The motion carried by the following vote:

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

13. [20-0196](#) Ordinance To Amend And Re-Enact The Zoning Ordinance Of The City of Hampton, Virginia By Amending Section 9-43 Entitled, "Development Standards" Pertaining to the Front Yard Setback In The Infill Housing Overlay

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

This item was handled simultaneously with item 20-0197.

Presented by Angela Leflett, Zoning Official, Chief Development Specialist.

A joint public hearing was held on items 20-0197 and 20-0196 with no individuals signed up to speak. The Mayor closed the public hearing.

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

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

14. [20-0199](#) Ordinance To Amend And Re-Enact Chapter 2 Of The Zoning Ordinance Of The City of Hampton, Virginia Entitled, “Definitions” By Amending Section 2-2 To Add A Definition For “Retail Alcoholic Beverage Licenses”

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

The Clerk of Council read the titles for items 20-0199 and 20-0198 and said that a joint public hearing will be held for these items.

Ms. Bunting introduced the item.

Zoning Administrator Hannah Sabo greeted those on the dais and said that the purpose for the amendments is to amend regulations for businesses with retail alcoholic beverage licenses. She announced that this is in response to Senate Bill 676 which gives Hampton the authority to add a condition to a use permit for businesses with ABC licenses only. This will cause a use permit to expire upon any of the following conditions: change in ownership of the property; change in possession (tenant change); change in the operation or management of the facility (business entity change); and the passage of a specific period of time (such as 5 years).

Ms. Sabo clarified that this allows the City authority to add this condition to new use permits; however, does not apply to existing use permits. She also noted that staff made this request to the State at Council’s request and that the cities of Norfolk and Richmond already have it in place.

Ms. Sabo provided a brief history about use permits.

Ms. Sabo reiterated that this new power only applies to new use permits. She then shared what is allowed under the new authority.

Ms. Sabo stated that one amendment provides the new definition of retail alcoholic beverage license, while the majority of this pertains to the use table under additional standards. She noted that no change was made with regard to where the uses are permitted (districts); instead, the change is in how they are permitted. She reiterated that the new authority only applies to businesses with an ABC license.

Ms. Sabo shared a list of uses and how the amendment would permit the uses for restaurants without an ABC license and for restaurants, breweries, distilleries and wineries with an ABC license.

Ms. Sabo briefly spoke about how the amendments would affect existing, legally permitted restaurants.

Ms. Sabo closed the presentation and stated that staff and the Planning Commission recommend approval of both amendments. She then opened the floor for questions from those on the dais. No questions were posed.

PUBLIC HEARING:

Mayor Tuck opened the public hearing. There were no speakers. The Mayor closed the public hearing and called for the motion.

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

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

15. [20-0198](#) Ordinance To Amend And Re-Enact Chapter 3 Of The Zoning Ordinance Of The City of Hampton, Virginia By Amending Section 3-2 Entitled, "Table of Uses Permitted" and Section 3-3 Entitled, "Additional Standards On Uses"

Attachments: [Table of Uses Permitted in Standard Zoning Districts](#)
[Table of Uses Permitted in Special Zoning Districts](#)
[Redline](#)
[Redline - Table of Uses Permitted in Special Zoning Districts](#)
[Redline - Table of Uses Permitted in Standard Zoning Districts](#)
[Presentation](#)

This item was handled simultaneously with item 20-0199.

Mayor Tuck paused to remind everyone that in keeping with COVID guidelines, those on the dais are remaining 6 feet apart and are wearing masks except for when making remarks. In addition, seating in the audience has been arranged so that everyone is at a safe distance from one another creating a safe space for all in attendance.

Presented by Hannah Sabo, Zoning Administrator.

A joint public hearing was held on items 20-0199 and 20-0198

with no individuals signed up to speak. The Mayor closed the public hearing.

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

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

16. [20-0194](#) Ordinance to Amend And Re-Enact Chapter 2 Of The Zoning Ordinance Of The City of Hampton, Virginia Entitled, "Definitions" By Amending Section 2-2 Pertaining To Fences and Natural Fences

Attachments: [Redline](#)
[Presentation Reference](#)

The Clerk of Council read the titles for items 20-0194, 20-0134 and 20-0192 and said that a joint public hearing will be held for these items.

