



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, January 26, 2022

6:30 PM

Council Chambers

CALL TO ORDER/ROLL CALL

Mayor Tuck called the meeting to order at 6:34 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 - Councilwoman Eleanor Weston Brown

Councilwoman Brown gave the invocation.

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

The Mayor read the following statement:

Hampton City Schools is a separate legal entity from the City of Hampton. We are advised that Hampton City Schools is in active litigation with regard to Executive Order 2 issued by Governor Youngkin. The Hampton City Council will continue to monitor this matter as it progresses through the courts. Accordingly, the City will have no further comment. Please see the press releases from Hampton City School Board Chair, Dr.

Richard Mason, and the joint statement made by all school boards involved in the litigation for additional information.

Mayor Tuck noted that neither he nor the Hampton City Council have taken a stand on this matter and that questions or concerns about this matter should be directed to the Hampton City School Board.

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 Brown, and seconded by Councilmember Hobbs, 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

Item [21-0335](#) Resolution to Amend the Fiscal Year 2022 Council Approved
appro Budget to Accept and Appropriate the Bureau of Justice
ved.1. Assistance FY 2021 Edward Byrne Memorial Justice Assistance
Grant awarded by the U. S. Department of Justice, Office of
Justice Programs

Attachments: [Grant Docs](#)
[Award Letter](#)

item approved.

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

2. [22-0031](#) Resolution to Amend the Fiscal Year 2022 Council Approved
Budget to Accept and Appropriate the Sentara Healthier
Communities Program Grant awarded by Sentara
Healthcare/Optima Health/Virginia Premier

Attachments: [Grant Agreement](#)
[Grant Application](#)
[Grant Routing and Grant Overview](#)

item approved.

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

3. [22-0032](#) Resolution to Amend the Fiscal Year 2022 Council Approved Budget to Accept and Appropriate the 2021 State Homeland Security Program Grant Awarded through the Virginia Department of Emergency Management for the CERT Program Enhancement Regional Citizen Corps Project Hampton and Poquoson

Attachments: [Grant Agreement](#)
[Grant Application](#)
[Grant Routing and Grant Overview](#)

Item approved.

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

4. [22-0001](#) Resolution to Amend the Fiscal Year 2022 Council Approved Budget to Appropriate \$18,938.57 from the Women in Public Service (WIPS) Conference Assigned Fund Balance Account to the Fire & Rescue Division's Operating Budget.

Item approved.

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

5. [22-0016](#) Resolution to Amend the FY22 Council Approved Budget to Appropriate \$907,510.28 from the General Fund's Restricted Fund Balance to the City Sheriff - Jail's General Fund Operating Budget

Item approved.

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

6. [22-0036](#) Resolution to Amend the Fiscal Year 2022 Council Approved Budget to Appropriate \$3,000,000 from the Solid Waste Management Fund Unrestricted Net Position to the Solid Waste Management Fund's Operating Budget to Fund Replacement Cost for Solid Waste Vehicles and Equipment
Item approved.

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

7. [22-0035](#) Resolution Approving Fiscal Year 2022 Second Quarter Budget Adjustments

Attachments: [FY-22 Second Quarter Budget Adjustments](#)

Item approved.

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

8. [22-0039](#) Resolution to Approve an Encroachment Agreement Pursuant to Hampton City Code § 34-86 Between the City of Hampton and Hampton King Street, LLC to Allow an Encroachment into City Right of Way for Construction/Installation of Water Appurtenances at 3 Wine Street

Attachments: [Encroachment Agreement Presentation](#)

Item approved.

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

PRESENTATIONS, PROCLAMATIONS, AWARDS

9. [22-0037](#) Hampton Roads Express Lane Network: Ramp Closure Scenarios

Attachments: [Presentation AS SUBMITTED / PUBLISHED](#)
[Presentation - As Corrected and Used at Meeting](#)

City Manager Mary Bunting introduced the item.

Mr. Chris Hall, Virginia Department of Transportation (VDOT) Hampton Roads District Engineer, greeted those on the dais and began providing the update on the traffic analysis effort related to the congestion on the interstate and the effort to mitigate those effects on local City streets in Hampton.

