



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 Steven L. Brown
Councilmember Hope L. Harper
Councilmember Billy Hobbs
Councilmember Martha Mugler

STAFF: Mary Bunting, City Manager
Steven D. Bond, Interim City Attorney
Katherine K. Glass, CMC, Clerk of Council

Wednesday, March 27, 2024

6:30 PM

Council Chambers

CALL TO ORDER/ROLL CALL

Mayor Tuck called the meeting to order at 6:30 p.m. All members of the City Council were present.

Present: 7 - Councilmember Chris L. Bowman, Councilmember Steven L. Brown, Vice Mayor Jimmy Gray, Councilmember Hope L. Harper, Councilmember Billy Hobbs, Councilmember Martha Mugler and Mayor Donnie R. Tuck

DONNIE R. TUCK PRESIDED

INVOCATION - Councilman Steven L. Brown

Councilman Brown gave the invocation.

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

Mayor Tuck recognized former Councilwoman Angela Leary posthumously since he failed to mention her during his comments about Women's History Month at the last meeting.

Mayor Tuck also congratulated Hampton General District Court Judge-Elect Steven D. Bond. Mr. Bond is the City of Hampton's Acting City Attorney and he shared that the date of his Investiture is not yet set.

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 Bowman, seconded by Councilmember Harper, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

1. [24-0094](#) Resolution to Approve the Refund of Erroneously Assessed Coliseum Central Business Improvement District Taxes Imposed on Property Located at 1950 Saville Row

Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

2. [24-0136](#) Resolution to Approve an Encroachment Agreement Pursuant to Hampton City Code § 34-86 Between the City of Hampton and Joseph Teresi and Evalyn Teresi to Allow an Encroachment into a Portion of a City of Hampton Drainage Easement for the Installation of a Four-Foot Tall Split Rail Fence.

Attachments: [Encroachment Agreement Presentation](#)

Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

3. [24-0137](#) Resolution to Approve an Encroachment Agreement Pursuant to Hampton City Code § 34-86 Between the City of Hampton and Sascha Winter to Allow an Encroachment into a Portion of a City of Hampton Drainage and Utility Easement for the Installation of a Wood Privacy Fence.

Attachments: [Encroachment Agreement Presentation](#)

Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

4. [24-0133](#) Ordinance to Amend the City Code of the City of Hampton, Virginia by Amending and Reenacting Chapter 18.1, "Licenses;" Article I, "In General;" Section 18.1-12, Prerequisites to Validity

Attachments: [Sec 18.1-12 Redlined](#)

Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

5. [24-0141](#) Approval of the minutes from the legislative sessions of April 26, 2023, and February 28, 2024, and the work sessions of May 24, 2023, and March 13, 2024.

PRESENTATIONS, PROCLAMATIONS, AWARDS

There were no presentations, proclamations, or awards.

PUBLIC HEARINGS

There were no public hearings.

GENERAL ITEMS

Ordinances

6. [24-0139](#) Ordinance to Amend and Reenact the City Code of the City of Hampton, Virginia by Enacting Chapter 21, Motor Vehicles and Traffic, Article I, In General, Sec. 21-19 to Authorize Traffic Control Device Violation Monitoring Systems.

Attachments: [Traffic Device Camera Redline 3.15.24 Final](#)

Ms. Glass read the title for the item.

City Manager Mary Bunting provided the following information. This is part of the Hampton Roads Bridge Tunnel (HRBT) Expansion Red Light Camera System Program designed to help with the influx of traffic from drivers navigating as a result of backups at the HRBT. This problem is expected to escalate as the construction continues. Council approved an ordinance regarding this last year, and now, the part about the monitoring package is being addressed. In 2023, part of the legislative package included a request to allow the City and other localities in Planning District 23 to install traffic control device monitoring systems that deal with the Don't Block the Box Regulations. Existing legislation allowed for red light cameras, but there was no existing legislation to allow localities to use the same photo technology to deal with this regulation. Our delegation and the Virginia Department of Transportation (VDOT) supported this and the General Assembly approved it. With that approval, we are required to adopt regulations that will permit it. This ordinance is about getting that on the books. Don't Block the Box cameras will be active and there will be an initial warning system in place for drivers who violate the regulation. Once the initial warning period has expired, drivers will be subject to a review by a law enforcement officer and subject to the civil penalty. The amendment before Council would implement the authority that was granted by the General Assembly. Staff recommends approval.

Following Mayor Tuck's inquiry, Ms. Bunting explained that phase I includes one of the block the boxes on Settlers Landing Road and some will also be located in Phoebus.

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

Presented by Mary Bunting, City Manager. A motion was made by Councilmember Martha Mugler and seconded by Councilmember Hope Harper, that this Ordinance-Coded be approved. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

7. [24-0132](#) Ordinance Designating an Outdoor Refreshment Area and Requesting the Board of Directors of the Virginia Alcoholic Beverage Control Authority to Increase the Annual Frequency of Licensee Events Within the Outdoor Refreshment Area

Attachments: [Non-Coded Ordinance \(final\)](#)
[Exhibit A. Designated Outdoor Refreshment Area](#)

Ms. Glass read the title for the item.

