



City of Hampton

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

Council Approved Minutes - Final City Council Legislative Session

Mayor Jimmy Gray

Vice Mayor Steven L. Brown

Councilmember Randy C. Bowman, Sr.

Councilmember Carolyn S. Campbell

Councilmember Michelle Taylor Ferebee

Councilmember Hope L. Harper

Councilmember Martha M. Mugler

STAFF: Mary Bunting, City Manager

Courtney R. Sydnor, City Attorney

Katherine K. Glass, MMC, Clerk of Council

Wednesday, January 14, 2026

6:30 PM

Council Chambers

CALL TO ORDER

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

Present: 7 - Councilmember Randy C. Bowman Sr., Vice Mayor Steven L. Brown, Councilmember Carolyn S. Campbell, Councilmember Michelle T. Ferebee, Councilmember Hope L. Harper, Councilmember Martha Mugler and Mayor Jimmy Gray

JIMMY GRAY PRESIDED

INVOCATION - Councilman Randy C. Bowman, Sr.

Councilman Bowman gave the invocation.

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

Mayor Gray read an announcement regarding Dr. Jeffery Smith, former Superintendent of Hampton City Schools, being appointed by Governor Abigail Spanberger, as Secretary of Education for the Commonwealth of Virginia.

The Mayor congratulated Dr. Smith and noted that we are all proud of his accomplishments.

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 Mugler, seconded by Vice Mayor Brown, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman Sr., Vice Mayor Brown, Councilmember Campbell, Councilmember Ferebee, Councilmember Harper, Councilmember Mugler and Mayor Gray

1. [25-0358](#) Resolution to amend the Fiscal Year 2026 Council Approved Budget and Accept and Appropriate to the Capital Budget (Capital Projects) Fund \$918,000 and any related supplemental funding received from the Virginia Department of Transportation pursuant to the Memorandum of Agreement and 2023 Letter Agreement Regarding the Redesign and Reconstruction of River Street Park.

Item approved.

Aye: 7 - Councilmember Bowman Sr., Vice Mayor Brown, Councilmember Campbell, Councilmember Ferebee, Councilmember Harper, Councilmember Mugler and Mayor Gray

2. [26-0010](#) Resolution to Amend the Fiscal Year 2026 Council Approved Budget to Appropriate \$40,000.00 from the Hazmat Restricted Fund Balance to the Fire and Rescue Division's General Fund Operating Budget

Item approved.

Aye: 7 - Councilmember Bowman Sr., Vice Mayor Brown, Councilmember Campbell, Councilmember Ferebee, Councilmember Harper, Councilmember Mugler and Mayor Gray

3. [26-0004](#) Resolution Requesting the Virginia Department of Transportation to Add and Delete Certain Streets to Those Classified as Principal and Minor Arterial Roads and Collector Roads and

Local Streets

Attachments: [VDOT Submittal FY2027 ADDITIONS 18NOV2025](#)
[VDOT Submittal FY2027 DELETIONS 18NOV2025](#)

Item approved.

Aye: 7 - Councilmember Bowman Sr., Vice Mayor Brown, Councilmember Campbell, Councilmember Ferebee, Councilmember Harper, Councilmember Mugler and Mayor Gray

4. [26-0005](#) Resolution to Request the Virginia Department of Transportation to Program the Curve Delineation Project into its Six-Year Improvement Plan; to Amend the City Council's Approved FY2026 Capital Fund (Capital Projects Fund) Budget; to Appropriate \$326,412 of Virginia Highway Safety Improvement Program Funds to the Capital Fund; and to Authorize the City Manager or her designee to Execute any Necessary Agreements

Attachments: [127830 - Agreement Package](#)

Item approved.

Aye: 7 - Councilmember Bowman Sr., Vice Mayor Brown, Councilmember Campbell, Councilmember Ferebee, Councilmember Harper, Councilmember Mugler and Mayor Gray

5. [25-0357](#) Approval of the minutes from the special and work sessions of December 10, 2025.

Item approved.