Ms. Bunting introduced the item.

Zoning Administrator Hannah Sabo noted that the bulk of this amendment is in the City Code and there are also two zoning ordinance amendments which go hand in hand with this. She then introduced Property Maintenance and Zoning Enforcement Division Manager, Kimberly Mikel, to make the presentation.

Ms. Mikel greeted those on the dais and provided the following information regarding the item: Given the new state code authority to regulate overgrowth, staff was tasked with updating the City Code and Zoning Ordinance to reflect this change. For more than five years, the City has requested authority to regulate overgrowth due to citizen complaints and concerns. With the passing of House Bill 549 and Senate Bill 340, we now have the additional power to do so effective July 1st. This new state code authority has been added to the section that regulates high grass and states that "in any locality within Planning District 23, such ordinance may also include provisions for cutting overgrown shrubs, trees, and other such vegetation". We are proposing to add this new regulation to the current City Code Ordinance 24-37. Section A currently refers to debris and section B currently refers to our high grass ordinance. This proposed change will add a new section C to City Code 24-37 and will be titled "Cutting of overgrown shrubs, trees, and other such vegetation". For the

purpose of this section, overgrowth would include, but not be limited to, trees, shrubs and any other plant material that may inhibit the growth of native vegetation.

Ms. Mikel clarified the criteria for overgrowth. Overgrowth shall be unlawful if any one or more of the following applies: it is neglected or not adequately maintained; wholly or substantially screens primary improvements; obstructs the view of address numerals; obstructs access to emergency escape and rescue points; grows into or on primary or accessory structures; is likely to result in rodent harborage; or constitutes any other public health, safety, welfare or fire hazard.

Ms. Mikel reviewed the next few slides of the presentation which show examples of violations which could be enforceable by the new regulations. She also shared the options that owners would have in order to come into compliance.

Ms. Mikel provided the following explanation about enforcement of the new regulations: Once an inspector finds that a violation exists, a notice of violation would be sent to the owner of record and staff would first attempt to work with the owner to gain compliance before taking further enforcement action. If the owner compliance fails, a City contractor could be sent to correct the violation or a summons could be requested to take the property owner to court. If the City contractor abates the violation, a lien would be placed on the property for the cost to correct plus administration fees. If the City were to take the owner to court, the owner may receive a fine of up to \$1,000 and abatement would be ordered.

For the benefit of the public, Ms. Bunting clarified that this problem has been a struggle for our community for a long time. She explained that numerous complaints have been received and the City has wanted to correct the problem; however, until July 1st of this year, the City did not have the statutory authority to do so as this was rejected for approval by the General Assembly until now.

In response to Councilman Brown, Ms. Mikel noted that the next portion of the presentation will address height restrictions for shrubs.

Ms. Sabo presented on zoning ordinance amendments 20-0134 and 20-0194. These are technical amendments which add supportive language to City Code regulations without duplicating those regulations. These amendments add the definitions of fence and natural fence.

In response to Councilman Brown, Ms. Sabo verified that restrictions of 4 feet in the front and 6 feet in the rear also apply to natural fences.

Ms. Sabo continued the presentation and stated that in addition to the definitions,

four technical amendments are being made which codify existing practices and policies related to: fences in setbacks; vision clearance on corner lots; encroachments into City easements; and the new impervious area in the Chesapeake Bay Preservation Overlay.

Ms. Sabo stated staff and the Planning Commission recommend approval of the two zoning ordinance amendments (20-0134 and 20-0194) and staff recommends approval of amendment 20-0192.

PUBLIC HEARING:

Mayor Tuck opened the public hearing. There were no speakers. The Mayor closed the public hearing and called for the motion.

