

City of Hampton

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



Agenda

Wednesday, December 13, 2017

6:30 PM

Council Chambers

City Council Legislative Session

Mayor Donnie R. Tuck
Vice Mayor Linda D. Curtis
Councilmember Jimmy Gray
Councilmember W.H. "Billy" Hobbs
Councilmember Will Moffett
Councilmember Teresa V. Schmidt
Councilmember Chris Snead

STAFF: Mary Bunting, City Manager
Vanessa T. Valldejuli, City Attorney
Katherine K. Glass, CMC, Clerk of Council

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.

ORDER OF BUSINESS

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 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 on a public hearing item, please sign in before the meeting on the sign-up sheets located in the lobby of City Hall. 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. Speaking on topics not appearing on the agenda as public hearing items is handled under the public comment portion of the meeting.

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").

Meetings of the Council are formal proceedings, and all comments are recorded. 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 - Councilmember Will Moffett****PLEDGE OF ALLEGIANCE TO FLAG****MAYOR'S COMMENTS****CONSENT AGENDA**

1. **17-0296** Resolution to Amend the Fiscal Year 2018 Council Approved Budget and Accept and Appropriate the 2018 Virginia Domestic Violence Victim Fund Grant ("DVVF Grant") Awarded by the Virginia Department of Criminal Justice Services to the City of Hampton, Virginia
2. **17-0350** Resolution to Amend the Approved Fiscal Year 2018 Council Approved Budget by Accepting and Appropriating the Fiscal Year 2017 Local Emergency Management Performance ("LEMP") Grant as Awarded by the Virginia Department of Emergency Management to the City of Hampton, Virginia ("City")
3. **17-0359** Resolution Requesting VDOT to Add the Attached List of Streets to the State "Principal/Minor Arterial and Collector/Local" Street List
4. **17-0366** Approval of the minutes from the work session of December 14, 2016 and the work session of November 8, 2017.
5. **17-0372** Resolution Determining Commonwealth Centers for High Performance Organizations, Inc. to be the Only Source Practicably Available From Which to Procure Organizational Leadership Training Using the High Performance Organization Model
6. **17-0373** Resolution Authorizing the Grant of an Encroachment, Pursuant to § 34-86 of the City Code, to Benjamin's Landing Homeowners' Association, Inc., Comprising 125 Square Feet, More or Less, to Replace Its Neighborhood Sign on Aspenwood Drive
7. **17-0381** Resolution Requesting the Virginia Department of Transportation to Designate the North King Street Streetscape Improvement Project (Phase IV) and the Pine Chapel Road Trail Project as Urban System Highway Projects and Eligible for the Allocation of Urban Formula Funds
8. **17-0383** Resolution Appropriating \$21,960.00 of Fund Balance 01-38078 to the Fiscal Year 2018 Operating Budget of the City Attorney as Authorized by Virginia Code §58.1-3969
9. **17-0384** Resolution Amending the Fiscal Year 2018 City Council Approved Budget by Appropriating \$175,570.72 Received from Hampton Roads Sanitation District to the Capital Projects Fund for Design and Construction Cost of