Aye: 7 - Councilmember Bowman Sr., Vice Mayor Brown, Councilmember Campbell, Councilmember Ferebee, Councilmember Harper, Councilmember Mugler and Mayor Gray

PRESENTATIONS, PROCLAMATIONS, AWARDS

Mayor Gray read a proclamation on Martin Luther King, Jr. and announced that the following individuals will be honored as Hampton Heroes on Monday, January 19th at 1 p.m. at the Hampton Roads Convention Center: James "Jim" Williams –

Tuskegee Airman and NASA Engineer; Clayton P. Turner – NASA Engineer; Robert “Bob” Lee – NASA Scientist; Burnette Peters, Jr. Lt. Col – NASA Executive, Civic Leader; Dr. Sam Massenburg – Educator at NASA; Dennis Bushnell – NASA Scientist and Engineer, Chief Scientist at Langley; Samuel J. Scott – NASA, one of first Black engineers at Langley; Edward Cassell Durham – NASA technician, First Black graduate of NASA Technical School; Judge Bonnie Jones – Law, First female and second Black judge in Hampton; and Dr. Raymond Washington – Education, First Black school superintendent.

Mayor Gray also read and presented proclamations on National Law Enforcement Day (presented to Hampton Police Chief Jimmie Wideman) and Community Risk Reduction Week (presented to Fire Marshal Trevor Gruchow).

PUBLIC HEARINGS

Ms. Glass read the protocol for public hearings.

Ordinances

6. [25-0337](#) Ordinance To Amend And Re-Enact The Zoning Ordinance Of The City Of Hampton, Virginia By Amending Chapter 2, Section 2-2 Entitled “Definitions” to Amend the Definition for “Smoke or Vape Shop;” Chapter 3, Section 3-2 Entitled “Table of Uses Permitted” to Add Smoke or Vape Shop to the Use Table; Chapter 3, Section 3-3 Entitled “Additional Standards on Uses” to Add Additional Standards for Smoke or Vape Shop; and Chapter 11, Section 11-2 Entitled “Parking Spaces Required” to Add Smoke or Vape Shop to the Parking Table

Attachments: [Uses Permitted Redline](#)
[Uses Table Standard Redline](#)
[Use Table Standard Clean](#)
[Use Table Special Redline](#)
[Use Table Special Clean](#)
[Additional Standards Redline Staff Version](#)
[Additional Standards Redline PC Version](#)
[Parking Table Red Line](#)
[Parking Table Clean](#)
[PC Presentation](#)
[CC Presentation](#)
[Definitions Redline](#)

City Manager Mary Bunting read the title for the item and noted that this item is about adopting codes to regulate the location of smoke and vape shops in our community.

Zoning Administrator Melvion Fulgham clarified that currently, smoke and vape shops are not defined as a standalone use within the zoning ordinance and are permitted under a broader retail sales general category. She then presented information on the following topics: regulation of smoke or vape shops as a specific use; state enabling legislation found in Virginia Code Section 15.2-912.4; primary objectives of the proposed amendment which are to define smoke/vape shops, establish development standards and require an approved use permit; and regulations adopted by other Virginia localities.

Ms. Fulgham shared staff's proposal which is to amend Chapters 2 and 3 to define smoke or vape shop; to restrict the use to the General Commercial (C-3) District, subject to additional standards and requiring an approved use permit from City Council; and amend Chapter 11 to address parking requirements.

Ms. Fulgham concluded the presentation with the following information. Following today's public hearing, staff recommends approval of the Zoning Ordinance Amendment as amended by the Planning Commission. The Planning Commission recommends approval with the separation amendment from one-half mile to one mile.

Ms. Fulgham opened the floor for questions. Mayor Gray again opened the floor for questions from Council, but none were posed.

PUBLIC HEARING:

Mayor Gray opened the public hearing and called on Aaron Weaver, the individual who signed up to speak on this item.