A motion was made by Councilmember Chris Snead and seconded by Councilmember Steven Brown, that this Zoning Ordinance - Text be approved. The motion carried by the following vote:

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

17. [20-0134](#) Ordinance To Amend And Re-Enact Chapter 1, Article II Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled, "Regulations Applicable to Many or All Zoning Districts" By Amending Section 1-18 Entitled "Fence and Wall Regulations"

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

This item was handled simultaneously with item #20-0194.

Presented by Kim Mikel, Property Management & Zoning Enforcement Manager and Hannah Sabo, Zoning Administrator.

A joint public hearing was held on items 20-0194, 20-0134, and 20-0192. Cynthia Heights signed up to speak on this item in error. The Mayor closed the public hearing

A motion was made by Councilmember Chris Snead and seconded by Councilmember Billy Hobbs, that this Zoning Ordinance - Text be approved. The motion carried by the

following vote:

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

18. [20-0192](#) Ordinance To Amend And Reenact Section 24-37 Of The City Code Of The City Of Hampton, Virginia, Entitled, "Accumulation of Trash, Garbage, Refuse, Litter, and Other Like Substances and Cutting of Grass and Weeds Near Residential or Commercial Structures," Pertaining to Overgrown Shrubs, Trees, and Other Vegetation

Attachments: [Redline Ordinance](#)
[Presentation](#)

This item was handled simultaneously with item #20-0194.

Presented by Kim Mikel, Property Management & Zoning Enforcement Manager and Hannah Sabo, Zoning Administrator.

A joint public hearing was held on items 20-0194, 20-0134, and 20-0192. Cynthia Heights signed up to speak on this item in error. The Mayor closed the public hearing

A motion was made by Councilmember Chris Snead and seconded by Councilmember Steven Brown, that this Zoning Ordinance - Text be approved. The motion carried by the following vote:

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

Resolutions

19. [20-0202](#) Resolution Authorizing The Execution Of A Revocable License Agreement Between The City Of Hampton And The Longbow Group, LLC To Use A Portion of 100 Stilwell Drive for Unmanned Systems Testing and Research From Two Launch Pad Sites in the Vicinity of the Fort Monroe Community Center

Attachments: [Fort Monroe Drone License](#)
[Licensed Areas](#)

The Clerk of Council read the title for the item.

Ms. Bunting made the following statement regarding the item: The Longbow Group LLC is currently located in the Hampton's Reactor Business Accelerator in Hampton Roads Center North Business Park. It is a company that provides aviation consulting services that relocated here in 2018 from Tennessee. The company is desirous of growing their commercialized technology around unmanned systems and wants to be able to test and drive the unmanned systems materials. We have worked with the Fort Monroe Authority from whom we lease the land that we would now be subleasing in part to the Longbow Group. I am pleased to report that the Fort Monroe Authority and staff are supportive of this. This is another example of our opportunity to help grow business in our community.

Ms. Bunting noted that a temporary agreement was done previously; however, a longer-term agreement requires a public hearing and Council's permission. She then opened the floor for questions. No questions were posed.

PUBLIC HEARING:

The Mayor opened the public hearing.

Mr. Marco Sterk greeted those on the dais and made the following statement: I'm the President of the Longbow Group and I just want to thank you for your support for this project. I think this is going to be a great project for the community and we plan to do a lot of exciting things. You will hear more about it in terms of the project that we are working on to expand this with the local universities. Thank you very much.

In response to Mayor Tuck, Mr. Sterk stated that testing of the vehicles will not be done down the runway; instead, testing will be done at Mill Creek and mostly out to the Chesapeake Bay. He added that this is for research flights and for search and rescue training.

Mayor Tuck noted that inquiry was for the benefit of the Daily Press reporter.

Ms. Bunting clarified that the runway is National Parks Service property thus the need to be careful in how this is crafted.

Mayor Tuck closed the public hearing and called for the motion.