Mr. Hall spoke about the studies conducted to model the effects of construction work zones, similar to the work scheduled to begin at the end of the year. Three scenarios were considered taking into account the effect that construction and proposed ramp closure alternatives will have. The scenarios involve closures and one way traffic along Mallory Street and Settlers Landing Road. Full descriptions of these scenarios can be found in the presentation.

Mr. Hall shared that the VA Medical Center and Hampton University conducted a 90 day pilot regarding thru-traffic along MLK Blvd. and Emancipation Drive during the hours of 3 pm - 6 pm. Internal resources were used to execute the pilot. Overall, the findings revealed that there was a positive impact in reducing traffic cut through and the number of vehicles at the conflict point. It is also resource intensive to maintain the pilot for the necessary check points in order to stop traffic from cutting through and would have significant long-term resource impacts for the VA Medical Center and Hampton University.

Mr. Hall discussed the next few slides of the presentation which displayed graphs of the I-64 ramp closure modeling analysis/speed comparison and the I-64 ramp closure modeling analysis of travel times including speed comparisons and travel times during construction and when various ramps are closed. He also shared the analysis results for interstate impacts for each of the three scenarios referenced earlier. Overall impact to closing the ramps (depending on the scenario) is approximately one hour and 40 minutes of additional travel time.

Councilwoman Brown asked about the impacts to City streets. Mr. Hall said that this relates to interstate impacts; however, the same modeling looked at 50 intersections in the City, and those impacts will also be covered in the presentation.

Mr. Hall continued describing the model results of the impacts of potential closures including the intersections that were analyzed for City streets. In summary, there

were some delays in intersections, primarily along Mercury Blvd. and Mallory Street. Approximately five or six intersections would be impacted with an increase in wait times. Mr. Hall reviewed the next 3 slides of the presentation which described a bit more about the impacts on City streets and the interstate in all three scenarios. He noted that all three scenarios performed about the same from a City street perspective. This is in the main corridor where traffic reroutes across the City to enter in at LaSalle Avenue or Mercury Blvd. In addition, the major decrease in delays was at the Mallory Street ramp.

Mr. Hall spoke about the Federal Highway Administration (FHWA) coordination and requirements and clarified that this briefing is the full package of the operational analysis required for the IAR (Interchange Access Request) submission. In summary, based on the modeling analysis and what was seen regarding impacts to the interstate, it is not VDOT's position to support a ramp closure moving forward.

Mr. Hall shared information about the next steps in the process which are to focus the analysis on local network change options including a regional traffic management plan involving the cities of Hampton, Newport News, Norfolk and Virginia Beach and representation from Hampton Roads Transit and Hampton Roads Transportation Planning Organization (HRTPO); for VDOT to enhance camera monitoring at Settlers Landing Road and Mallory Street interchanges; and Hampton Roads Bridge Tunnel (HRBT) incident management efficiency efforts. He added that there is an enhanced understanding of what needs to be dealt with and how it needs to be mitigated.

Mr. Hall made closing remarks. VDOT is focused on partnering with the City and understanding the challenges ahead with construction and is focused on making the right decisions (based on the data) in an attempt to mitigate impacts of construction and mitigate those extended closures to tunnel facilities.

Mr. Hall opened the floor for questions.

Mayor Tuck thanked Mr. Hall for the presentation.

Mayor Tuck referenced a 2019 presentation which showed that there would be little impact to traffic throughout the City if nothing changed. He then asked Mr. Hall to provide an estimated number of vehicles it takes to back up traffic to Jefferson Avenue on an hourly basis to give an idea of how many cars come through our City that are not originated from our City. He expressed concern about traffic that is not destined for Hampton coming through our City.

Mr. Hall explained that part of the initial contemplated network work tracked vehicles

getting off of the interstate at points between Mercury Blvd. and Rip Rap Road. Vehicle interstate entrance points were tracked at Mercury Blvd., Rip Rap Road and Settlers Landing Road, 20 percent of which was flow thru traffic. He continued explaining that the cause of the problem is additional traffic getting on to LaSalle Avenue; however, there is no way to calculate the number. He clarified that a combination of events create the issue and indicated that congestion changes under various conditions such as when bridges are and are not under construction. He noted that he did not have specific calculations, but would attempt to provide them at a later date.

