



City of Hampton

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

Notice of Action 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
Cynthia E. Hudson, Interim City Attorney
Katherine K. Glass, MMC, Clerk of Council

Wednesday, August 14, 2024

6:30 PM

Council Chambers

CALL TO ORDER/ROLL CALL

Mayor Tuck called the meeting to order at 6:30 p.m. with all members of the City Council 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

INVOCATION - Councilwoman Hope Harper

Councilwoman Harper gave the invocation.

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

Mayor Tuck called upon Katherine K. Glass, the Clerk of the City Council, to share information that August 15th each year is "City Hall Selfie Day" which is a day sponsored by the Engaging Local Government Leaders (ELGL) association for all to celebrate local government. On "City Hall Selfie Day" citizens, municipal employees, and anyone who wishes to is encouraged to snap a selfie in front of their City Hall or other local government building to celebrate their communities. Glass invited Hamptonians to participate tomorrow by taking their own selfies and sharing hashtags #cityhallselfie #choosehampton and @ELGL on their social media medium of choice. She also asked that everyone

check Hampton's webpage tomorrow to see how Hampton is celebrating City Hall Selfie Day.

CONSENT AGENDA

Approval of the Consent Agenda

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

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

Abstained: 1 - Councilmember Mugler

1. [24-0315](#) Resolution to Amend the Fiscal Year 2025 Council Approved Budget to Accept and Appropriate the 2025 Virginia Homeless Solutions Program Grant Awarded by the Virginia Department of Housing and Community Development
Item approved.

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

Abstained: 1 - Councilmember Mugler

2. [24-0330](#) Resolution to Amend the Fiscal Year 2025 Council Approved Budget and Accept and Appropriate the 2025 Part C of the Individuals with Disabilities Education Act (IDEA Grant) Funding Awarded by the Department of Behavioral Health and Developmental Services for Infants and Toddlers with Disabilities and their Families
Item approved.

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

Abstained: 1 - Councilmember Mugler

3. [24-0340](#) Resolution to Amend the Fiscal Year 2025 Council Approved Budget to Accept and Appropriate the 2024 Virginia Byrne/Justice Assistance Law Enforcement Equipment Grant Awarded by the Virginia Department of Criminal Justice Services
Item approved.

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

Abstained: 1 - Councilmember Mugler

4. [24-0341](#) Resolution to Amend the Fiscal Year 2025 Council Approved Budget and Accept and Appropriate the 2024 Institute for Intergovernmental Research (IIR) Building Bridges Implementation Grant Awarded by the Bureau of Justice Assistance (BJA) to the City of Hampton, Virginia
Item approved.

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

Abstained: 1 - Councilmember Mugler

5. [24-0348](#) Resolution to Amend the Fiscal Year 2025 Council Approved Budget to Accept and Appropriate the 2025 Victims of Crime Act-Victim Services Grant Program ("VOCA-VSGP") awarded by the Virginia Department of Criminal Justice Services
Item approved.

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

Abstained: 1 - Councilmember Mugler

6. [24-0350](#) Resolution to Amend the Fiscal Year 2025 Council Approved Budget to Accept and Appropriate the 2025 Witness Protection Grant awarded by the Virginia Department of Criminal Justice Services

Item approved.

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

Abstained: 1 - Councilmember Mugler

7. [24-0351](#) Resolution to Amend the Fiscal Year 2025 Council Approved Budget to Accept and Appropriate the Fiscal Year 2025 Public Safety Answering Point (PSAP) Education Program Grant Awarded by Virginia Department of Emergency Management (VDEM), Virginia 911 Services Board.

Item approved.

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

Abstained: 1 - Councilmember Mugler

8. [24-0353](#) Resolution to Amend the Fiscal Year 2025 Council Approved Budget to Accept and Appropriate the FY24 Four-for-Life Aid to Localities Funds from the Commonwealth of Virginia, Office of Emergency Medical Services

Item approved.

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

Abstained: 1 - Councilmember Mugler

9. [24-0354](#) Resolution to Amend the Fiscal Year 2025 Council Approved Budget to Accept and Appropriate the FY 2025 Fire Programs (Aid to Localities) Fund Allocation from the Commonwealth of Virginia, Department of Fire Programs

Item approved.

