



City of Hampton

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

Council Approved Minutes - Final City Council Work 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 14, 2021

1:00 PM

Council Chambers

CALL TO ORDER

Vice Mayor Gray called the meeting to order at 1 p.m. All members of the City Council were present with the exception of Mayor Tuck who had an unexpected emergency.

Present 6 - Councilmember Chris L. Bowman, Councilmember Eleanor Weston Brown, Councilmember Steven L. Brown, Vice Mayor Jimmy Gray, Councilmember Billy Hobbs, and Councilmember Chris Snead

Excused 1 - Mayor Donnie R. Tuck

JIMMY GRAY PRESIDED

AGENDA

Prior to the first item, City Manager Mary Bunting, indicated that City staff giving presentations have been asked to keep them to ten minutes. As such, she asked members of Council to try to hold any questions until after each presentation is complete.

1. [21-0193](#) Presentation on Wythe Fire Station Budget Request

Attachments: [Presentation - updated for meeting](#)

City Manager Mary Bunting introduced the item and provided a brief history about the request.

Fire Chief Jason Monk reviewed the slide presentation which provides the revised timeline of the project; some of the contingencies and escalations that were faced

during the beginning phase of the project; a list of reductions made in order to remain within budget; and a list of items to be added back in the budget if funding allows for them. Chief Monk opened the floor for questions.

Ms. Bunting reminded everyone that Vice Mayor Gray previously suggested considering what prototype should be used when designing the station because the process goes faster when the fundamental programming of the building is correct. She continued saying that discussions took place about the correct size footprint for the station. Features were also listed, however, all features are not needed at every station; instead, many features are considered based on the district and fire division. Ms. Bunting announced that there is a good prototype for this project, however, Council may want to make changes. She also noted that the scope of reduction was intended to give Council an alternative list of features.

In response to Councilman Brown's questions about the antique fire engine on the reduction list, Chief Monk shared that the engine is currently on site inside of an engine bay at Station 3. Staff has also discussed alternative locations including a designated lobby space; a new smaller building (a less expensive alternative); and the Convention Center. Chief Monk emphasized that the community thought it was important to showcase the engine properly and the current plan is for it to be housed in the engine bay where it is currently located.

Councilman Brown asked whether bi-fold doors will decrease response time; if these doors are for future expansion; and if the department can manage with three bays. Chief Monk explained that the bi-fold doors open slightly quicker resulting in faster response times. With regard to the number of bays, Chief Monk stated that three bays are absolutely needed as the goal is to move equipment that is currently outside to its proper place on the inside.

Councilman Bowman shared some of his past experiences with maintaining firehouse doors and the challenges associated with commercial openers not operating properly, and said that he is glad to see the bi-fold doors and believes it is a good option.

Councilwoman Snead asked Chief Monk to speak about his initial plan for building the fire station and whether all of the amenities were included in the \$7 million perimeter.

Chief Monk reminded everyone that he inherited the program in 2016 and that former Fire Chief Layman and his group created the programming with the architects which outlined a 19,000 square foot station with all the amenities including what was discussed today; however, he (Chief Monk) has added a few items such

as the BC/EMSS suite and the pharmacy room. He agreed with Ms. Bunting that this is a baseline template where things can be added or removed. He thanked the architects for staying the course and for their efforts to make this right.

Councilwoman Snead asked whether some of the items on the reduction list were a result of the \$2.6 million that was absorbed due to the escalated cost in construction. Chief Monk confirmed that is correct.

Ms. Bunting reiterated that Chief Monk was not involved in some of the original plans and clarified that the 19,000 square foot station was not signed off on completely. She continued saying that some of the things in the 19,000 square foot footprint were not contemplated as being included in the prototypical fire station. Some assumptions were made out of Station 11 and were carried over into this as Station 11 was a departure point. She reminded everyone that Station 11 was designed as a combination emergency operation center and fire station with more sleeping rooms and nice amenities versus only the functional requirements. She also reminded everyone that some things on the list are required, while others are nice to have, but not necessary to have at every fire station. She noted that the 19,000 square foot footprint included everything, but the purpose for today is to receive feedback from Council on how far they would like to go.