Mr. Aaron Weaver introduced himself as Aaron Weaver, greeted those on the dais and made the following statement: I want to start clearly, I support the intent of ZOA 25-0337. Protecting youth matters. Smart zoning matters. Getting this right matters. I also want to clarify the email that I sent regarding the slides you see tonight. These visuals are context to points that are already raised in this process, and they come from the Planning Commission meeting. The first one, which we see right here - this first slide shows a one-mile buffer in real terms. This is not abstract. It reshapes entire corridors. That may be appropriate, but only if it's intentional and equitable. So, my first question is straightforward - how does the buffer interact with existing commercial districts, and how do we ensure that the same neighborhoods are not absorbing disproportionate impact? This second slide is the slide that worries me the most, because the slide combines several critical issues, the existing vape shops proposed buffers, and how those buffers applies on the ground. My next question is, about these existing businesses - what happens to the shops that are already operating that are becoming non-conforming? Are they grandfathered in? For how long? Under what conditions? The clarity matters for fairness and legal certainty. Now the map itself - at the Planning Commission meeting, the City employees stated that the map was not fully current, meaning that they did not know where every vape shop was. You can see missing locations. You can see gaps. You can see an old school that's not there. Also, that bloody red area at the bottom - that's my zone. That's my neighborhood. So, I ask plainly, will this map be corrected before final action, or will there be complete, verified accounting of all existing vape shops citywide? Policy built on incomplete data creates risk later. We've all seen that in this chambers. Then the third one. This is the last slide. The final slide brings to me the clarification I reinforced in my email before. During the public process, the statement was made that the Dillon Rule - suggesting the Dillon Rule limits Hampton to 1,000 feet for their schools. That framing matters if it was presented as a legal ceiling, not a policy choice. My concern is narrow. Peer Virginia localities operating under the same legal framework, have adapted larger buffers so that the distinction is important. If 1,000 feet is a policy decision, it should be described as such. If it's a legal maximum, the non-privileged basis of that conclusion should be stated clearly for the public record. Policy should not be conflated with legal limitation. Transparency here protects the City and (inaudible word) informs the residents. I thank you all for taking the time to hear me. I wish you all had questions when she was up here, but we'll see what that is, but I thank you all for the time.

The Mayor closed the public hearing.

Councilwoman Campbell moved that the City Council approve Item 25-0337, Smoke or Vape Shop Ordinance, as presented in the agenda package including the Planning Commission version of Section 3-3 Additional Standards on Uses that requires a one-mile buffer between smoke or vape shops. The motion was seconded by Councilwoman Mugler and passed on the following vote:

Aye: 7 - Councilmember Bowman Sr., Vice Mayor Brown, Councilmember Campbell, Councilmember Ferebee, Councilmember Harper, Councilmember Mugler and Mayor Gray

Resolutions

7. [26-0008](#) Resolution to Authorize the Acquisition, by Negotiation or Condemnation, of a Portion of Land in Fee Simple from Property Located at 2 Little Oak Lane (LRSN: 8004974), Pursuant to §§ 25.1-100, Et Seq. and 15.2-1901, Et Seq. of the Code of Virginia of 1950, as Amended, for Purposes of a Public Street/Road and Associated Public Right-of-Way Necessary for Bike and Pedestrian Access (Sidewalks/Paths)

Attachments: [PLAT - 2 Little Oak Lane](#)

Ms. Glass read the title for the item. Mary Bunting, City Manager, gave information on this agenda item. Mayor Gray opened the public hearing. There were no speakers and the public hearing was closed. A motion was made by Councilmember Michelle Ferebee to approve Item 26-0008, Resolution Authorizing Acquisition by Negotiation or Condemnation, of a portion of the property located at 2 Little Oak Lane, as presented in the agenda package. The motion was seconded by Vice Mayor Brown and passed by the following vote:

Aye: 7 - Councilmember Bowman Sr., Vice Mayor Brown, Councilmember Campbell, Councilmember Ferebee, Councilmember Harper, Councilmember Mugler and Mayor Gray

8. [26-0006](#) Resolution Authorizing the Execution of a Lease Agreement

between the City of Hampton and Community Baseball, LLC to use approximately 10.45 acres of real estate and premises located at city-owned property at 1889 W. Pembroke Avenue (LRSN 1003153), and commonly known as War Memorial Stadium, for use primarily for baseball related activities of the Peninsula Pilots, as well as other athletic and non-athletic uses subject to City approval.