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

Abstained: 1 - Councilmember Mugler

10. [24-0360](#) Resolution to Amend the Fiscal Year 2025 Council Approved Budget to Accept and Appropriate the 2024 Election Grant Awarded by the Virginia Department of Elections
Item approved.

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

Abstained: 1 - Councilmember Mugler

11. [24-0363](#) Resolution to Amend the Fiscal Year 2025 Council Approved Budget and Accept and Appropriate the Safe Streets and Roads for All Planning and Development Grant Awarded by the United States Department of Transportation for the City of Hampton - Hampton Safety Corridor Plan
Item approved.

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

Abstained: 1 - Councilmember Mugler

12. [24-0367](#) Resolution to Amend the Fiscal Year 2025 Council Approved Budget to Accept and Appropriate to and within the Capital Fund (Capital Projects Fund) for the Traffic Signals Retimings Phase II Project (1) \$423,928 in Additional Congestion Mitigation and Air Quality Funding from the Virginia Department of Transportation; and (2) Bond Funds of \$70,278 to be transferred from the Traffic Signal System Retiming Project
Item approved.

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

Abstained: 1 - Councilmember Mugler

13. [24-0369](#) Resolution to Amend the Fiscal Year 2025 Council Approved Budget and Accept and Appropriate the 2024 TRIAD Crime Prevention for Seniors Award Program Grant awarded by the Office of the Attorney General to the City of Hampton, Virginia
Item approved.
- Aye:** 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs and Mayor Tuck
- Abstained:** 1 - Councilmember Mugler
14. [24-0366](#) Resolution to Amend the Fiscal Year 2025 Council Approved Budget and Appropriate \$28,885 from the Capital Fund (Capital Projects Fund) Restricted Fund Balance to the Capital Fund (Capital Projects Fund) for the Transportation Initiative Project
Item approved.
- Aye:** 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs and Mayor Tuck
- Abstained:** 1 - Councilmember Mugler
15. [24-0370](#) Resolution to Affirm the City of Hampton, Virginia's Acceptance and Use of the Fiscal Year 2025 Virginia Juvenile Community Crime Control Act Plan Annual Contribution, in the amount of \$315,704, through the Virginia Department of Juvenile Justice
Item approved.
- Aye:** 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs and Mayor Tuck
- Abstained:** 1 - Councilmember Mugler
16. [24-0361](#) Resolution to Amend the Fiscal Year 2024 Council Approved Budget and Appropriate a Total of \$1,294,900 from the Capital Budget (Projects) Committed Fund Balance Account to Fund the War Memorial Stadium Locker Room Project
Item approved.

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

Abstained: 1 - Councilmember Mugler

17. [24-0362](#) Resolution Approving Fiscal Year 2024 Fourth Quarter Budget Adjustments

Item approved.

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

Abstained: 1 - Councilmember Mugler

18. [24-0368](#) Resolution Requesting that the Virginia Department of Transportation Program Little Back River Road Phase II Project into its Six-Year Improvement Plan

Item approved.

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

Abstained: 1 - Councilmember Mugler

19. [24-0349](#) Approval of the minutes from the work session of May 22, 2024; two special closed sessions of July 8, 2024; the special closed session of July 25, 2024.

Item approved.

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

Abstained: 1 - Councilmember Mugler

PRESENTATIONS, PROCLAMATIONS, AWARDS

20. [24-0275](#) Presentation of a Plaque to the City and its Police Division for Hampton's Recertification as a Certified Crime Prevention

Community

Presented by Tina Sumpter, Virginia Law Enforcement Professional Standards Commission (VLEPSC) Accreditation Coordinator with the Department of Criminal Justice Services (DCJS).

21. [24-0375](#) Resolution Establishing a Sister City Relationship Between the Province of Malanje, Angola, Southwest Africa, and the City of Hampton, Virginia, United States of America

Following remarks from Vice Mayor Gray and Councilwoman Harper, a motion was made by Councilmember Steven Brown and seconded by Councilmember Billy Hobbs, that this Resolution 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

PUBLIC HEARINGS

Rezoning

22. [24-0329](#) Rezoning Application No.24-0329 by Trilogy Developers, LLC to Rezone +12.45 Acres at 1232 W. Queen Street and Adjacent Properties [LRSNs 2000218, 2000219, 2000220, 2000221, 2000222, 2000223, 2000224, 2000225, 2000226, and 2000227] from One Family Residential (R-11) District to Multifamily Residential (MD-4) District and Neighborhood Commercial (C-1) District with Proffered Conditions

Presented by Mike Hayes, Planning Manager. Ross Viera, the applicant, briefly addressed City Council. Mayor Tuck opened the public hearing, there were no speakers, so he closed the public hearing.