Ms. Bunting provided the following information. Historically, Virginia Code Section 4.1- 206.3 included a provision regarding local special events licenses issued by the Board of Directors of the Alcohol Beverage Control (ABC) Board. This license was available to localities, business improvement districts or non-profit organizations and authorized the consumption of alcoholic beverages within areas designated by the Board. In 2021, the Virginia Code was amended to change this license, previously known as the Local Special Events License, to a designated outdoor refreshment area or Door License. In addition to changing the name of the license, the 2021 amendments also provided that the frequency and duration of events under this license could be increased by the Board if an ordinance requesting such an increase was adopted by a locality and approved by the Board. In addition to including the desired frequency and or duration increase, the locality's ordinance must also include the size and scope of the area in which the events would be held, a public safety plan, and any other considerations deemed necessary by the Board. The 2021 amendments did not change who was eligible to apply for the license or the general requirements associated with the use of the license, which are detailed in the ordinance. As explained, the General ABC requirements apply. The Downtown Hampton Development Partnership (DHDP) has requested the City adopt an ordinance to establish a designated outdoor refreshment area downtown, and to increase the number of special events permitted within the area and a calendar year. This will provide DHDP flexibility to hold additional events in the downtown area. This is important to them as we've asked them to do and host more festivals downtown. For instance, they have returned to hosting the New Year's Eve celebration, and that event put them over. They had the authority to do 16 and this one would push them over their planned number of events. Under the proposed ordinance, the designated area would include portions of Queens Way and portions of the waterfront near Carousel Park and the docks at downtown. They are requesting that the number of events permitted within the designated area would increase from the base allowable of 16 (which the ABC had already permitted by right) to 32, which is the amount that staff recommends. The duration of any event would remain limited to no more than three consecutive days. Staff worked closely with the Virginia ABC on the drafting of the ordinance and recommends approval.

Mayor Tuck opened the floor for questions or comments. No additional discussion took place.

Mayor Tuck announced that since we had not yet reached the cut off time for speakers to sign up for the public comment period, that he would like to move forward with appointments.

Presented by Mary Bunting, City Manager. A motion was made by Councilmember Martha Mugler and seconded by Councilmember Hope Harper, that this Ordinance-Non-coded be approved. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

Appointments

Ms. Glass read the motions required for appointments.

9. [24-0144](#) Consideration of an Appointment to the Hampton VA 250 Committee
A motion was made by Councilmember Hope Harper and seconded by Councilmember Chris Bowman, that this Appointment be deferred to the City Council Legislative Session, due back on 4/10/2024. The motion carried by the following vote:
Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck
8. [24-0143](#) Consideration of an Appointment to the H2O Community Development Authority (CDA)
A motion was made by Councilmember Steven Brown to appoint Michael Johnson to fill an unexpired term until March 31, 2027. The motion carried by the following vote:
Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck
10. [24-0145](#) Consideration of an Appointment to the Hampton Economic Development Authority
A motion was made by Councilmember Steven Brown that Carlton Campbell be appointed to fill the unexpired portion of a term until September 30, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

11. [24-0146](#) Consideration of Appointments to the Community Policy and Management Team (CPMT)

A motion was made by Councilmember Steven Brown that Taylor LaDieu be appointed as the alternate for the Hampton Health Department and that Dr. Daphne Cunningham be appointed as the alternate for the Hampton-Newport News Community Services Board. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

PUBLIC COMMENT

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

Mr. Aaron Weaver greeted those on the dais, introduced himself, and made the following statement: I have been to many City Council meetings over the years, but to even potentially sit on that diocese (dais) should mean something. That should be a hope for the highest quality of candidate available to get a chance to run for City Council. Hearing your rationale, Mayor Tuck, hearing your rationale, (to run) - hearing your rationale, honestly, is icing on the proverbial cake that is the last four years. To use the excuse that you, as an unknown candidate, doesn't fit here. The fact that even you think that you owe Bowman anything after the hell that he has and continues to put you all under and through is astounding. You are the leader of the City. You have access to many resources and knowledge and information, including the Hampton Police Department, and is the highest level of hypocrisy in the months of trying to hide your hand and make every excuse for your inactions. Chris L. Bowman is an admitted criminal characterized as compromised. He willfully engaged in criminal activity soliciting prostitutes. He tends to prefer African-American women, using different means, including Facebook Messenger, various websites, like Skip the Games. You also know this. You also know that he allegedly paid \$12,000 for a cell phone and tried everything including hiring a private investigator to circumvent going to the Hampton Police Department, but allegedly after failing all that, he had to go to the Hampton Police Department which then sent the case to Commonwealth Attorney Anton Bell. He did this... who did not pursue the case until over a year, which also happens to be after the statute of limitations to prosecute admitted criminal, Chris L. Bowman, for his crimes. Then he recused