Councilwoman Snead clarified that her objective was to confirm that the amount for the 19,000 square foot footprint encompassed everything on the list which totaled more than \$2.6 million, the difference in the construction cost.

Ms. Bunting made additional remarks and provided a few scenarios about how much it would cost to include or remove some of the amenities.

In response to Councilwoman Snead, Chief Monk shared that Station 11 is approximately 14,500 square feet with 4 bays; however, the 19,000 square foot station is larger due to added features and much needed accommodations.

In response to Councilman Hobbs, Chief Monk shared that in his opinion, a fourth bay, additional sleep space and bathroom amenities are needed for the station to function on a better level with the goal of saving more lives and properties in the community.

Councilman Hobbs said he would support the fourth bay and additional space where firefighters can rest.

Vice Mayor Gray noted that he was going to ask the same question as Councilman Hobbs related to the necessary amenities that would be added with additional

funding. He also agreed with Ms. Bunting about the additional costs associated with construction, location and wetlands which constrain the work that needs to be done to build a modern day fire station which will serve the citizens for years to come. He then asked Chief Monk to speak about additional responsibilities of the Fire Department and the additional equipment being housed at fire stations which is important to Hampton and the region.

Chief Monk explained that there is a large marine asset at Station 2 which belongs to Hampton. Volunteers have worked to purchase a covered area for that vehicle. There are also several trailers, some of which are located at NASA. He emphasized that every station has a piece of equipment being stored outside; therefore, as part of the project moving forward, a goal is to ensure that space is created to house equipment.

Vice Mayor Gray emphasized the importance of doing a better job of getting fire stations on line faster, particularly as the department grows and continues to house reserve equipment that needs to be maintained.

After a few moments of calculations, Councilwoman Snead and Ms. Bunting suggested that in order to make the project whole, an additional \$2,025,000 of funding would allow Chief Monk to add some of the items back in the budget. This is approximately \$989,400 over what was proposed. Additionally, if the fourth bay cannot be accommodated within that extra amount because of the two-story construction, Chief Monk would have flexibility to add more items from the list. Ms. Bunting added that if Council agrees with this suggestion, the source of funding would be via end-of-year surplus.

Additional discussion took place among Ms. Bunting and the members of Council regarding the logistics of the calculations.

Chief Monk thanked Council for providing him with the latitude and flexibility to obtain what is needed for the project.

Ms. Bunting clarified that this would need to be approved as a budget transfer. She also asked Council for an official nod indicating that everyone approved moving forward with the plan. There were no objections from Council.

2. [21-0195](#) Community Plan Update Process 2021

Attachments: [Presentation](#)

Ms. Bunting introduced the item.

Community Development Director Terry O'Neill reviewed the first few slides of the

presentation related to Hampton's Community Plan and the two-part planning process: the Strategic Plan and the Comprehensive Plan. He shared information about how the process will work including who will participate, organizational resources, and the organization structure (oversight team, operational teams and the Community Development Department's role in the process).

Mr. O'Neill spoke about the community stakeholder structure and opportunities for the community to participate in the process. The community will be able to provide their opinions through online opportunities, community check point meetings and focus group participation. A focus group coordination committee has also been established to ensure that the work is being coordinated appropriately.

The next slide of the presentation that Mr. O'Neill shared listed the ways in which City Council and Boards and Commissions will participate in the process.

Mr. O'Neill reviewed the remaining slides of the presentation which provide the timeline of the work process for the Strategic Plan and the Comprehensive Plan. He also shared the starting issues for the Strategic Plan. They are as follows: economic growth, living with water, place making, education, safe and clean community, family resiliency and economic empowerment, and good government.

