



# City of Hampton

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

## Council Approved Minutes - Final 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*  
*Steven D. Bond, Interim City Attorney*  
*Katherine K. Glass, CMC, Clerk of Council*

This document serves as an interim record of the legislative actions of the City Council and will be replaced by the final narrative minutes once those are approved by the Hampton City Council.

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**Wednesday, September 13, 2023**

**6:30 PM**

**Council Chambers**

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### 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

### DONNIE R. TUCK PRESIDED

### INVOCATION - Vice Mayor Jimmy Gray

Vice Mayor Gray gave the invocation.

### PLEDGE OF ALLEGIANCE TO FLAG

### MAYOR'S COMMENTS

Mayor Tuck called upon Councilman Chris Bowman who made the following statement:

I want to formally apologize to the citizens of Hampton, City staff, family members, and my fellow members of City Council for my poor behavior approximately one and a half years ago. Let me tell you, it is not pleasant to go from being a well-respected person in the community to being censured by the City Council on which I am so privileged to serve. I would never wish this on anyone, and I pledge to never put you

or myself in this situation again. I have learned some valuable lessons as a result of this episode in my life, and I am receiving professional counseling. Like everyone else and even at my age, I am a work in progress and hardly perfect. But I need to be the best Chris Bowman I can be for people who depend on me, and that includes everyone in this room and those watching online or simply going about their lives in our great City. As many of you know, I have been an active member of the community long before I was elected to Council in 2020. I am a past executive board member and a life-subscribing member of the NAACP (National Association for the Advancement of Colored People), and I will continue to work with that organization on race relations and other important matters. I am a member of the Buckroe Improvement League, the Aberdeen Civic and Historic Association, the Hampton Clean City Commission, and the Hampton Democratic Party. I will continue in those roles and will look for even more opportunities to serve. I will not hide or stop helping the City I love. I hope all of you will encourage me to become a better person and Councilmember. I would appreciate it, and together I think we can build an even better Hampton. Thank you.

Mayor Tuck called upon City Attorney Cheran Cordell Ivery who made the following statement:

The City was made aware of three incidents in which women were made to feel uncomfortable in the presence of Councilman Bowman. In each situation, the matters were investigated and the Councilman was counseled - first verbally and then in writing. In addition, City leadership engaged a Human Resources consultant to conduct professionalism training specifically geared toward elected officials. Councilman Bowman, along with his peers on Council, participated in that training, which was followed up by additional written counseling from me. It is important to note that neither the City Council nor City staff have any ability to remove a duly elected Councilmember from office. There have been public concerns raised that the Hampton Police Division allowed the statute of limitations on charges related to prostitution to expire. The fact is that the Hampton Police Division did not have jurisdiction, as that event took place in the city of Newport News, not Hampton. The Hampton Police Division alerted the Newport News Police Department to the alleged prostitution/solicitation when they were contacted by the Councilman about being extorted. However, the Newport News Police Department determined that there was insufficient evidence to pursue charges against him. The Hampton Police Division fully investigated and prepared a case related to the extortion charges, which occurred in the City of Hampton, with the full knowledge that it would implicate the Councilman in the prostitution activity as well as being a victim of extortion. That evidence was turned over to the Hampton Commonwealth's Attorney and the Suffolk Commonwealth's Attorney was designated to handle the matter as a special prosecutor. Lastly, any public discussion or action relative to either criminal matter

would have been inappropriate while the criminal investigations were pending and until decisions were made as to whether and what charges would be advanced. Councilmembers and City staff take great care to not interfere with criminal investigations.

## 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 Councilmember Harper, to approve the Consent Agenda. 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

1. [23-0196](#) Resolution to Approve the Acceptance of a Grant from the Virginia Port Authority's Commonwealth Port Fund of up to \$50,000.00 for Construction of Bulkhead, Wharf and Walkway on the Downtown Waterfront

Item approved.

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

2. [23-0243](#) Resolution to Amend the Fiscal Year 2024 Council Approved Budget to Accept and Appropriate the Employment for Temporary Assistance for Needy families (TANF) Participants Grant (BEN-19-024-03 - Modification #6).

**Attachments:** [Routing Sheet](#)  
[Proposal Overview](#)  
[Agreement](#)

Item approved.

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

3. [23-0249](#) Resolution to Amend the Fiscal Year 2024 Council Approved Budget to Accept and Appropriate the 2024 Virginia Homeless Solutions Program Grant Awarded by the Virginia Department of Housing and Community Development.

**Attachments:** [Routing Sheet](#)  
[Agreement](#)  
[Proposal Overview](#)

Item approved.

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

4. [23-0253](#) Resolution to Amend the Fiscal Year 2024 Council Approved Budget to Accept and Appropriate the FY23 Bureau of Justice Assistance (BJA) Byrne Discretionary Community Project Grant Awarded by United States Department of Justice

**Attachments:** [Notice of Funding Opportunity](#)  
[Proposal Overview](#)  
[Award Letter](#)

Item approved.