himself and handed himself to the Commonwealth's Attorney. And after all of this, you knew all of this stuff. Now, if it wasn't for enough transgressions reached, it reached your front desk. Three different City employees over three years. Including one of the ways that he solicits prostitute, which is Facebook Messenger, that's with all the facts that you didn't think you owed the citizens of this City to have the best candidate possible, one that represents the ideals of the City, but rather, you owed admitted criminal, Chris L Bowman. That is not only striking, it's sickening. The petition is a gateway to the electoral process, and, you, seemingly a standup person, remember how hard it was that you would help an admitted criminal to get that. In closing, this is a call to action as I've always been calling into action for things to happen. Transparency in the entire process. That is all I've been coming to you all and asking. Period. Have a good one.

Ms. Ursula Barkers greeted those on the dais and made the following statement: I'm coming to you because we had another very, very sobering event at the intersection of Greenbrier Avenue and Shell Road. Last weekend, two cars collided - one coming down at an seemingly exceeding speed (limit) down Shell Road and another car coming from Greenbrier into the intersection. They collided in a very vicious kind of way. One car was catapulted into the neighbor's front yard, ran across the front yard, ended then by crash, slamming into their pole that holds up the front porch roofing and this is the second incident. Now these new neighbors of ours who built this beautiful home at the corner there. Little over a year ago, there was an extremely serious accident there where one of the cars involved was also running into their front yard, turned over their son's SUV which was parked in the driveway and pushed it with such a force, violent force, pushed it through their privacy fence into their backyard. Now, these people are totally, you know, they say like, okay, what should we do? We brought it to the attention of everyone. This is accident after accident, but these two really violently and really impacted their property and their life. And, so I'm here tonight, just to appeal on behalf of our community, maybe some traffic lights, maybe some speed bumps, something should be done, because we have too many accidents right then and there in that same intersection. So, thank you so very much. Have a good night.

Ms. Joan Weaver greeted those on the dais and the Clerk of Council and made the following statement: I am here today just to be sure that out of sight is not out of mind. We are progressing slowly but surely regarding Virginia State School, but as far as the edifice and the institution for what it stands for, and what it is to be remembered for, we all have agreed that it should be included in the museum. My question is, what are the steps and when can we start on that as soon as possible? There was referencing a \$1.5 million that was earmarked. My question is, can some of those monies be specifically earmarked to be sure that we have a decent sustaining memorization in the museum regarding Virginia State School for the Deaf

and Blind? So, I'm curious about the steps and the timeframe that it would take. Last but not least, and the Virginia State School for the Deaf and Blind project area from Pine to Catalpa, we have a street that is a hot commodity, because we're the widest, were the biggest. I ask again, what steps do we need to do because I have documentation pictures of heavy construction equipment that is going up our street. We were told it wouldn't be, so it shouldn't be. What can we do to get signs up - "No Trucks Allowed?" I've gone throughout our City from downtown Hampton, old Hampton, even out to Bethel. No trucks allowed. They don't have what we have in our backyard, and they are not going to see the crux of those trucks once all of this is finished. Prevention. Let's start it now. What do we need to do? And, then everyone, last but not least, if Hampton is as hospitable as we say we are, we need to do something to show those truck drivers, men and women, hospitality. Where does Hampton have for the trucks to go? We have no depots. So, there should be an established area for when they are running those rigs, they will have somewhere to go, to park, to rest and not to find Catalpa or up and down Victoria Boulevard. If you brought them here, give them somewhere to go so they can run those runs like you approved them to do. That's all we ask. Thank you for your consideration.

Mayor Tuck noted that those were all of the people who signed up to speak and called upon City Manager Bunting for comments.

Ms. Bunting said that Public Works Director Jason Mitchell, who was in the audience, indicated that he would speak with Ms. Barkers and Ms. Weaver about their traffic-related concerns. Mr. Mitchell also informed her that the City is waiting for the no-truck signs to come in, and they will be installed as soon as possible. With regard to the museum exhibit, Ms. Bunting said that she will work with the Director of the History Museum, Lucy Cochran, to provide an update on the time frame for the exhibit. She clarified that exhibits rotate in the main hall, so she is uncertain about a permanent exhibit, but there will always be permanent artifacts that can be visited. In addition, the City would like to install a permanent memorial on the property and is seeking input on options for that.

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

There were no items of new business.

MISCELLANEOUS NEW BUSINESS

Councilwoman Harper asked that it be shared that the community input meeting on the Virginia School was changed to April 13th.

The City Manager shared that the Carousel opened last Saturday with free rides but, due to inclement weather, the community festivities was moved to April 6th. She also shared that this Saturday will be a celebration of the opening of the playground and park at the Mary W. Jackson Neighborhood Center.

ADJOURNMENT

The meeting adjourned at 6:57 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 _____