Mayor Tuck and Mr. Hall had a brief conversation about thru traffic near Hampton University, Mallory Street and Settlers Landing Road and the impacts of temporarily closing off those streets. Mayor Tuck emphasized that the impression being given is that much of this traffic is Hampton destined, but in his opinion, it may not be. Mr. Hall reminded everyone that traffic attempting to get on the interstate has to be incorporated in the calculations and the model shows that causes maximum friction on the interstate, particularly while bridges are under construction.

Discussion took place between the members of Council and Mr. Hall. Points clarified by Mr. Hall were that two lanes will be maintained in each direction during bridge construction, including some areas which currently have three lanes (creating choke points); the overall objective is to have the interstate traffic flow efficiently so that it is the route of choice versus maneuvering through the City; enhanced camera monitoring will allow for situational awareness at any given time, not only on the interstate, but also at key intersections in the City; and this also allows for record keeping of what takes place at any given time.

For the record, Ms. Bunting spoke about legislation to support enhanced local video camera monitoring. She announced that the bill, which is being sponsored by Delegate Ward, is being heard for the first time tomorrow and noted that VDOT's support of the bill would be beneficial to the City.

Additional discussion took place. Topics of discussion included data related to road congestion on Fridays and due to miscellaneous incidents compared to normal conditions; choke points potentially diverting traffic to I-664; correlating incidents to backups; other traffic influences such as Langley Air Force Base and the shipyard; working on strategies to help mitigate impacts; gauging travel times through town; and VDOT and other entities efforts to approach GPS software companies about not using Hampton as a cut through option.

Mayor Tuck opened the floor for additional discussion and questions. No further discussion took place.

10. [22-0003](#) Budget Briefings - City Real Estate Assessments

Ms. Bunting introduced the item and also said that her intention, as manager, is to propose a decrease in the tax rate when the budget is recommended in April. The amount of the decrease is yet to be determined as there are pending factors involved which are related to state and unfunded mandates. The assessment growths will take effect December 5, allowing time to discuss how to respond to it. This also indicates that Hampton has a healthy economy as reflected by the assessment growth in residential, commercial and multi-family markets.

Interim City Assessor Libby Griebel greeted those on the dais and thanked appraisers and staff in the City Assessor's Office for their work to complete the reassessments.

Ms. Griebel reviewed the slide presentation which provided information/statistics related to transfers; FY23 change of assessment notices; total market assessed value; assessed values since FY 2002; residential assessment change (16.2% increase in assessed value); FY23 change of assessment notices, residential; FY23 residential change in northwest, northeast, southeast and southwest quadrants; multi-family assessment change (value increase 26.4%); commercial assessment change (value increase 5%); market recovery since the market high in FY2010; exempt assessment changes (value increase 2.3%); land use deferral change (deferral value decrease .04%); rehabilitation tax credit change (value decrease .7%); and taxable value change (value increase 16%).

During the presentation, Mayor Tuck asked about the term Qualifying Arm Length Sales. Ms. Griebel clarified that Qualifying Arm Length Sales refers to sales where no duress was involved in the transfer; there was a willing buyer and willing seller with no undue duress in the transfer.

Ms. Griebel continued with the presentation. She spoke about some of the pending/future development and public projects listed in the slide presentation. She also shared some local multiple listing statistics and stated that all indications show that 2022 will continue to see rising values and a slowdown is not expected.

Ms. Griebel shared a slide which displayed an example of the FY23 change of assessment notice postcard which is scheduled to be mailed to property owners on February 11, 2022. Those with questions about their assessments are encouraged to contact the office for assistance.

Ms. Griebel shared some additional important dates to remember. Applications for review of assessments, which can be found online, are due by March 15, 2022;

second appeal deadline to the Board of Review is April 15, 2022; Board of Review applications will be heard and disposed of by June 30, 2022.