Attachments: [Lease Agreement - partially signed](#)

Lease Agreement - unsigned

Ms. Glass read the title for the item. Mary Bunting, City Manager, gave information on this agenda item. Mayor Gray opened the public hearing. There were no speakers and the public hearing was closed.

Prior to the vote, Councilwoman Mugler made the following statement: Pursuant to Section 2.2-3112(A) of the Virginia Conflict of Interest Act, I will not participate in the discussion or voting on Item 26-0006, because my spouse is engaged as a paid consultant for Community Baseball LLC, which is the tenant under the proposed lease for War Memorial Stadium located at 1889 W Pembroke Ave in Hampton.

A motion was made by Councilmember Hope Harper that the City Council approve Item 26-0006, Resolution Authorizing the Execution of a Lease Agreement between the City of Hampton and Community Baseball, LLC. The motion was seconded by Vice Mayor Brown and passed by the following vote:

Aye: 6 - Councilmember Bowman Sr., Vice Mayor Brown, Councilmember Campbell, Councilmember Ferebee, Councilmember Harper and Mayor Gray

Abstained: 1 - Councilmember Mugler

PUBLIC COMMENT

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

Mayor Gray reminded everyone of how the timer works and that speakers have three minutes to make their comments. He then called on the first speaker, Paul

Harden.

Mr. Paul Harden greeted those on the dais, introduced himself as Paul Harden and made the following statement: HRT - I was on the bus on the 14th of July. Got on the bus, the driver accused me of drinking on her bus, which I did not do. Look at the film. It showed I had nothing on that bus. I was banned, handcuffed and all that. And I was banned, and then on the 24th I mean, 25th of December, tried to get the bus to go to my family, that same individual passed me right by alone standing there. That's ridiculous. I'm a veteran. I have paid my time and dues. I'm just tired of it. I want it to be stopped, if not, so be it. I'm not nobody's kid. I'm 70 years old. I did my... I paid my time. And this loquacious individual - I'm trying not to use a four-letter word, but something needs to be done to her. That's it - all I got to say.

Mayor Gray explained there is not much the City can do, but a staff member will be happy to forward his complaint to HRT, to which Mr. Harden replied that he has reached out to HRT, but they blocked his number. Mr. Harden also indicated that Council will hear from him again.

Mayor Gray called on the next speaker, Joan Weaver.

Ms. Joan Weaver greeted those on the dais and Ms. Glass and made the following statement: I am here for a situation that causes me grave concern. Let me sum it up as the retribution of Karen Joan Weaver by the City of Hampton, Virginia. Everyone knows that I am eloquent, commanding and intimidating to those who try to dominate the voiceless, especially our community. We were desecrated. We were robbed. That factory was put there, and we were given false promises. We stand here now. Where's the money? What about the property? And there are many needs that we had that still need to be addressed. We brought concerns about construction and help with our housing to add to that too. January, City Council, there are a myriad of things that City Council can do. I am asking, don't just sit, don't not come to our community other than you want our vote. Get out in Wythe, in our area, and see the injustices that are being done, especially by City departments that don't provide effective service delivery. I am 68. I have lived here all my life. Undergrad, Master, educated, elementary, secondary, post-secondary. I've done it all, and the City of Hampton, nor the Community Development will desecrate my character or reputation. I received a criminal summons from them regarding, quote, unquote, fascia and a gutter and a fence, no imminent domain or damage. I came to them. I've asked them for help time and time again. They give impartial information, they are rude, crude and abuse things, and I am here to say, you will not damage my character or reputation. Hampton is my City, and I will not let the City of Hampton destroy it, nor will you abuse or misuse our community. You gave us promises - you come back and fulfill them, but no, I am not a criminal as you would try to put me

under a frivolous lawsuit. I look forward to my day in court, but let the record know what the City of Hampton did to this advocate who stood up to her community and now and I see retribution Hampton City style, thank you.