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

5. [23-0268](#) Resolution of Support of Application to the Virginia Department of Transportation for an Allocation of Funds Up to \$2,500,000 from the Virginia Department of Transportation's Fiscal Year 2027-2028 Revenue Sharing Program and Authorization for the City Manager to Execute Necessary Agreements for the Settlers Landing Road Project

Item approved.

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

6. [23-0254](#) Review and Approval of the Hampton-Newport News Community

Services Board FY24-25 Performance Contract with the  
Department of Behavioral Health and Development Services

**Attachments:** [FY24-25 Performance Contract](#)  
[FY24 Budget Review](#)

Item approved.

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

7. [23-0266](#) Ordinance to Amend and Reenact the City Code of the City of Hampton, Virginia by Amending Chapter 36, Swimming Pools, Article I, In General, Sec. 36-1 and Sec 36-10 to Waive the Requirement for Health Clubs to have Lifeguards on Duty Under Certain Circumstances.

**Attachments:** [Redline](#)

Item approved.

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

8. [23-0269](#) Ordinance to Amend and Reenact the City Code of the City of Hampton, Virginia by Amending Chapter 38, Vehicles for Hire, Article II, Division 1, Entitled, "Generally," Sec. 38-19 and Sec. 38-20, and to Article II, Division 4, Entitled Article II Entitled "Taximeters," Sec. 38-107, Sec. 38-108, Sec. 38-109, and Sec. 38-110 to update the requirements for taxicabs and taximeters.

**Attachments:** [Redline](#)

Item approved.

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

9. [23-0262](#) Resolution to Amend the FY 2024 Council Approved Budget to Accept and Appropriate a \$100,000.00 Gift from NP Hampton Commerce Center, LLC, Paid to the Economic Development Authority of the City of Hampton, Virginia, Pursuant to that

Certain Development Agreement Dated November 9, 2022 for the Sale and Development of 750 Shell Road

Item approved.

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

10. [23-0231](#) Resolution to Amend the FY 2024 Council Approved Budget to Accept a \$12,000 donation from Dr. Helen Rountree and Appropriate such Funds from the General Fund's Unassigned Fund Balance to the Public Library's Operating Budget to Purchase New Microfilm Equipment for the Special Collections Department (Special Collections/Virginiana Room)

Item approved.

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

11. [23-0272](#) Approval of Hampton City Council Meeting Calendar for 2024

**Attachments:** [2024-Council Calendar Draft to Council](#)

Item approved.

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

12. [23-0264](#) Approval of the minutes from the City Council's work and legislative sessions of August 9, 2023.

Item approved.

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

## PRESENTATIONS, PROCLAMATIONS, AWARDS

## PUBLIC HEARINGS

Ms. Glass read the protocol for public hearings.

## Rezoning

13. [23-0250](#) Rezoning Application by Langley Storage Associates LLC to Rezone +/-15.17 Acres Located at 16, 18, & 20 Potter Lane [LRSN 6000829, 6000830, 6000828] from One Family Residential (R-9) District and General Commercial (C-3) District with Conditions to Langley Flight Approach Mixed Use & Manufacturing (LFA-2) District with Conditions for a Storage Facility 3 Use

**Attachments:** [Application](#)  
[Proffer Agreement](#)  
[Staff Report](#)  
[Staff Presentation](#)  
[LAFB Comments](#)

City Manager Mary Bunting introduced Chief Planner Donald Whipple to make the presentation.

Mr. Whipple explained that the request was to rezone approximately 15 acres from the R-9 and C-3 districts to the LFA-2 district with conditions. He pointed out that the LFA, or Langley Flight Approach district is generally intended for commercial and industrial uses, which by their nature use large amounts of land that are minimally populated by employees for customers. Specifically, the proposed use is Storage Facility 3 located off of North Armistead Avenue in the northern section of the City just south of Langley Air Force Base. He displayed a graphic of the site containing the three parcels, two of which are zoned R-9. The third is zoned C-3 and has conditions on it from a previous rezoning to permit the existing indoor storage facility that is already located on that parcel. This proposal is requesting an outdoor storage area for recreational vehicles, which includes, but is not limited to, motorhomes and campers, watercraft, such as boats and jet skis, and their associated trailers. The applicant is proposing approximately 165 paved spaces. There would also be wastewater disposal and water tank refills for recreational vehicles. Landscaping and fencing are also included in the proposal. Storage of operable vehicles is not part of this proposal but should the rezoning be approved, it would be permitted subject to an additional use permit.

Mr. Whipple displayed a comparison of the 2006 site plan showing the current indoor storage, and the current proposal for the recreational vehicle storage area. The diagram also showed the area that is allocated for new landscaping, and the RPA (Resource Protection Area) buffer.