Ms. Griebel encouraged the public to call 727-8311 with questions or make an appointment to visit the office to discuss concerns.

Ms. Griebel opened the floor for questions.

In response to Vice Mayor Gray, Ms. Griebel explained that the change in residential assessment represents properties that were created as a result of a split creating a new parcel or property class change.

Ms. Bunting reiterated that with this large growth in assessment, the City should and will lower the tax rate.

PUBLIC HEARINGS

There were no public hearings.

PUBLIC COMMENT

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

Mr. Jack Pope greeted those on the dais and made the following statement: I would like to talk to you all about the interstate. It presents a real problem for the emergency medical services in the City to get around. If we could block off two exits (I know we can't do that). If we could block off Mallory Street and the one going on the interstate, you would still have access to Hampton University, especially for fire trucks going to the buildings, and the people at the VA. Vehicles come from both ways, so they need the road to be open. My other comment is: thank you all for approving enough money for Public Works to keep our streets clean this weekend. It made it nice on people responding to emergency vehicles and for people that have to get to work. Thank you.

Mr. Craig Knopp greeted those on the dais and made the following statement: I want to definitely second that on the clean roads. I drove through some places on Saturday and we definitely were one of the areas that was the cleanest. I definitely appreciate that. One of the things I like to do is I like to come here to let you guys know what is going on and some of the things I like to be involved with and get other people involved in. This upcoming Saturday, once again, the snow - I was really hoping to get about five or six different volunteer groups together. This was going to be one of the biggest clean-ups at least that I had organized. I was hoping to go from three normal roads that we have adopted through the adopt-a-spot program to possibly maybe going to two or three additional ones, and if we held that for a while,

hopefully, maybe even adopting those ones as well. Unfortunately, the snow looks like it is going to damper that a little bit, but that's alright. As most of you know, I have a young son and one of the things I'm looking for is his future. What does he want to be? What does he want to grow up in? Well, most people go to their interest. Right now, his interests are swords, dinosaurs and rocks. Unfortunately, I don't see any real big future in a ninja dinosaur that collects rocks, so I've got to look at other opportunities for him out there. Some of the opportunities that we have right now when we look out there is that we are short on police, School Resource Officers (SROs) and stuff like that, so one of the things I like to do is look at opportunities out there that we can start developing. Mr. Mayor, I know you are out there and trying to help get people involved with different stuff like that, so what I would like to do is get some more information through the school to see what kind of opportunities or what kind of programs that they have with the police to get people involved or whatever with the police. Also, I'm kind of interested in what kind of programs the police have or anything else like that or involvement with the youth here as well. So, what I was going to do was just email Mary and see if she can help me out with getting some information on that as well. Also, what I would like to do is this past weekend, I kind of sat down with some young individuals on trying to get some better ways for interaction between police and SROs. I, myself, went to a school out in the country, so I was not really - did not have SROs or police really in there. We had a couple of security guards, but we really didn't have a lot of interaction with them. I was trying to get some different perspectives on what we can do to help bring the SROs and police together with children. What I would like to do is get some ideas together on different things. Also, what I have is: I was wondering if we've ever brought up about some sort of ROTC program with criminology where we have individuals in high school get involved with different summer camps and stuff and go into criminology police type of stuff. That's all I have. Thank you.

Mr. Edwin Boone greeted those on the dais and made the following statement: I wonder what is taking so long, Mary Bunting, with us getting the business license at the Best Kept Secret: Stop the Violence. Also, there is that \$4 million out there. I went to the Hampton website and looked at the bulletin. There's only like \$2,000 grant applications and then you mentioned I think \$10,000, you've got to come up with 500. What happened with that \$4 million? You had that set up before on the budget last year. Then you got the budget this year. You got the American Rescue Fund as if the same amount for all the minorities and non-profit and small businesses. Another thing with all that traffic congestion, you've got three huge buildings right across the bridge from Hampton University and you've got three large parking structures that are not being utilized. And all the people, all the tens of billions of dollars riding just to get a way through the tunnel to bypass Hampton. If we were to do it wisely, to me, I would tear that huge building down - that hotel right across the bridge and make entertainment. Something to draw the tourism instead

of that \$30 million pool that nobody is going to be in it, especially in weather like this and we still have to upkeep and maintain it and pay that note. So, again, I want to know how come the Best Kept Secret can't open up. You shut us down close to a whole year. We moved to another building. We still don't have our business license, so will you please explain that to me and get us opened up because we are not a bad organization. We are here to help the public. Don't make it like we are your enemy. Thank you.