A motion was made by Councilmember Chris Snead and

seconded by Councilmember Steven Brown, that this Resolution be approved. The motion carried by the following vote:

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

20. [20-0187](#) Resolution Authorizing Execution of a Deed of Easement Granting Virginia Natural Gas an Easement Consisting of 2,484+/- Square Feet for a Gas Regulator Station And A 20' Wide Ingress/Egress Easement Over Property Located at 2972 N. Armistead Avenue (LRSN 6000822 and LRSN 6000824) in Order to Construct a Gas Regulator Station

Attachments: [Exhibit A - as submitted with agenda](#)
[Exhibit B - as submitted with agenda](#)
[Exhibit A - VNG Plat](#)
[Exhibit B - Deed of Easement](#)

The Clerk of Council read the title for the item.

Ms. Bunting made the following statement regarding the item: The City of Hampton is the owner of the two parcels referenced in the Clerk's description of this item. The City acquired the property in partnership with the Commonwealth of Virginia and Joint Base Langley-Eustis in order to prevent encroachment of incompatible uses, activities and developments in proximity to the installation. In order to facilitate the relocation of an existing Virginia Natural Gas regulator station that is currently operational on a parcel of property that is within the installation's clear zone near the end of the runway to a new location on the property that has been described. We are requesting that you approve easements to allow for ingress and egress to the property so that Virginia Natural Gas can complete this relocation which will further our goal of avoiding encroachment in the clear zone properties. It does require the public hearing.

Mayor Tuck opened the floor for questions from Council. No questions were posed. Mayor Tuck opened the public hearing.

PUBLIC HEARING:

Mr. Dennis Devasia greeted those on the dais and made the following statement: I'm actually speaking on behalf of Virginia Natural Gas and the second speaker is speaking on behalf of Virginia Natural Gas as well. This is just part of our program to renew existing infrastructure to bring it up to current standards and support

increased demand in the area to further the goals of the City of Hampton. I'm here to answer any questions you may have.

No questions were posed.

Mr. Erston Faulk greeted those on the dais and made the following statement: Thank you. I am the Systems Operations Supervisor for the area that would be working on the regulator station. I appreciate you all's consideration on this and I just want to stress that this station, we brought up to new design standards which would also give us a better safety for the area and on the station itself, as well as capacity, but it is also a safety issue.

Mayor Tuck closed the public hearing and called for the motion.

A motion was made by Councilmember Snead and seconded by Councilmember Hobbs, that this Public Hearing be approved .

The motion carried by the following vote:

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

PUBLIC COMMENT

The Clerk of Council read the protocol for the public comment period.

Ms. Cynthia Heights greeted those on the dais and made the following statement: I am here on behalf of the group, Keep Buckroe Beach Clean, also, Keep Fort Monroe Clean. I just want to say I use Fort Monroe. I've walked there for the past 6 or 7 years almost every day, and when summertime comes, it's awful the amount of trash that is left on the beach by the trash cans, and I'd like to say the new signage that I've seen pictures of at Buckroe Beach is great and that's a wonderful start. What we are advocating (for) is more trash receptacles and more staff be available at the beach, both Buckroe and Fort Monroe. It's a natural resource that we as citizens have really got to protect. What comes and goes with the tide here - it's just very important that we clean it up. I know that a lot of people with this group - Ms. Elle, the founder, is going to get up here and tell you a little bit more about it. But, it's just very important, I think, that we come together, and also that citations could be issued and that we have more police presence either on bicycles or ATV's, more of a police presence at the beach writing citations which is a revenue opportunity in and of itself. Just to get people's behavior and attitudes changed and I think just to have more of a, like a beach patrol for Hampton, would be a good thing. From what I've seen, you've done a great job with the signs. I think that could go further and even make it more to the public. Making things like pictures or something that would

be more eye-catching to the public. I could think that you are at the tip of the iceberg. You are doing a great job, but it could perhaps have a little bit more resources directed towards keeping our beaches clean. This is extremely important, but I think you are going to hear more from others in the group. So, I thank you for your time.