Mayor Gray called on the next speaker, Teresa Roundy.

Ms. Teresa Roundy greeted those on the dais, introduced herself as Teresa Roundy and made the following statement: I'm a resident of Hampton, and I wanted to thank Brian DeProfio, the Deputy City Manager, and Kimberly Mikel, the Interim Community Development Director for meeting with me on Monday, in reference to Barnes Cemetery. In there, I gave them a copy of the embalming surgeons book, which pertains to embalming from the Civil War up until like 1910. I also gave them a copy of the historic archeological investigation that Sentara did on Barnes Cemetery at Sentara Hospital. That's the same age as Barnes Cemetery. I also have pictures here that I didn't give them. I also went over the fact that cemeteries are not regulated by real estate law, which is what I keep getting my head bumped up against when I talk to officials within the City of Hampton is real estate, and this is that, but cemeteries are regulated under cemetery law, and I gave them a copy of the legal definition of a former cemetery and an inactive cemetery. A former cemetery and a burial ground is where every grave has been legally removed under court authority. Human remains have been relocated to a new cemetery. The cemetery has been formally decommissioned. The land is no longer governed by cemetery protection laws, unless all of these actions are documented, a site cannot be considered a former cemetery. What is an inactive cemetery? An inactive cemetery still contains human remains, no longer accepts new burials, remains a cemetery under Virginia cemetery law, requires strict protection and archeological review before any disturbance. I also gave...Mr. DeProfio said if I had other information, I can present it. I do have a copy of this for everybody also. This was written by a lawyer, and he happens to also be a current mayor, about the cemeteries in which it spells out that you cannot build on top of cemeteries. The City Attorney's Office should have a copy of this. This is the depositions from the court hearing of Virginia Barnes in 1975 and it talks about the cemetery and about the people. How many bodies were there. The appraisal. Person that did the appraisal talked about...

Ms. Roundy's speaking time expired. Mayor Gray asked her to pass any items she has for Council to the Sheriff to give to the Clerk.

Mayor Gray called on the next speaker, Craig Knopp.

Mr. Craig Knopp greeted those on the dais, introduced himself as Craig Knopp and made the following statement: If you guys don't know, today the legislative session

for 2026 started, and we've seen a lot of bills fly through today since the Democrats have a majority and both the House of Delegates, the Senate, and our four major positions of the state. I was watching some of the stuff flying through today, and a few concerns I have, and some of those are the gun bills. So, some of those, what I've seen is that some of the bills, gun bills, are going to restrict disabled Virginians and women in the future here. And that's a concern I have. So, one of the things I'd like to do is sit down with Hampton City Council, have some discussions, maybe talk to our delegates and our senator about some of these bills and some of these ways that we could possibly propose optional things that we can change in there. One of the other things I am concerned about is the constitutional amendment for redistricting. Now, what I'm worried about is that every four years we can see it's change in districts and redistricting, being that Republicans get a control of everything, Democrats keep control of everything. Keep going flip flop. We had this back in 2020 - we have, I think it was six Democrats and five Republicans, and it pretty much fits the 6040 bill that we have here with 60 percent Democrats and 40 percent Republicans, and I'd like to see it stay that way. I don't really like that, but that's not one, too. I'd like to sit down and see what we can try to do to maybe amend that. Another bill that's out there that I'm concerned about is one of the first things that we talked about tonight. About the legalization of shops that can sell marijuana. Now, it's awesome. I love that. It's another opportunity for us to bring in tax revenue, but one of the things I'm concerned about is how they have prioritized who can actually open and own this business. That should be a priority, and the reason I say that is - it kind of puts some people to the back of the line. Now they have an explanation of why. I don't agree with it, but that's me, but I think that's one of the areas that City Council, if anything else, should really sit down and talk about. We should not be prioritizing people. It should be an equal opportunity for anybody to get in there and have ownership of one of these shops. One of the other things, too, is that this is election year for City Council, School Board members, and what I'd like to do is, if I get anybody that's running right now, if you guys want to come out and meet constituents on Saturday the 24th at 9AM in the morning, we'll be having our adopt-a-spot for Peninsula project. I'd love for you guys to come out and meet some of your constituents. Also, one of the items for the City Council on the website, Ms. Ferebee's expiration date currently says 2028, and it should be 2026.