A motion was made by Councilmember Steven Brown and seconded by Councilmember Martha Mugler, that this Zoning Ordinance - Map be approved with thirteen (13) proffered conditions. 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

Use Permits

23. [24-0325](#) Use Permit Application No. 24-0325 by Amazing Childcare and Learning Academy LLC to Permit a Day Care 2 Commercial at 1416 Todds Lane [LRSN: 3001227]

Presented by Allison Jackura, Zoning Administrator. A joint public hearing was held on 24-0276, 24-0277, and 24-0313. Teresa Roundy, Jill Rondeau, William Furgerson, and Angela Evans spoke at the public hearing.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Steven Brown, that this Use Permits be approved with eleven (11) proffered conditions. 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

Ordinances

24. [24-0276](#) 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 Add a New Definition for “Homestay Rental” and Amend Related Definitions

Presented by Allison Jackura, Zoning Administrator. A joint public hearing was held on 24-0276, 24-0277, and 24-0313. Teresa Roundy, Jill Rondeau, Angela Evans, and Scott Woodruff spoke at the public hearing. William Furgerson had signed up but chose not to speak.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Hope Harper, that this Zoning Ordinance - Text 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

25. [24-0277](#) Ordinance to Amend and Re-Enact the Zoning Ordinance of the City of Hampton, Virginia by Amending Chapter 3, Section 3-2 Entitled “Table of Uses Permitted” and Section 3-3 Entitled “Additional Standards on Uses” to Add the Use “Homestay Rental” as Permitted with Approval of a Zoning Administrator Permit if Additional Standards are Met Within the One and Two Family Residential (R-LL, R-43, R-R, R-33, R-22, R-15, R-13, R-11, R-9, R-8, and R-4), the Multifamily (MD-1, MD-2, MD-3, MD-4, and R-M), the Neighborhood Commercial (C-1), the Limited Commercial (C-2), the Langley Flight Approach Limited Residential (LFA-5), the Residential Transition (RT-1), the Buckroe Bayfront Single Family Residential (BB-1), the Buckroe Bayfront Mixed Residential (BB-2), the Buckroe Bayfront Optional Mixed Use (BB-3), the Downtown (DT-1, DT-2, and DT-3), the Phoebus (PH-1, PH-2, and PH-3), and the Fort Monroe Inner Fort (FM-1), the Fort Monroe Historic Village (FM-2), and the Fort Monroe North Gate (FM-3) Zoning Districts Presented by Allison Jackura, Zoning Administrator. A joint public hearing was held on 24-0276, 24-0277, and 24-0313. Teresa Roundy, Jill Rondeau, Angela Evans, and Scott Woodruff spoke at the public hearing. William Furgerson had signed up but chose not to speak.

A motion was made by Councilmember Chris Bowman and seconded by Councilmember Billy Hobbs, that this Zoning Ordinance - Text 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

26. [24-0313](#) Ordinance to Amend and Re-Enact the Zoning Ordinance of the City of Hampton, Virginia by Amending Chapter 9, Entitled “Overlay Districts” to Update the Separation Requirements

Contained Within the Overlay Related to Short-Term Rentals Presented by Allison Jackura, Zoning Administrator. A joint public hearing was held on 24-0276, 24-0277, and 24-0313. Teresa Roundy, Jill Rondeau, Angela Evans, and Scott Woodruff spoke at the public hearing. William Furgerson had signed up but chose not to speak.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Chris Bowman, that this Zoning Ordinance - Text be approved. The motion carried by the following vote:

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

Nay: 1 - Councilmember Mugler

27. [24-0314](#) Ordinance to Amend and Re-Enact the Zoning Ordinance of The City of Hampton, Virginia by Amending Chapter 9, Entitled "Overlay Districts" to Amend Article IV, Entitled "O-FZ - Flood Zone Overlay" to Clarify that the Requirements of the Coastal A Zone are the Same as Those Within the Coastal High Hazard Zone