Ms. Gail Williams greeted those on the dais and made the following statement: Thank you very much for the outstanding job you do in this beautiful City that I'm very proud to live in. My first time here, so I'm not sure I'm going to do things correctly, but I'm going to make my attempt, so please forgive me in advance if I'm not presenting in the way that I should, but I'll try my best to. I live out at Riverchase Association. Our streets are City streets and we are having a constant problem with one of the townhomes that has been rented as an Airbnb, we found out recently. So, we have been constantly - trash is left out before trash collection day; cars are being parked on the driveway and also blocking the driveway and the sidewalk. We've called the cops many times. It appears that tickets are not being left and we spoke with one of the individuals that are there currently, they are here for a week, and we just said we wanted to know how to get the information; they told us it is on Airbnb.com and they know nothing about the owner. We haven't seen the owner there since 2017. So, we're looking for some resolution on what we can do. I've already reached out to Codes and Compliance. I can't remember the person's name that I spoke with, but he told me just to keep calling. Well, he may not be there. Like, I called today, and I called last week. He may not be there and the times that he called he says he has to actually get a picture of the vehicles to try to see the inconsistencies that no one permanently lives there. That can't be the resolution. We have to have something else more found to be able to address this situation. We are also concerned about if their zoning has to be approved. Can they have an Airbnb in the City of Hampton without getting that approved? I also have Ms. Linda Parker who wanted to speak as well from the Association. Thank you very much.

Ms. Linda Parker greeted those on the dais and made the following statement: I'm a resident and member of the board. We're having some serious parking problems, first of all with the Airbnb. They are parking behind the cars which is a City violation. They are parking anywhere they want to park. In fact, once, I caught some people parked in the common area on the grass. And, I have found recently, a lot of fast food bags, half-eaten food, out on our street that we weren't experiencing before. We just don't know what to do about it, and we are concerned because now with the Coronavirus, these people are coming in from places that are spiking. Like the people that are there today are from Tennessee and from New Hampshire. What's that going to do to our community if we allow this to continue? Thank you for your time.

Mr. Craig Knopp greeted those on the dais and made the following statement: First off, I would like to thank everybody for everything you guys do for us. Also, I would like to congratulate everybody that got re-elected along with you, Councilman Bowman, on your new election. I've got a couple of things I want to kind of voice my concerns on. Someone had pointed out to me that there was a proposed statue that was going to be erected over at Fort Monroe. A couple of questions on that. Where was it going to be? Is Hampton Police going to be in charge of patrolling that area for the statue? Also, concerns of how high the statue is going to be placed. Due to people climbing up on these statues lately and statues falling over, and just generally, people falling from a statue, if something like that would happen over in that area. Also, I would like to thank the Hampton Police for the great job that they are doing. The Hampton Second Amendment Group took donuts to them the other day in appreciation for what they do for us. Also, I would like to ask if the City Council could use their lobbying power to get ahold of Delegate Mugler and Senator Locke to propose that we do not defund the police and that we do not lower the charge from a felony to a misdemeanor for assaulting an officer. Also, I have another proposal that I would like to put forth, not so much with the City Council, but with the City School Board and that would be with naming of the schools. Rather than going back through and renaming schools because of outdated names or something like that - just that we actually name the schools based on the district of the City that is there. Fox Hill: Fox Hill Elementary, Fox Hill Middle School, Fox Hill High School. Also, if anybody could help me with getting in contact with Senator Locke and Delegate Mugler, I would definitely appreciate that. Do the cops all have body cameras? Also, the ownership of Fort Monroe. How is that broken up? I'm not real sure if it's City, the State, or the Federal Government that owns that. And, also when we were talking about the overgrowth earlier, for overgrowth on a City property, in particular, the pump station - Who do I need to call on that? Is that a 311 call on that?

Mr. Knopp's speaking time expired before he could finish asking all of his questions. Mayor Tuck suggested that Mr. Knopp give his list of questions to the Clerk for handling.

