

City of Hampton, VA

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



Council Agenda

Wednesday, January 09, 2008

7:30 PM

Council Chambers, 8th Floor, City Hall

City Council

***Anderson W. Clary, Jr., Randall A. Gilliland, Angela Lee Leary,
Charles N. Sapp, Joseph H. Spencer, II, Paige V. Washington,
Ross A. Kearney, II, Mayor***

Staff:

Jesse T. Wallace Jr., City Manager

Cynthia Hudson, City Attorney

Katherine K. Glass, Clerk of Council

Brenda J. Vaccarelli, Deputy Clerk

WELCOME TO THE HAMPTON CITY COUNCIL MEETING

Because of the large number of matters that need consideration, the City Council has established a meeting format and certain guidelines for citizen participation. These help ensure that everyone who wishes to speak can do so, and that the Council can benefit from hearing as many different people as possible in the shortest time. From time to time, It may be in the public's interest to change the format and guidelines, and the Council can do so at its discretion without prior notice.

THE ORDER OF BUSINESS

The Council generally conducts meetings in the following order:

- (1) Call to Order
- (2) Ceremonial Matters
- (3) Consent Agenda
- (4) Regular Business Agenda
- (5) Audiences Granted to the General Public
- (6) Miscellaneous New Business
- (7) Adjournment

Agenda items are taken up one at a time in the order in which they are listed. Matters on the consent agenda are routine and are adopted by one motion without separate discussion. However, items can be moved from the consent agenda to the regular agenda upon request by a citizen or a member of the Council. Keep in mind that the agenda is for the convenience of the public and the Council, and that it can be altered by the Council at any time without prior notice when the Council considers it in the public's interest to do so.

CITIZENS ARE INVITED TO PARTICIPATE

The City Council has adopted a three (3) minute time limit policy for individuals desiring to address issues before this body. If you wish to address the City Council, please sign in before the meeting on the sign-up sheet located in the rear of Council Chambers. Please include your name and the subject on which you wish to speak, including the docket number if it is an item on the agenda. If you wish to address Council on a non-agenda item, the permission of Council is necessary.

If you are with a group of people, you may want to have a spokesman or two present your position to the Council and have others in agreement recognized by standing. The Council will always try to hear everyone who wishes to speak on a subject, but sometimes discussion has to be limited due to time. If the previous speaker has stated your position, you may make that known by reference (for example, "I agree with the position stated by Mr. Jones and have nothing further to add"). Repetition of positions by more than one speaker often uses more time than necessary.

Speakers are generally limited to one appearance, although Council can allow exceptions at its discretion. If possible, you should speak from prepared remarks to the subject under discussion. Irrelevant comments use others' time and your own and detract from your statements on the matter being considered.

Meetings of the Council are formal proceedings, and all comments are recorded on tape and by stenographer. For that reason, you are requested not to speak from your seat or out of turn. When you are called by the presiding officer, please follow these steps:

- (1) Come forward to the speaker's podium.
- (2) State your name and address
- (3) State your conclusion and give facts and other data to back it up.
- (4) If you represent a group or organization, ask the others to rise and be recognized.
- (5) If you have a written statement, give it and other supportive material to the Clerk for the record.

The above guidelines are intended to encourage the greatest possible participation by citizens at Council meetings. They can be modified at any time by the Council at its discretion and without prior notice.

Thank you for taking your time to participate in the Council meeting. Good government depends on the interest and involvement of you and your fellow citizens. We invite you to return.

CALL TO ORDER/ROLL CALL

INVOCATION - Councilman Anderson W. Clary, Jr.

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

CONSENT AGENDA

Consent Items - Other

1. **07-0673** Resolution Designating NewsBank, Inc. as the Only Source Practically Available for the Purchase of Web-based Research Products that Provides Access to Current and Archived Content from More than 2,000 Newspaper Titles, Newswires, Transcripts, Business Journals, Periodicals, Government Documents and Other Publications.

2. **07-0679** Request to Vacate the Undeveloped Rights-of-way Known as Thomas Street and Wright Street, Near the Intersection of Briarfield Road and Power Plant Parkway.

3. **07-0686** Approval of the Minutes from Afternoon and Evening Sessions of City Council on December 19, 2007.

4. **07-0687** Resolution Correcting a Resolution Appropriating \$503,439.53 from Fund Balance to Capital Improvement Fund for School Maintenance Which was Adopted by Council on December 19, 2007.