Mr. O'Neill concluded the presentation and announced that additional processes are taking place as part of the adoption of the Community Plan. They include an internal organizational assessment through the High Performing Organization (HPO) process; an external strategic partnership alignment; and collaborative implementation and evaluation. Mr. O'Neill opened the floor for questions from those on the dais. No questions were posed.

Vice Mayor Gray thanked Mr. O'Neill for the presentation and commented that there is a lot of work to be done and everyone is ready to put the work in to get these plans complete.

Ms. Bunting added that staff is excited about the approach that will be taken which will include utilizing those in the organization to support the process. For example, the work that will be done by our library researchers. She also announced that she plans on working on a combination program of achievement awards and overtime pay in an attempt to receive broad participation in supporting the process. She explained that this will be beneficial to the workforce as it will connect them to the strategic plan work of the community and will involve them in professional development. She added that she believes it is important to get the organization fully invested in the strategic work of the community.

3. [21-0182](#) Briefing on changes to state law requiring the City of Hampton to

move its municipal elections for city council and school board from May to November

Attachments: [Redline](#)
[SB 1157 - Acts of Assembly](#)
[Presentation \(at time of publication\)](#)
[Presentation \(corrected\)](#)

Ms. Bunting introduced the item and called upon City Attorney Cheran Ivery to make the presentation.

Ms. Ivery made the following introductory statement: On tonight's agenda, there are two amendments to the City Code moving municipal elections to November. This presentation will cover the background regarding why this change is necessary as well as discuss an unintended consequence of this change that is specific to Hampton that this Council may or may not wish to address.

Ms. Ivery continued: Section 3.01 of the Hampton City Charter provides that City Council elections shall occur the first Tuesday in May of each even-numbered year. Councilmembers take office on July 1 of the year of the election. This year, the General Assembly passed Senate Bill 1157 which supersedes local charter provisions and requires localities with May elections to pass an ordinance moving them to the November General Election date. This change applies to all elections after January 1, 2022, and importantly, this change does not shorten any elected officials term. Those Councilmembers elected at a May General Election and whose terms are set to expire June 30, 2022, will continue in office until their successors are elected at the November General Election and take office on January 1, 2023. The impact on the current Hampton City Council: the three City Councilmembers whose terms are set to expire June 30, 2022, will continue in office until December 31, 2022. The election to fill those seats will be held in November, 2022. The Mayor and remaining three Councilmembers whose terms are set to expire on June 30, 2024, will continue in office until December 31, 2024, and the election to fill those seats will be held November, 2024. In accordance with Senate Bill 1157, it is a requirement to provide, by ordinance, for the transition of City Council and School Board elections to November. Tonight on the evening agenda, you will have for your consideration amendments to Chapter 12, Articles IV and V of the Hampton City Code to accomplish that change. We are recommending approval so as to align with the mandate set forth by the General Assembly.

Ms. Ivery then made the following statement about an unintended consequence of the change to November elections that is specific to Hampton: In 2015, the City Charter was amended to create a requirement that any Councilmember not elected on the same election cycle as the Mayor must resign in order to run for Mayor. That

provision can be found in section 3:01:2 of the Hampton City Charter. Further, that resignation must be tendered ten days before the filing deadline which for May elections is in March of the election year, with the resignation being effective on June 30 of the election year. Review of the minutes from the Council discussions regarding this Charter change in 2014 indicate that this resignation effective date of June 30 was intended to allow for the two-year remainder of the term of the vacant City Council seat to be filled by the voters in the May election rather than by an interim appointment made by City Councilmembers. As it stands, with the change to November elections without a corresponding change to this Charter section, Councilmembers resigning to run for Mayor will still be required to resign on June 30, resulting in a six month vacancy in the Council seat that the Council will be required to fill by an interim appointment until a special election can be held in November and an elected person take that seat in January. With that in mind, there are two options for your consideration: leave the Charter language as is resulting in the need to make the six month interim appointment of a Councilmember if there is a resignation to run for Mayor, or request that the General Assembly amend the Charter by removing the resignation date to align with the November General Election resulting in no six month vacancy. Should the Council wish to propose a change to the Charter, the process by which that can be accomplished would be preparing the language and rationale for the proposed change, advertising that information at least ten days before holding a public hearing at the next City Council meeting and the Council would then take action on a proposed resolution. If passed, City staff would then work with our State lobbyists to secure a patron and include the request for the change in the Charter in the City's legislative package.