Ms. Elle Chambers greeted those on the dais and made the following statement: I am the founder of Keep Buckroe Beach Clean. We are a group of citizens dedicated to eliminating the littering issue at Buckroe Beach. I wanted to come here tonight to formally introduce the group and our mission. I also wanted to say thank you for addressing our request for more trashcans and no littering signs. We are happy to be working with you to make Buckroe Beach a cleaner place. Although we have added more trashcans and signs, many people are still choosing to leave their trash behind on the beach. Until the no littering laws are reinforced, people will continue not to care. Some people believe it is not their job to clean up after

themselves, but think it is instead, someone else's. This mentality needs to stop. It is time that people start to become responsible for the mess they leave for others and the environment to deal with. It's great that we have such dedicated park employees and volunteers, but it is unfortunate that they are cleaning up the mess of hundreds of others visiting the beach. When people choose to leave their trash on the beach, they are choosing to contribute to environmental pollution and danger the health of the bay, harm marine life and create bacteria levels in the swimming area, add to the plastic pollution crisis and otherwise make the beach an unsafe place to visit for themselves and others. The public needs to be reminded by authorities and park rangers of their responsibility not to leave trash on the beach. Park ranger aids and lifeguards try to fill this duty, but are met with opposition and rudeness. They need those with more authority to step up and help. One easy way to do this is to make an announcement over the patrol car speakers reminding people not to leave their trash behind when they are leaving the beach. Other ideas of how to do this are mentioned in the petition that was sent to your emails this morning which now has over 135 signatures. If the problem isn't solved, it will only continue to get worse. We have to start being proactive instead of continuing to turn a blind eye to the problem. Otherwise, we may eventually not even be able to keep up with all the trash, and one day, the beach may become so polluted that no one will ever want to visit it. Now is the time to make proactive, positive changes in the right direction by enforcing the no littering laws so that we can continue to enjoy the beach for years to come. Thank you.

At the Mayor's request, the City Manager, Mary Bunting, responded to the various concerns expressed by citizens to include Air BNBs and acknowledged that zoning staff was already speaking with the citizens who spoke tonight in order to address the issues. She stated that Buckroe Beach and Fort Monroe Beach now have triple the number of trash receptacles and additional staffing and thanked the citizens for their advocacy. Ms. Bunting also explained the ownership of Fort Monroe and the discussion surrounding the monument or statue at Fort Monroe. Ms. Bunting did say that Hampton Police officers do have body-worn cameras they are required to use and their use is audited and disciplinary action taken if they are not being used. They also have dash cameras. A full report on 21st century policing was done at the June meeting. She encouraged citizens to call 311 with any overgrowth complaints as that allows the complaints to be properly tracked.

GENERAL ITEMS

21. [20-0114](#) Consideration of Appointments to the H2O Community Development Authority
- A motion was made by Councilmember Chris Snead and seconded by Councilmember Billy Hobbs, that this Appointment be deferred to the City Council Legislative Session, due back on 8/12/2020. The motion carried by the following vote:
- Aye:** 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck
22. [20-0142](#) Consideration of Appointments to the Building Code Board of Appeals
- A motion was made by Councilmember Chris Snead and seconded by Councilmember Billy Hobbs, that this Appointment be deferred to the City Council Legislative Session, due back on 8/12/2020. The motion carried by the following vote:
- Aye:** 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck
23. [20-0168](#) Consideration of Appointments of Council Liaisons to Various Boards, Commissions and Committees
- A motion was made by Councilmember Chris Snead and seconded by Councilmember Billy Hobbs, that this Appointment be deferred to the City Council Legislative Session, due back on 8/12/2020. The motion carried by the following vote:
- Aye:** 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

There were no reports.

MISCELLANEOUS NEW BUSINESS

The City Manager, Ms. Bunting, stressed to citizens the need to continue best practices to combat the spread of COVID-19 in

terms of wearing masks and practicing social distancing even though Virginia is currently in Phase III. These practices will hopefully allow us to stay in Phase III and not go backward.

Mayor Tuck encouraged citizens to properly dispose of their yard waste to extend the life of the landfill.

Councilwoman Brown complimented the City Treasurer, Molly Ward, and the Commissioner of the Revenue, Ross Mugler, on the operation of the DMV Select and reminded citizens of the service and how nicely it works.

Mayor Tuck also welcomed new Councilmember Chris Bowman and then announced that the next City Council meeting will be held on August 12th.

ADJOURNMENT

The meeting adjourned at 8:06 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 _____