PRESENTATIONS, PROCLAMATIONS, AWARDS

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

PUBLIC HEARINGS

Rezoning - Second Reading

5. **07-0662** Rezoning Application No. 1259 by the Hampton Redevelopment and Housing Authority (HRHA) to Rezone 3.2456+/- Acres at Old Point Avenue and Woodland Road from One Family Residence District (R-9), and Limited Commercial (C-2) to One Family Residence District (R-9) and Multiple Dwelling District (MD-2) for up to five single family homes and up to 30 townhouse units. [LSRNs: 12003597, 12003599, 12003596, 12003595, 12003594, and 12003590]

6. **07-0663** Rezoning Application No. 1265 by Eric and Janine Grayson to Rezone 1204 East Pembroke Avenue (Parcel B) from General Commercial District (C-3) to One Family Residence District (R-11) for an Existing Single-family House. [portion of LSRN 12000782]

Rezoning - First Readings

7. **07-0682** Rezoning Application No. 1264 by Stan Wilson to rezone 10.91± acres, including the Wilson Trailer Park and adjacent parcels: 11, 11B, 13, 13B and 15 Old Fox Hill Road and 16 Severn Street from One Family Residence District (R-9) to Limited Commercial District (C-2), with conditions, for multi-family units; and to rezone a portion of 5 Old Fox Hill Road and 1221, 1224, 1226, 1244 and 1246 North King Street from Limited Commercial District (C-2) to C-2, with conditions, for multi-family units; and to rezone a portion of 5 Old Fox Hill Road from R-9 to C-2, with conditions, for multi-family and/or retail.

Ordinances - Second Reading

8. **07-0655** ORDINANCE TO ESTABLISH A NO WAKE ZONE AT THE MOUTH OF BACK RIVER ADJACENT TO FACTORY POINT FROM DAY MARKER #4 TO 100 FEET NORTH OF DAY MARKER #2

Ordinances - First Readings

9. **07-0678** AN ORDINANCE EXEMPTING FROM PERSONAL PROPERTY TAXATION CERTAIN PROPERTY LOCATED IN THE CITY OF HAMPTON OWNED BY NATIONAL MINORITY TV, INC., AN ORGANIZATION DEVOTED EXCLUSIVELY TO RELIGIOUS PURPOSES ON A NON-PROFIT BASIS AND PROVIDING FOR AN EFFECTIVE DATE.

GENERAL ITEMS

Ordinances

10. **07-0648** ORDINANCE TO AMEND CHAPTER 41.1 OF THE CODE OF THE CITY OF HAMPTON, VIRGINIA, ENTITLED "WETLANDS", BY ADDING THERETO A NEW SECTION 41.1-17.1 ENTITLED, "WETLANDS MITIGATION" AND AMENDING SECTION 41.1-22 ENTITLED PENALTIES".

11. **07-0654** AN ORDINANCE TO AMEND AND REENACT CHAPTER 21, ARTICLE VIII, ENTITLED, "POLICE REQUESTED TOWING" BY AMENDING SECTION 21-215, AND BY ADDING THERETO NEW SECTIONS 21-216 AND 21-217.

12. **07-0600** AN ORDINANCE TO AMEND CHAPTER 35, OF THE CODE OF THE CITY OF HAMPTON, VIRGINIA, ENTITLED "SUBDIVISIONS" SECTIONS 35-1, 35-23, 35-45 AND 35-118.

13. **07-0601** AN ORDINANCE TO AMEND CHAPTER 17, OF THE ZONING CODE OF THE CITY OF HAMPTON, VIRGINIA, ARTICLE X, SPI-CBPD: CHESAPEAKE BAY PRESERVATION DISTRICT, SECTIONS 17.3-60 AND 17.3-64.

14. **07-0602** AN ORDINANCE TO AMEND CHAPTER 33.1, OF THE CODE OF THE CITY OF HAMPTON, VIRGINIA, ENTITLED "STORMWATER MANAGEMENT" SECTIONS 33.1-4, 33.1-7, 33.1-8.1 AND 33.1-9.

15. **07-0603** AN ORDINANCE TO AMEND CHAPTER 9, OF THE CODE OF THE CITY OF HAMPTON, VIRGINIA, ENTITLED "BUILDING AND DEVELOPMENT REGULATIONS." SECTIONS 9-1 AND 9-142.

16. **07-0623** AMENDMENT TO THE ZONING MAP.

17. **07-0671** AN ORDINANCE TO AMEND THE CAPITAL BUDGET AND APPROPRIATE MONIES FOR THE GENERAL EXPENSES OF THE AMENDED CAPITAL BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2007 AND ENDING JUNE 30, 2008.

Appointments

18. **07-0637** to consider an appointment to the Hampton-Newport News Community Services Board.

19. **07-0674** to consider an appointment to the Parks and Recreation Advisory Board.

20. **07-0675** to consider appointments to the Hampton Clean City Commission.

21. **07-0684** to consider an appointment of an alternate to the Wetlands Board.

AUDIENCES GRANTED TO THE GENERAL PUBLIC

MISCELLANEOUS NEW BUSINESS

ADJOURNMENT

Contact Info:

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