The future land use for this area is business industrial. Mr. Whipple shared public policies associated with the request which include: evaluating land use proposals from a regional, City-wide, and neighborhood perspective; encouraging a mix of land uses that would be appropriate for each district; promoting efficient use of land; and strengthening the ability of older commercial and industrial areas to support new and expanded business activity. Concerning the environment, there are some recommendations about protecting natural systems and restoring or recreating natural systems that have been disturbed; and protecting wetlands and woodlands from new development and/or redevelopment impacts. Staff analysis of this application is that it is consistent with Community Plan policies. It also meets Langley's intent of their land use study for this area. In terms of the flight approach, Joint Base Langley Eustis-Langley has given written support for the land use.

Mr. Whipple noted that before this application was submitted in the summer of 2022, there was a complaint that was received with suspected disturbance within the Chesapeake Bay buffer. A community development inspector went out and noticed that there was an unpermitted disturbance. At that time, the applicant was told to cease unpermitted work. Since that time, there hasn't been any disturbance. As part of this application process, staff inspected that same buffer area in July of this year and verified that there had been no further unpermitted work since that initial inspection in June 2022.

Mr. Whipple displayed inspection photos and explained that, many years ago, parcels 16 and 18 were used as a former landfill. The applicant was trying to clean up leftover debris but in doing so, caused a negative impact on the buffer. The recommendation is to leave the buffer intact.

There was a community meeting in June of this year.

This is a proffered rezoning and conditions refer to the limitation of use. The concept plan that was presented has been proffered. The applicant will vacate the property lines between 16 and 18 Potter Lane. There's a condition about site lighting to provide inward and downward focus so as not to conflict with any operations of Langley or with the neighborhood to the south. The 2006 rezoning had proffers concerning the architectural style and quality of the buildings on 20 Potter Lane and that condition is being brought forward and maintained with this proffer statement. There are also conditions about preserving the natural buffer which is in the RPA area. Any new landscaping around the parking area and to reinforce the buffer area is proposed to be all native landscaping to this area.

Mr. Whipple stated that staff and the Planning Commission are recommending approval of item number 23-0250 with five proffered conditions.



In response to Councilwoman Harper, Mr. Whipple stated that three people were present at the July 20th community meeting. They were curious and wanted to know more about what the application was all about, and the potential impacts to them. One of the gentlemen who was at the community meeting also spoke at the Planning Commission meeting. Living on a tidal creek with a tendency to flood, he still has some reservations about the impact the development will have. Otherwise, Mr. Whipple believes the residents were okay with the project.

Mayor Tuck welcomed the applicant, Mr. Craig Allen, who is the Managing Member of Langley Storage Associates. He thanked Mr. Whipple and the staff for helping them through this process. He shared that they have operated the storage facility there for about two and a half years and have cleaned up the site. He stated that the venture into the buffer was inadvertent. The contractor was not supposed to go in there, but he did, and the issue has been addressed. Mr. Allen shared that there is a high demand for this type of storage within the area from the neighbors. Many have already asked about boats and RVs, and what kind of lot will be there. He stated that there will be a lighted, secured lot with keypad entry so only tenants can enter and exit from this site.

There were no speakers and the public hearing was closed.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Martha Mugler, that this item be approved with five (5) conditions. The matter was voted upon but there was a misstatement as to the item number so the item was voted on again after item #15 23-0255.

## Use Permits

14. [23-0251](#) Use Permit Application by Stephen Hartley to Permit a Veterinarian Office/Hospital at 26 Coliseum Crossing [LRSN: 7001360]

**Attachments:** [Application](#)  
[Conditions](#)  
[Staff Report](#)  
[Presentation](#)

Ms. Bunting introduced City Planner Urvi Patel to make the presentation.

Ms. Patel explained that the applicant, Steven Hartley, is representing the architecture firm applying for this permit, however, the applicant would not be operating the veterinary office. She displayed a diagram showing the site location in

the Coliseum Crossing Shopping Center in the Coliseum Central Business District. She displayed a diagram of the shopping center showing the existing Petco where the veterinary office would be located. The proposal is to convert approximately 1,700 square feet of existing retail space into a veterinary office by putting in examination rooms, a waiting room, and a separate entrance from the existing Petco. The proposed hours of operation are Monday through Saturday 9 a.m. to 9 p.m. and Sunday 10 a.m. to 7 p.m., which are synonymous with the current hours of operation for the Petco retail store. She shared that the applicant is proposing to offer outpatient pet services, such as health exams, vaccines, and minor procedures. No overnight boarding or emergency services will be provided at this location.

The site is zoned limited commercial C-2 and falls within the Coliseum Central Overlay district. The recommended future land use for this site is mixed-use. Ms. Patel shared public policies from the Hampton Community Plan which include: diversifying and strengthening commercial development within the existing commercial corridors of Hampton and fostering redevelopment of well-situated retail space such as the Coliseum Crossing Shopping Center. The shopping center is specifically addressed within the Coliseum Central Master Plan in the Coliseum North initiative area, which envisions a redevelopment and reuse of the shopping center as the market demand for retail and services changes.