A motion was made by Councilmember Hope Harper and seconded by Councilmember Chris Bowman, that this Zoning Ordinance - Text 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

PUBLIC COMMENT

The Clerk read the protocol for public comment. The following individuals spoke: Teresa Roundy, Ursula Barkers, Craig Knopp, Robert (Bob) Smith, Jeannie Belgrave, Aaron Weaver, and Joan Weaver. Regina Parks signed up but was not present to speak when called upon.

The City Manager, Ms. Bunting, gave some responsive comments.

GENERAL ITEMS

Ordinances

28. [24-0274](#) Ordinance to Amend and Reenact the City Code of the City of Hampton, Virginia, by Amending and Reenacting Chapter 14, Fire Prevention and Protection, Article I, In General, Section 14-11, Open Burning Prohibited; Exceptions to Incorporate Definitions and Interpretation to this Section, and to Amend the Open Burning Exceptions
- Presented by Anthony Chittum, Battalion Chief and Chief Deputy Fire Marshal.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Martha Mugler, 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

Resolutions

29. [24-0283](#) Resolution Authorizing the Execution of a Lease Agreement Between the City of Hampton and Hampton Redevelopment and Housing Authority for the Use of Approximately 4,992 ± Square Feet of Office Space in the Ruppert L. Sargent Building Located at 1 Franklin Street, Suite 603, Hampton, Virginia
- A motion was made by Councilmember Chris Bowman and seconded by Councilmember Martha Mugler, that this Resolution 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

30. [24-0372](#) Resolution Designating the Restoration of Fort Wool as a

Legislative Priority of the City of Hampton, in Order to Request Funding and Restoration by the Commonwealth of Virginia Allowing Reopening Fort Wool to the Public

A motion was made by Councilmember Martha Mugler and seconded by Councilmember Billy Hobbs, that this Resolution 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

31. [24-0288](#) Resolution Creating a Towing Advisory Board

A motion was made by Councilmember Steven Brown and seconded by Councilmember Billy Hobbs, that this Resolution 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

Motions

32. [24-0381](#) Appointment of City Attorney and Action on City Attorney Employment Contract

It was moved by Councilwoman Harper and seconded by Councilwoman Mugler that the Council appoint as the next full-time, permanent City Attorney, Courtney R. Sydnor of Ashburn, Virginia; approve her terms of employment as set forth in the contract reviewed by all council members; and authorize the Mayor to execute that contract.

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

Appointments

33. [24-0332](#) Consideration of an Appointment to the Hampton Federal Area Development Authority (FADA)

A motion was made by Councilman Brown that Nhu Yeargin be appointed to serve a first term until July 30, 2028. 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

34. [24-0333](#) Consideration of Appointments to the Citizens Police Advisory Group (CPAG)

A motion was made by Councilman Brown that Dr. Ray DeWitt be appointed to a first term as a community at-large representative until June 30, 2028, and Bishop Gail Roberts-House be appointed to serve a first term as a faith community representative until January 31, 2026. 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

35. [24-0339](#) Consideration of Appointments to the Fort Monroe Authority (FMA)

A motion was made by Councilman Brown that Mary Bunting and Jay Joseph be reappointed until June 30, 2028. 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

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

The City Manager encouraged citizens to watch the afternoon work session as there was a very thorough presentation on the efforts of the City's Office of Youth and Young Adult Opportunities and the reduction in violence.

Councilwoman Harper briefly spoke on information received from Joan Weaver concerning the Virginia School for the Deaf and Blind and also on a conversation she had with Ralph Shelman and expressed her support for a permanent display.

MISCELLANEOUS NEW BUSINESS

Mayor Tuck indicated that he and Newport News Mayor Jones will hold a joint press conference tomorrow at 11 a.m. at Crittenden Middle School seeking adult mentors for young black men in Middle School.

He also indicated that African Landing Day and a soil mixing ceremony with soil from Angola will be held on August 24th at Ft. Monroe.

ADJOURNMENT

The meeting adjourned at 8:31 p.m.

Contact Info:

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