Mayor Gray called on the next speaker, Darin Williams.

Mr. Darin Williams greeted those on the dais, introduced himself as Darin Williams and made the following statement: I'm here, me and myself, Mr. Miller, we came here before, but we were talking about the Briarfield tennis courts. First, I want to say I'm a lifelong resident of Hampton, public school teacher, I teach at Phoebus High School right now, and sometimes, me and Mr. Miller, we invite us - tennis - play with the kids we coach to come out there and play. This is the problem. Oh, and

also, we want to thank you all. First, I want to start - thank you for repaving the courts. Y'all repaved the courts. They're beautiful and all that good stuff. Me and Mr. Miller, we both maintain the courts. We don't have to blow the leaves anymore, but we were blowing the leaves fixing the gates. We fix the nets when they're broken. So, we, you know, because we play here, we take them as our courts as well, but we're still having a problem with the lights. The lights are not really fixed. Mr. Miller did do something with the wires so they come on, but when they cut off, they don't - they usually warn us when they're about to cut off - they used to, but they don't do that anymore. So, when they cut off, they don't really come back on. So, we still have a problem with the lights. Another issue we have is with people coming out there to skate. We're going to have the same problem with the courts. They're putting divots in the court. They're scuffing up the court. We've had...we have addressed...we are taught. We'll say, you know, you're not supposed to skate out here. And they also come out and play loud music with a lot of profanity. We've asked them in the past to turn the music down, and they call us everything but a child of God. They call us everything - cussed out. It physically threatened us and everything. I've called the police. The police never showed up, and they called me, like two days later, and they left a message, and I called them back, and I got no answer. But, the point is, we're being threatened by... and this is an issue, too, because since COVID, everything was shut down, but people were still coming to the tennis courts. So, we have people coming from all over the Peninsula, coming from across the water, from Williamsburg to play tennis. We have a lot of people we didn't see previously because we - Mr. Miller's been playing tennis there for at least 30 years. I've been playing for at least 15 years at Briarfield tennis courts, and they bring their children and they be playing loud profanity, and when you ask them to turn it down, we get met with hostility. Get called every name in the book, but like I said, but the child of God, this is the issue. And, we don't want to be back at the same point where y'all have to repave the court again because they're putting divots, scuffing the court up. So, we would like to know what could be done. The park ranger could come out periodically and, you know, tell people they're not supposed to be skating on the courts. We've done - we don't want to keep addressing and getting a hostile reaction. I don't want to address these people, and they want to threaten us. And a lot of, a lot of times it's teenagers. Sometimes the older people, when we say you're not supposed to skate here, they'll leave, Oh, I didn't know, because the sign is right there on the gate, and they ignore it, but the teenagers, they, they're going to do whatever they want to do. They, you know, like I said, the loud profanity. I was just out there last week, it was a warm and they.

Mr. Williams' speaking time expired. Mayor Gray assured him that Council got the point and indicated that the City Manager would address his concern after the public comment period. He then called on the next speaker, Travis Adams.