Staff analysis showed that this proposal is consistent with City policies, is compatible with the surrounding land uses, is small-scale in nature, and traffic circulation is expected to experience minimal impacts. This specific suite is removed from the entrances and exits to and from the shopping center, so any construction would not impede the existing traffic circulation. There are no outdoor runs or boarding services proposed, minimizing impacts to surrounding properties, especially during the late hours of the night. The proposal also addresses the need for veterinary services in the City. Community Development contacted the Hampton Animal Response Team to gauge what the need for these kinds of services is in Hampton, and they said they are constantly turned away by veterinarians because of the overpopulation of animals. This would be a much-needed service that would help address that problem.

Staff has recommended conditions related to the issuance of the use permit which include: limiting it to the existing building, not expanding into any outdoor-related areas, maintaining licensure with the Board of Veterinary Medicine, and standard revocation and notification clauses.

Staff and Planning Commission are recommending approval of item number 23-0251 with six conditions.

The Mayor opened the public hearing. There were no speakers on the item and the public hearing was closed.

A motion was made by Councilmember Hobbs and seconded by Councilmember Harper that this Use Permit be approved with six (6) 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

## Resolutions

15. [23-0255](#) Resolution Authorizing the Execution of a Lease for 1,600 sq. ft. of City-owned Land Located at 300 Butler Farm Road to New Cingular Wireless, PCS, LLC for a Power Equipment Compound

**Attachments:** [Lease Agreement - 300 Butler Farm Road - Final](#)

Ms. Bunting shared that, on August 8, 2018, Council approved a lease with New Cingular Wireless, PCS, LLC to lease 1,600 square feet of land and related access and utility easements for a telecommunications facility and equipment compound located at 300 Butler Farm Road. The facility serves as an antenna co-located on a nearby Dominion Virginia Power tower under a private lease agreement between those two parties. The current lease expired on August 18, 2023. Access and utility easements continue to remain effective without further action. New Cingular has asked to continue to lease the premises for an additional five years and City staff recommends that the commencement date for the lease agreement be retroactive to August 18, 2023, so that there are no gaps in the prior and new lease terms. We have provided the proposed lease agreement but for the benefit of the public, the annual amount of lease payment would be \$18,788.74 payable in advance with a three percent increase in rent annually.

Mayor Tuck opened the public hearing. There were no speakers on the item and the public hearing was closed.

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

The Clerk requested that the motion be restated and voted upon concerning agenda item #13 - 23-0250 (the Use Permit for Langley Storage Associates) to correct a misstatement in the item number. A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Martha Mugler, that the Use Permit be approved with five (5) conditions. The motion was restated by Councilman Hobbs, seconded by Councilwoman Harper and passed unanimously.

16. [23-0267](#) Resolution Authorizing Execution of an Agreement Granting a Temporary Construction Easement to the Virginia Department of Transportation (VDOT) Over Property Located at the City Landfill (100 North Park Lane) in Order to Relocate a Drainage Ditch and to Allow Installation of a Generator on VDOT's Property Adjacent to City's Property

Attachments: [Exhibit A - Plan Sheets 32 & 32RW](#)  
[Attachment - Agreement](#)  
[Presentation](#)

Ms. Bunting stated that Right-of-Way Agent Cindy Hurr was present if Council wished to see a full presentation. She explained that VDOT has requested the City execute a temporary construction easement to allow them access to install a generator on their property. Staff recommends approval.

Mayor Tuck opened the public hearing. There were no speakers and the public hearing was closed.

A motion was made by Councilmember Hope Harper and seconded by Councilmember Chris Bowman, 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 COMMENT

Ms. Glass read the protocol for public comment.

Mayor Tuck called the first two speakers, Mr. Randy Bowman and Mr. Michael

Mulheran.

Mr. Bowman greeted Council and made the following statement: I am a lifetime member of Hampton. I just want to say same last name, but very different and I'm not talking about skin pigmentation. This is going to be addressed to Mr. Chris Bowman. You violated a person at their lowest point where they had to offer illegal services for money. Educate, offer, find them a job, teach them. Instead, you took advantage of self-gratification as a predator. Your very own actions, you said you're not stepping down. You listed organizations like this resume. You mentioned it was one year and a half ago like that didn't mean anything. Those are statements that one would say when they think they're above the law. Councilmen and Councilwomen should be the City's GPS (Global Positioning System), taking us to destinations, and putting us on a map. But when you were in a seedy hotel, you took the City's name and committed a crime which is (Virginia Code) 18-2.29 Criminal Solicitation which is punishable by no less than five years, and no more than 40. For the ladies, I'd like to apologize because that is very degrading. A solid gentleman, a man of God, as well as a Councilmember. This is not appropriate. So, I do apologize. As I stated to you last night, you gave my campaign a donation. I'm not going to accept that. We had money left over from my campaign so I want to make sure that you get your donation back. We urge you to remove your name badge and step down immediately. Thank you very much.