Ms. Ivery opened the floor for questions from those on the dais and noted that she was seeking guidance on whether Council wishes to pursue amending the Charter as discussed.

In response to Vice Mayor Gray, Ms. Ivery confirmed that there would only be the one Charter change. She also explained that Senate Bill 1157 specifically provides that a change from May to November elections should be done by ordinance; that would supersede our Charter.

Vice Mayor Gray opened the floor for additional questions or comments.

Councilwoman Snead stated that her position is to change the Charter to reflect the November Election instead of appointing someone for six months. Councilman Brown concurred.

Vice Mayor Gray also concurred with Councilwoman Snead's recommendation to shift the Charter change and spoke about the requirement to find a patron for the bill

in order to move forward. He acknowledged Mr. Ed Reed of Two Capitols Consulting, who was in attendance, and said we look forward to working with him on this effort. He noted that it is his hope moving forward that we take an opportunity this year to engage our delegation ahead of time to work on the legislative package.

Ms. Bunting reminded everyone that in past years, this work has been done in conjunction with the School Board which has been more effective as our State legislators are usually stretched for time and have appreciated it when we combine our efforts with the School Board. She noted that we will be moving forward with these actions in the fall.

Councilwoman Brown reminded everyone that the intention was to thank our legislators for their effort last year, and perhaps we can do that before they get busy with their legislative calendars this year.

Councilman Brown asked what the timeline is to have the Charter changed.

Ms. Ivery explained that this would be included in this season's legislative package, so we would be returning with proposed language and advertising it prior to the August 11 meeting and advancing it this fall.

For the benefit of the public, Ms. Bunting noted that the ordinance referenced earlier is on the agenda for this evening.

REGIONAL ISSUES

There were no regional issues on which to report.

NEW BUSINESS

There were no items of new business.

CLOSED SESSION

4. [21-0162](#) Closed session pursuant to Virginia Code Sections 2.2-3711.A (.1), (.3), and (.7) to discuss appointments as outlined on the agenda; to discuss the disposition of publicly held real property in Buckroe, the Kecoughtan Road Corridor, and the Hampton Roads Center North areas of the City where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the City; to discuss acquisition of publicly held property in the Grandview area of the City where discussion in an open meeting would adversely affect the bargaining

position or negotiating strategy of the City and to consult with legal counsel pertaining to actual litigation involving the City's grievance procedure and certain real and personal property tax exemptions as outlined in §58.1-3606 of the Virginia Code.

At 1:58 p.m., a motion was made by Councilmember Snead and seconded by Councilmember Brown, that this Closed Session - Motion be approved . The motion carried by the following vote:

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

5. [21-0165](#) Consideration of an Appointment to the Hampton Commission on the Arts

Attachments: [Supplemental Application](#)

6. [21-0174](#) Consideration of Appointments to the Hampton Redevelopment and Housing Authority

Attachments: [James Hunsecker Application - HRHA](#)

7. [21-0186](#) Consideration of an appointment to the Building Code Board of Appeals

8. [21-0184](#) Consideration of Appointments to the Grievance Board

Attachments: [Porter](#)

9. [21-0196](#) Consideration of Appointments to the Neighborhood Commission

CERTIFICATION

10. [21-0188](#) Resolution Certifying Closed Session

At 5:04 p.m., a motion was made by Councilmember Billy Hobbs and seconded by Councilmember Eleanor Weston Brown, that this Closed Session - Certification be approved. The motion carried by the following vote:

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

ADJOURNMENT

The meeting adjourned at 5:04 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 _____