Mr. Travis Adams greeted those on the dais and City staff and made the following statement: (Inaudible words). Back for my annual/biannual discussion, presentation for property tax reform. So, this session, in that the House of Delegates, there is a HB10, which modifies an existing state statute which allows a few localities in Virginia to set the property tax rate separately from land and improvements, and that's what I've been pitching to this Council various times over the past five years or so. So, I'm pretty excited about that HB10. I'm recommending that you all reach out to our local delegates and members of the Senate and support HB10. So, really, HB10 is a tool for you guys. It's, it doesn't dictate that we set property taxes anyway. It doesn't mandate that they're different. It doesn't mandate that land is higher or that improvements are higher. It's just a tool. I know that property tax has been something that's, you know, it's on every homeowner's mind. It's on every resident's mind. It impacts all of us. And you guys have, you know, since I've lived here in '21 you guys have consistently lowered the rate, which is, you know, great for individual homeowners, but we have to raise revenue. We have to fund schools, we have to fund infrastructure. And, I know that's, you know, can be a challenge. So, this, this HB10, will give you an additional tool to make sure that you can target property tax in a way that's, you know, equitable. The issue with lowering the property tax rate is it's great for me, sure, I get a property tax cut, but it also means that our vacant land is getting a property tax cut, right? Our unused land, they're getting a property tax cut, but that's the opposite of what we want, right? We want to encourage the use of land. We want to encourage the efficient use of land. We want to encourage development of homes, businesses, and when you lower property taxes, the people who are benefiting the most are land speculators, people who are leaving their properties vacant, blighted. What this HB10 will give you the ability to do is modify your rates on land and improvements at different levels to achieve different objectives, which could put the burden of our property tax on those landowners who are leaving land idle, vacant, and reduce the burden on homeowners and those who are being productive in the community. So, I hope you support HB10. Hope you reach out to Mr. Thornton and our senator. Thank you.

Mayor Gray called on the next speaker, Dennis Greene.

Mr. Dennis Greene greeted everyone and made the following statement: In October, I presented a proposal for a partnership with the Big Bethel Blueway, and I have an update on the last page here. I actually had the area surveyed, so I think that will help delineate, you know, my property from the City's property. So, just want to keep that door open and just let you know that I'm looking forward to hearing from the City to move forward with some ideas. That's all I have. Thank you.

Mayor Gray called on the next speaker, Chris Bowman.

Mr. Chris Bowman greeted those on the dais and Ms. Glass, introduced himself as Chris Bowman and made the following statement: The fireplace shop building, which is located next to the Senior Center is for sale. I'm recommending that Council purchase that building in an effort to expand senior services and also gain much valued parking. As most of you know, the senior center has undergone a recent renovation, the flooring, the ceilings, the lighting, the painting, the cabinetry, the asphalt and the striping out front are all excellent, and this has been a long time coming, but I want to commend City Council and the staff for bringing this to provision. Thank you.

Mayor Gray called on the next speaker, Tanawah Downing.

Mr. Tanawah Downing greeted those on the dais, introduced himself as Tanawah Downing and made the following statement: I'm a civil rights advocate litigator out of Washington, DC. (Inaudible word) provided a public notice to all of you. This is in accordance with the USCS Rules of Civil Procedure, as well as rule 17 and rule 20 of the United States Supreme Court. Ladies and gentlemen, there's nothing more destructive to our union than paying people to abridge the constitutional obligations. Constitution United States America (inaudible word) overarching requirement that everything must follow. I think that we all can agree with that. States cannot enact their own alternative legislation, substitute that for the guarantees of the Constitution and go out and enforce that as though that's constitutional. Clause one of amendment five to the United States Constitution says - no person shall be held to answer for a capital or otherwise infamous crime unless on presentment or indictment of a grand jury. However, the state of Virginia has enacted its own alternative legislation that permits prosecuting attorneys, law enforcement to charge by information and not by indictment. That is unconstitutional. Now, an emolument violation is when you pay someone to violate the law. You can't do that, certainly not when you receive federal funding. If you receive federal funding, you cannot pay someone to abridge federal law. There's two areas the Constitution reinforces this. The first is Article One, Section 10. That's where it says that no state shall create any law that shall impair the obligation of contracts. So, police officers, prosecutors, law enforcement, they're all under contract. It's a contract to perform, based upon the oath or affirmation that they took to support and defend the Constitution United States America. So, when the state of Virginia creates a law that directs them to disobey the Constitution United States, and obviously that would be a violation of Article One, Section 10, a second place to reinforce this is the 14th Amendment. It's where it says that no state shall create or enforce any law which shall abridge the privileges and immunities of United States citizens. The privileges and immunities of United States citizens are, at a minimum, those enumerated within the Bill of Rights, first 10 amendments. They cannot be impaired. This was affirmed by the United States Supreme Court, 2019, unanimous decision *Timbs v Indiana*. And as a result,