Mr. Mulheran greeted Council and made the following statement: I have been a resident of Hampton since 1994. I've addressed Council a number of times as well as the Mayor. Thank you for your ear. Thank you for your shoulder. Thank you for letting me express my opinions. In my first opinion, the subject happens to be the Aquaplex. I think during the summer while the outdoor area was open, I think they received maximum capacity for every single weekend they were open. What I challenge everyone here in Hampton, let's get 100 swimmers in 100 days, and 1,000 lifeguards in 1,000 days. Richmond does it really quite successfully by educating the youth to become lifeguards as well as professionals earning \$14.00 an hour when they turn 14 years old. We've got the largest Aquaplex in the state. The recent GM (General Manager) and Assistant GM was fired. I don't see much effort in getting this Aquaplex to where it needs to be because it is a world-class institution. It could solve a lot of problems in our City especially when it comes to youth at risk. But I'd like to address back in 1711 a great person said, and looking at the Enlightenment period, as many did, in 1711 right here probably standing in the same footsteps, just happened to be several stories taller. "To err is human, to forgive divine." Also, at the same time that author said in the same piece of information, "fools rush in where angels fear to tread." I give unequivocal support to Councilperson Bowman. Thank you.

Mayor Tuck welcomed the next two speakers, Ms. Brenda Marks and Ms. Gaylene Kanoyton.

Ms. Marks greeted Council and made the following statement: Donnie, I'm going to present this afternoon in the reverse of the normal order I would do it for fear that I'll run out before my three minutes is up. I'm here tonight first, to talk to you about transparency and trust. First, Councilman Brown, I'd like to thank you for having the backbone enough to publicly ask Councilman Brown [Bowman] to resign. You did a good thing. Acknowledging that Council cannot remove Councilman Bowman, I'm asking the remaining five Councilmembers to issue a joint resolution asking Councilman Bowman to step down, to strip him from any appointments he held, because of his position on Council, and refuse to appoint him to anything else if he does not step down. Mr. Bowman, if you love this City as much as you say, do the right thing, step down, get your life in order, and then run next year. Don't drag the City through the media mud while you're getting your life together. Now, the reason I'm asking you to do this, while I believe the solicitation of a prostitute is despicable, that is not the primary reason I ask this. First, anyone that lives in the 757 area code and does not know that solicitation of a prostitute is a crime, with all the regular stings that go on around us, raises the question, just how many other laws does he not know? Second, that Councilman Bowman acknowledged he did not tell Councilmembers or the City Manager of the extortion, raises the questions of honesty and trustworthiness. A lie by omission is a lie just the same. He has repeatedly said this was a one-time thing. And yet in the letter from Mayor Tuck, it is documented that, in 2019, Mr. Bowman was soliciting a woman other than his wife to meet him at a hotel. Also, when Councilman Bowman could have replaced his phone by paying a reasonable deductible and restoring his data from the cloud, he stated there were messages on his phone that he feared would damage his personal and professional reputation. One has to wonder what made that phone worth \$5,000. Y'all know I've sent you 100 emails and referenced a recall petition, it's coming.

Ms. Kanoyton greeted Council and made the following statement: I am the President of the Hampton Branch NAACP. I am joined today by our national board member Carmen Taylor, our legal redress chair attorney Rebecca Wynne, and members of the NAACP who were able to attend are here today. First, I want to thank City Manager Mary Bunting and Assistant City Manager Steve Bond on addressing the concern I had over the poverty study to ensure that all citizens are aware of this study and partake in this study and add additional meetings, and workshops so that everyone can participate in it. Especially the working person at a time when they can attend. They should be treated just like the budget it is just that important. It should be advertised everywhere. Next, I want to address the apology letter where the NAACP was included in Councilman Bowman's letter. Let me be clear. Yes, Councilman Bowman was on the executive board. However, after he received his

votes and won, he resigned. His only participation was attending meetings and events and taking photo ops. The Hampton NAACP will not be used, especially in a trumped-up apology letter. We have major concerns after hearing about Mayor Tuck's letter to City Council on the three women who have come forward and complained about Mr. Bowman's behavior and he had been counseled many times. We don't want these women to be overshadowed or discounted. The NAACP has passed a national resolution to support women's rights. Women's rights is civil rights. That's why we got involved. It is very important that everyone speaks up and speak out. These women should never be overshadowed. And no woman should ever be overshadowed. I ask the City Council members to speak up and ask him to step down as well. I thank Councilman Steve Brown for stepping up and asking him to step down. What happens next? If this happens again down the road with another Councilmember. Are we just going to do the same thing, just sit back? Other legislators and Council people across the country have had behavior and were asked to step down. I believe that, along with the censure, and if Councilmembers had asked Councilman Bowman to step down, that would have made a difference because a censure only says I disapprove of what you've done, but we can still work with you. Let's move to the next chapter. And prepare for this not to happen again. Thank you.