Mr. Chris Mathews greeted those on the dais and made the following statement: I was browsing the Hampton government website and I was noticing all of the Commissions and Boards that are open for the public and I was hoping to get feedback on which ones, if you guys at all have noticed, need the most attention, because there's a lot of vacancies that I saw and I would like to throw my name in some. There are several that caught my eye in things that I could feel productive in. If you have any feedback to offer, I'd appreciate it greatly because there's a lot of vacancies out there that need to be filled. Thank you. That's all.

Mayor Tuck responded briefly in response to Mr. Mathews explaining that he can express which boards he is interested in online as there is most likely a spot where the City can utilize him. He also shared that at a recent regional meeting of Mayors and Chairs, discussion took place about early career counseling in public service careers. The Mayor also explained some of the difficulties with the Stop the Violence certificate which have been addressed; and shared some of the plans for redeveloping downtown; and a bit of information about the support for the Aquaplex.

Ms. Bunting responded to Mr. Boone that business licenses are issued by the Commissioner of the Revenue, but she'll be happy to check into it tomorrow. The occupancy permit, which is done by Community Development, has been issued. She also explained the small grant cycle which is different from the violence reduction grants being proposed for ARPA funds.

GENERAL ITEMS

[22-0043](#)

Resolution of the City Council of the City of Hampton, Virginia Confirming the Declaration and Termination of a Local Emergency Made Necessary by "January 2022 Winter Storm" and Declared on January 21, 2022, and Terminated on January

24, 2022, by the Hampton Director of Emergency Management

Attachments: [Declaration of Emergency](#)
[Termination of Emergency](#)

Mayor Tuck acknowledged the Public Works Department for its efforts to collect trash and maintain the roads during the snow storm, particularly during the pandemic when most departments, including Public Works, are short-handed.

Ms. Glass read the title for the item.

Ms. Bunting introduced the item and noted that another emergency declaration and termination may take place in the near future based upon the current weather forecast for another upcoming snow storm.

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

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

The City Manager reported that the City received the rating agencies second highest rating concerning the most recently approved bond issue.

MISCELLANEOUS NEW BUSINESS

[22-0075](#) Motion to amend the agenda to include appointments to the Virginia Air & Space Center Board

A motion was made by Councilmember Weston Brown and seconded by Councilmember Hobbs, that this Motion 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

[22-0076](#) Motion to appoint individuals to the Board of the Virginia Air & Space Center

Prior to the matter added to the agenda, Councilwoman Ferebee

made the following statement: I have consulted with the City Attorney and legal counsel for my employer, the NASA Langley Research Center, and while NASA Langley Research Center is a separate entity from the Virginia Air & Space Science Center, they have a strong relationship and connection. As such, out of an abundance of caution and to avoid any appearance of impropriety, I recused myself from all discussion regarding City Council appointments to the Board of Directors for the Virginia Air & Space Science Center and will abstain from voting on any appointments to this body tonight.

A motion was made by Councilman Brown to appoint Ross Mugler and Steven Bond to the Board of Directors of the Virginia Air & Space Center to initial four year terms which will expire on January 31, 2026. The motion passed by the following vote:

Aye: 6 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

Abstained: 1 - Councilmember Ferebee

ADJOURNMENT

Before adjourning the meeting, Mayor Tuck expressed a plea with respect to youth violence and shared that there is a program called RISE with the City and Hampton City Schools where they hope to connect 100 young men who are in middle school with mentors. He shared the need for additional adults to step forward as mentors. While he indicated they initially requested men, they are willing to accept women as there is a severe need.

The meeting adjourned at 8:40 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 _____