the Replacement of Bridge Street Bridge

PRESENTATIONS, PROCLAMATIONS, AWARDS

PUBLIC HEARINGS

Ordinances

- 10. 17-0387** Resolution (i) Authorizing the Execution of an Amended and Restated Memorandum of Understanding by and Among the Peninsula Town Center Community Development Authority and T Peninsula Axis VA, LLC, T Peninsula Hotel VA, LLC, and Peninsula Parking Lot VA, LLC and an Amended and Restated Collection Agreement With the Peninsula Town Center Community Development Authority and the Successors and Assigns of Hampton Mall Associates, J. C. Penney Properties, Inc. and Target Corporation in Connection With the Issuance of Special Obligation Refunding Bonds, Series 2018 , and (ii) Approving the Issuance of the Series 2018 Bonds by the Community Development Authority
- 11. 17-0388** An Ordinance Amending Non-Coded Ordinance Number 1026 as Amended by Non-Coded Ordinance Number 1043 Entitled "Ordinance Establishing a Special Assessment for the Peninsula Town Center Community Development Authority and Authorizing an Amended and Restated Collection Agreement with the Community Development Authority"
- 12. 17-0369** Ordinance to Amend and Reenact the Zoning Ordinance of the City of Hampton, Virginia by Amending Chapter 8, Article 7 Entitled, "Phoebus Districts". Approval of this amendment would eliminate the three story restriction on building height while maintaining the overall 50' maximum height
- 13. 17-0374** Ordinance to Amend And Re-Enact Chapter 2 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled "Definitions" By Amending Section 2-2 Pertaining to the Definitions of Public School and Private School
- 14. 17-0375** Ordinance to Amend And Re-Enact Chapter 3 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled "Uses Permitted" By Amending Section 3-2 Pertaining to Dance Schools and Business Schools
- 15. 17-0377** Rezoning Application No. 16-00008 by Jonah Z, LLC to rezone approximately 9.9 acres of vacant land located at 56 Butler Farm Road [LRSN 13004560] from One Family Residential District R-11 to Limited Commercial District C-2 with proffered conditions
- 16. 17-0379** Ordinance Authorizing the Conveyance of Remnants of 105 Saunders Road (LRSN 5001411), comprising 9,179 square feet (0.2107 acre), more or less, and 107 Saunders Road (LRSN 5001407), comprising 10,763

square feet (0.2471 acre), more or less, to Floyd and Lois Chilcott pursuant to Code of Virginia § 15.2-1800(B)

17. **17-0370** Use Permit Application No 17-00012 by David Swartz at 1619 W Pembroke Ave [LRSN: 1002424] to permit the operation of a vehicle storage lot
18. **17-0376** Use Permit Application No. 17-00011 by David Riddick to allow the operation of a private school at Central United Methodist Church, 227 Chapel Street [LRSN 2001911]
19. **17-0386** Resolution Authorizing the Execution of a License Agreement with the Downtown Hampton Development Partnership, Inc. Over Three Portions of the City-Owned Property Known as Carousel Park for the Purpose of Conducting Additional Park Activities

PUBLIC COMMENT

GENERAL ITEMS

Ordinances

Resolutions

20. [17-0362](#) Resolution Authorizing the Acceptance of 71.8 ± Acres of Real Property Located Adjacent to Grundland Creek Park, RPC Number: 10001024, From Marina Tsakis-Skea, Nanette K. Phillips and Jon D. Tsakis, to be Used by the City of Hampton for Conservation Purposes as Set Forth Under IRC § 26 CFR 1.170 A-14 (d) (3), as Required by the Conditions of the Gift
21. **17-0382** Resolution Requesting the Virginia Department of Transportation Program a New Capital Project Study into Its 6-Year Improvement Plan ("SYIP") with Urban System Allocations for the Coliseum Drive Extension Segment B Project Study

Appointments

22. [17-0395](#) Consideration of appointments to Hampton Employees Retirement System Board (HERS)
23. [17-0067](#) Consideration of appointments to the Citizens Police Academy Group
24. [17-0393](#) Consideration of appointments to Citizens' Engagement Advisory Review Commission (CEARC)
25. [17-0325](#) Consideration of appointments to Citizens Unity Commission (CUC)

- 26. [17-0380](#) Consideration of appointments to Coliseum Advisory Committee
- 27. [17-0060](#) Consideration of appointments to H2O Community Development Authority
- 28. [17-0391](#) Consideration of appointments to Hampton Clean City Commission
- 29. [17-0385](#) Consideration of appointments to Wetlands Board
- 30. [17-0162](#) Consideration of appointments to Athletic Hall of Fame

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

MISCELLANEOUS NEW BUSINESS

ADJOURNMENT

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