Mayor Tuck welcomed the next two speakers, Miss Celeste Miller and Ms. Nikia Miller.

Miss Celeste Miller made the following statement: I wrote this letter to the City Council. Dear City Council, I almost never snap off, and so many people can tell you that. When I do snap off, it's from anger, sadness, or frustration. When it comes to both the school board or the City Council, it's all and let me tell you why. For seven years, our system has been failing. For this reason, I'm sad. Why can't our schools be more secure and protected? Hampton City Schools failed me, they failed my mom, and they failed each and every part of me.

Mayor Tuck stopped Miss Miller and stated: Your statement here says you want to talk about school safety. You just referenced the school board. We can't do anything about matters that are under the school board.

Ms. Nikia Miller interrupted and stated, "She's 10 years old, let her speak."

Mayor Tuck stated that we fully understand what her age is and we also understand that she made the same or similar statement to the school board last week. Our protocol says it has to be issues that we can address as a Council. I fully understand your mother's desire for you to be able to speak, but if it's on school safety, there's nothing we can do. The school board is independently elected. The

City Council funds the school board for matters. The school board hires SROs (School Resource Officers) in the schools. Beyond that, if you want to address another matter, we'll have to let you speak, but if it's strictly on school safety we cannot allow you to speak.

Ms. Nikia Miller made the following statement: Are you serious? She's 10. He just disrespected my daughter. I hope everybody in this room saw that. I hope everybody in this room saw that. There's never a time when I claim to be a perfect parent. I've made mistakes, I've learned as I've gone. But I can say that, whatever I did to raise the three amazing children I have, I must have done something right. Hampton is my home, and I take Hampton being my home seriously. I watched some of you on the dais use my home church as a place to network as you climb to public office. Not that I judge you for that entirely. I judge you for things far more serious. My children learned to be civically minded early in life. They understand the government better than most adults. So, when my daughter asked to speak about the unconscionable things that happened to her, I told her that when it was time for her to speak, everyone would listen. I realize now that I will never be comfortable with my child speaking about her violent sexual assaults, and none of you on the dais should feel comfortable either. I'm sure many are here to speak about Chris Bowman. That makes sense. But what is true? Councilman Bowman and the women he interacted with was a decision, albeit a poor one, by someone in elected office and a violation of Virginia law. But if the intent is to police Councilman Bowman, not only should Councilman Bowman be asked to resign but so should Mayor Tuck. His willful disregard for our youngest citizens not only is tone deaf but demonstrates his disregard for women. Any man who can fix his lips to call a victim of sexual assault a liar is a slap in the face to anyone who is a survivor. I am a survivor. The Mayor's rape-sympathizing words do a disservice and retraumatize me. So, when Mayor Tuck tenders his resignation for his grossly disrespectful and dehumanizing comments towards my child, then and only then can Councilman Bowman be held to the same standard. Jerk.

Mayor Tuck welcomed the next two speakers, Mr. Aaron Weaver and Mr. Whalan McDew.

Mr. Aaron Weaver greeted Council and made the following statement: I stand before you all today, not just as an individual, but as the voice of countless citizens who demand justice and integrity from their leaders today. My demand is resolute. Christopher Bowman must step down. Let's face it, accountability has become rare, and a commodity for some of our leaders. Take, for example, the black neighborhood whose voices were raised loud and clear. These communities didn't just voice concerns, they offered tangible solutions. They reached out through meetings, emails, and phone calls, but Councilman Bowman would have you believe



that none of this occurred, and stated that he did not receive the first email, call, or text, or talk to the grocery store over concerns. This, ladies and gentlemen, is more than oversight. It's a deliberate lie and dismissal of his constituents, further casting shadows over his integrity. The Councilman found himself entangled in an online scandal of soliciting prostitution. Instead of accepting responsibility, his rebuttal was "She solicited me, set up a website for me." Liar. Let's not forget the brave three women who stepped forward painting disturbing pictures of conduct. Being a part of an esteemed Council is not a birthright, it's an honor. We see that you put yourself above by your actions. If you need help and are actively getting help, then resign and let a qualified replacement serve out the last amount of your term, and then run again and have the public know all the information about you. But again, your actions speak louder than your words. To you, it's about you, not the residents and your fellow Councilmembers. Councilman Hobbs was spot on in his approximation that I could not show face in the City Council again, as Councilman Brown called for resignation as well. When I endeavored to understand the disciplinary action that could be taken against Councilmembers who commit crimes by FOIA requests, I was sent chapter two of the Employee Relations guideline. These are standards that every worker in the City of Hampton stands by. When then does City Council stand apart? If this is oversight, and it's one that needs swift rectification, symbolic gestures like censure, and vote are insufficient. It is clear the framework governing the Council's conduct must be reinforced, and aligned with the standards all City employees are bound by. To the City Manager, the time to act is now. Leverage the powers that you have in Section 9.01. Initiate an impartial investigation on the Hampton Police Department, notably Detective Steven L. Cook and all detectives and higher ups involved because we now have a president that said, one that questions the very tenants of justice. Commit a crime in Newport News, set up a pay-for in Hampton, get robbed again for the second time, then report the theft and walk free. Is this a privilege exclusive to Council? Do I need to run for Council to get this privilege? This sets a dangerous and flawed precedent. Lastly, it's imperative to have a special grand jury to delve into the dealings of the Commonwealth Attorneys. This suspicious timing charges against individuals convicted.