State of Virginia has enacted law and is directing their agents, whom, unfortunately, you all pay, to violate the Constitution United States. As a result, there is currently an inordinate amount of people currently in prison here in the state of Virginia, illegally and unconstitutionally. So, I'm preparing to litigate this United States Supreme Court on behalf of more than 700,000 people who are currently in prison here in America, illegally and unconstitutionally. We're here today to let you guys know that if you continue to pay these public officials to abridge their constitutional obligations, that criminal sanctions can come from that. That's not the direction we want to go. We want to work together, fix this problem, but I must make sure that you're aware that paying people to buy (inaudible word) the Constitution is a crime. So, I'm asking you honorable individuals here, please, let's take a look at clause one of MFI. Let's confirm what I'm saying to be true, and then direct those agents to act in a lawful, constitutional manner that is consistent with the obligations they have codified in Constitution for the United States of America. I have a notice that I need to put on the record. I would recommend that you guys review this. Failure to review it does not mitigate your culpability when this particular issue once made aware and provided notice of this. I want to leave you with this, though - they - I know that you're gonna go to the attorney as soon as we're done. You're gonna ask that attorney whether or not what I'm saying is true, and that attorney is gonna point you to a case from 1884 called *Hurtado v. California*. And, before you choose to rely upon that as a foundation, I must remind you that the Constitution of United States of America is the foundation, not a judge-made ruling. Supreme Court of United States has no constituted authority to alter men or destroy any provisions or guarantee this constitution, because that must be done by an authentic and explicit acts of people in accordance with the special (inaudible word) procedure of Article Five. Furthermore, judges cannot legislate. We know that clause one, Article One says all legislative powers vested in Congress United States. So, I pray that you guys make the right decision here. Who should I give this to, sir? God Bless you guys. Thank you so much.

Mayor Gray asked Mr. Downing to hand his materials to the Sheriff.

The below summarizes Ms. Bunting's remarks in response to comments made during the public comment period.

Ms. Bunting explained that staff attempted to get Mr. Hardin's information in order to reach out to Hampton Roads Transit (HRT) to see what could be done to resolve the situation, with the caveat that the City does not oversee HRT operations. Unfortunately, staff was unable to get his information before he left the meeting.

Ms. Bunting indicated that it would be inappropriate for her to speak about Ms. Weaver's court case. She also provided an update on what was promised to the

neighborhood. In summary, funding is in place for an assessment on how to best use the funding set aside for the neighborhood, but there has been a delay in receiving the consultant report. She assured everyone that the City will not walk away from the commitment, but again, needs the consultant report before moving forward.

Ms. Bunting thanked Ms. Roundy for her continued advocacy with regard to cemeteries and noted that the City will follow up with her.

With regard to Mr. Knopp's and Mr. Adam's remarks, Ms. Bunting indicated that as a practice, the City Manager does not comment on legislation before the General Assembly unless it's specifically in our adopted legislative package. She also spoke about the budget process and citizens' support of a higher tax rate to fund certain projects, for example, blighted properties.

Lastly, Ms. Bunting thanked Mr. Williams and his peers for being good stewards of Briarfield Park. She shared that a contractor is scheduled to work on resolving the lighting problem next week and that Assistant City Manager Jason Mitchell will work with him on scheduling a park ranger's presence during the times violations occur since it is not possible for a ranger to be present fulltime.

City Attorney Sydnor indicated that she will review the papers Mr. Downing left and will advise Council if needed.

GENERAL ITEMS

There were no general items on the agenda.

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

There were no reports.

MISCELLANEOUS NEW BUSINESS

There were no items of new business.

ADJOURNMENT

The meeting adjourned at 7:45 p.m.

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

Jimmy Gray
Mayor

Katherine K. Glass, MMC
Clerk of Council

Date approved by Council _____