Mr. Whalan McDew greeted Council and made the following statement: I'm going to read a statement that is coming from myself and Deena Moore Franklin who is the founder of the DoGooders of Hampton Roads. I am a community leader and resident of the City of Hampton, but also a Christian and a lover of God and his people. We have a combination of concerns here. I want to say that forgiveness is above everything. We are all human and have our own crosses to bear. But there needs to be healing. There needs to be soul-searching for the root cause of the action. During this time position is not a priority. Because the title is not a priority. And being a community representative is not a priority. Self and healing is the priority. Secondly, accountability is required, and this part comes from Deena. As an

African-American mother, I am not quite sure that I can say what my sons would get the same grace should they have done the same thing. The most appropriate way to show effective leadership, and accountability, and to start healing is not to focus on what is not a priority, but focus on what is. Healing and accountability. The message that is being conveyed is that accountability is selective. And it is not. There is no accountability from a legal standpoint due to whatever was stated that there has to be personal accountability and apologies are not accountability. I asked discernment upon Chris Bowman to make the best decision for the community and himself and work on healing and accountability, not try to hold the title or position. We need to show our youth how to handle decisions in a good way. Not as good and we have to correct our own behaviors. And this comes from myself and Ms. Deena. Chris, I say this as a friend, just do the right thing. I believe the right thing is for you to step down, get yourself in order, and try it again. Thank you.

Mayor Tuck welcomed the next two speakers, Mr. Edwin Boone and Mr. Andre Hammond.

Mr. Boone made the following statement: through the Freedom of Information Act, I want a copy of what I am about to say. An email was sent out to all the Councilmembers from Stop the Violence Best Kept Secret. The only respondent was Councilman Chris Bowman. Recently, through the Biden administration, the City of Hampton received \$4 million. I had a meeting with City Manager Mary Bunting and Assistant City Manager Steve Bond. I requested a synopsis everything I said wasn't what I said. Secondary, I want to thank Congressman Bobby Scott for the \$4.6 million for stopping the violence in the City of Hampton. So, between the \$4 million the Biden Administration gave and the \$4.6 Congressman Bobby Scott was able to get for the City, that is \$8.6 million. I believe with this year, first five days, someone got killed in the City of Hampton. I want to know what happened to that \$8.6 million. Recently, during the summer break, City Manager, Mary Bunting was on vacation. I want to hold City Councilmembers to ask the City Manager, what happened to the \$8.6 million that was allocated. Again, Councilman Bowman is the only one who responded to Best Kept Secret Stop the Violence. And this is my city. I was born and raised here. I have family members buried less than half a mile, a quarter of a mile from here. So, for you all to pretend we want to know, me as a representative of the people, what happened to that money? That \$8.6 million. That is not including what the City of Hampton supposedly allocated for stopping the violence here in Hampton.

Mr. Andre Hammond greeted Council and made the following statement: I want to address this issue that has been going on for a while in Phoebus, Virginia, because I'm from Hampton and I live in Phoebus. And we got a lot of veterans down there that are homeless. It strikes me as odd these individuals went out there and sacrificed

their lives and limbs to try to help protect this country. But now they are sleeping on the sidewalks. One of my partners is dead. I'm not a veteran, however, but I do understand the struggle. Because nobody's struggle is no different than the next. So what I strive to do, I'm trying to put this out there now, because homelessness is an issue. Everybody deserves to have somewhere to lay their head at night, to be able to go somewhere where they can lie down and be comfortable and not have to sleep out in the elements. But however, that isn't everybody's story at this point. It seems like it's being ignored. This is where I feel that we as a people can come together and try to rectify the situation. Because none of you want to go to that. I'm out there with them every day so I know what they're going through. I empathize with people's pain and things of this nature. Now I understand, okay, yeah, they get a check every month but everybody doesn't have the same issues. Everybody's not responsible enough to do the same things that some other people might be able to do. I just feel that we can't leave these people behind. We are sitting here worrying about Ukraine and all these other nations that are going through something. We've got issues right here in America. Before we help somebody else, we've got to help ourselves. The thing is, you've got to lead by example. So, if I'm sitting here and I get my program together, then that might encourage you to get your program together. But me here simply preaching to you doesn't last all year long. Because like I say, words are meaningless. You can talk to a person until you are blue in the face but at the same time, you need to be able to lead by example.

Mayor Tuck asked Ms. Bunting to address a special voucher for veterans called VASH (Veterans Affairs Supportive Housing) voucher.

Ms. Bunting explained that the VASH voucher is a special voucher provided by the federal government. It is similar to a section eight voucher, but it's designated specifically for veterans who have served our country. They are administered by our Redevelopment and Housing Authority, which is run by Aaru Ma'at. We can make those vouchers available when we identify veterans who do want to be housed. She shared that sometimes when they reach out to homeless veterans, they don't want to be served. That is hard for us, as caring individuals, to understand that many times there are mental health issues at play. We have an outreach team that will go out and check on the homeless every week and try to intervene and get them connected to services with our Community Services Board which can help with mental health. If they will accept the help of being housed, we can apply the VASH voucher. The City does the same homelessness intervention for people who aren't veterans, but the veterans are easier to place because of those extra federal resources. It's always best if people can help us. If you'd like to partner with us to form some relationships and know some people who are ready to accept the help, we'll be glad to work with you. We will continue to do our outreach as well.

Ms. Bunting shared that, at the next afternoon Council meeting in September, there will be a full report on the Office of Youth and Young Adult Opportunities which will provide information on the various things the City has been doing with grant money.

In response to Mr. Boone, Ms. Bunting shared that we are very thankful for the \$4.6 million that Congressman Scott secured for us. It has not arrived yet as the federal fiscal year starts in October. None of that has yet been spent. We did not get a special appropriation from the Biden administration for youth violence or adult violence. Council decided to dedicate some of the ARPA (American Rescue Plan Act) funds that we received to various organizations that are working in the community to help prevent and intervene with violence. That money has been allocated and can be spent over what was a total of three years. It had to be obligated by a certain date and spent down by another. Many organizations requested three years of funding, and were allocated it provided that they meet timely accountability reports and show progress with people in the community. Others applied for, and only got, one year of funding, but we have allocated out whether they're getting it all upfront or over three years. More detailed information will be provided at the next Council meeting in September.

## GENERAL ITEMS

### Appointments

19. [23-0259](#) Consideration of an Appointment to the Hampton Senior Citizens Advisory Committee
- A motion was made by Councilmember Martha Mugler and seconded by Councilmember Hope Harper, that this Appointment be deferred to the City Council Legislative Session, due back on 9/27/2023. 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
17. [23-0257](#) Consideration of an Appointment to the Peninsula Agency on Aging
- A motion was made by Councilmember Martha Mugler to appoint Lewis Dawley to a first term of three years until September 30, 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

18. [23-0258](#) Consideration of an Appointment to the Peninsula Alcohol Safety Action Program

A motion was made by Councilmember Martha Mugler that Pius Sangbong be removed and that Steve Bond be appointed to a first term expiring on June 30, 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

20. [23-0260](#) Consideration of Appointments to the Citizens' Engagement Advisory Review Commission (CEARC)

A motion was made by Councilmember Martha Mugler to appoint Kathryn Wiesmann and Trayshawn Humphries to fill the unexpired portion of terms until June 30, 2025, and appoint Phoebe Mitchell to fill the unexpired portion of a term until June 30, 2024. 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

21. [23-0261](#) Consideration of Appointments to the Citizens' Unity Commission (CUC)

A motion was made by Councilmember Martha Mugler to appoint Steven Loncar to a partial term until August 31, 2026; appoint Mei Stukes to a partial term until June 30, 2025; appoint Francis Horne, Natalie Cumpson and Dr. Tamika Lett to first full terms expiring on September 30, 2027, reappoint Chris Grady, Katrina Bailey, and Phyllis Porter to second terms expiring on September 30, 2027; and reappoint Brad Young and Dawn Taylor to first full terms expiring on September 30, 2027. 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

**22.**     [23-0271](#)     Consideration of an Appointment to the Peninsula Stadium Authority

A motion was made by Councilmember Martha Mugler to appoint Nick Hobbs to begin a first full term on October 1, 2023; which will expire on September 30, 2027. 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**

There were no reports.

**MISCELLANEOUS NEW BUSINESS**

Mayor Tuck shared that there could be some traffic issues tomorrow as Vice President Kamala Harris will be visiting Hampton University.

He also mentioned that the City will be sending a delegation to Anyang, South Korea next week as they are Hampton's Sister City and are celebrating their 50th birthday.

**ADJOURNMENT**

The meeting adjourned at 7:41 p.m.

**Contact Info:**  
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\_\_\_\_\_  
Donnie R. Tuck  
Mayor

\_\_\_\_\_  
Katherine K. Glass, CMC  
Clerk of Council

Date approved by Council \_\_\_\_\_