



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
Courtney R. Sydnor, City Attorney
Katherine K. Glass, MMC, Clerk of Council

Wednesday, September 25, 2024

6:30 PM

Council Chambers

CALL TO ORDER/ROLL CALL

Mayor Tuck called the meeting to order at 6:35 p.m. All members of the City Council were present except for Councilwoman Harper who was not feeling well. Mayor Tuck introduced Hampton's new City Attorney, Courtney Sydnor, who provided brief remarks.

Present: 6 - Councilmember Chris L. Bowman, Councilmember Steven L. Brown, Vice Mayor Jimmy Gray, Councilmember Billy Hobbs, Councilmember Martha Mugler and Mayor Donnie R. Tuck

Absent: 1 - Councilmember Hope L. Harper

DONNIE R. TUCK PRESIDED

INVOCATION - Councilwoman Martha Mugler

Councilwoman Mugler gave the invocation.

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

Mayor Tuck introduced Henry Morgan, Owner of the Peninsula Pilots. Mr. Morgan greeted those on the dais and the Clerk of Council and thanked Mayor Tuck for the work that he has done in the community over the years.

Mr. Morgan spoke about the installation of the new video board at the ballpark and thanked those on the Stadium Authority and Council for their leadership and

assistance with the project. He recognized those who were in the audience who are on the Stadium Authority by having them stand. He also thanked City Manager Mary Bunting for making this process flow seamlessly. He spoke a bit more about others who were instrumental in the success of the project and recognized those who were in the attendance by having them stand.

A video was shown about this past season of The Peninsula Pilots, one of the most successful seasons in team history.

Mr. Morgan shared information about other projects at the ballpark and also information about the Peninsula Pilots' schedule. He thanked Council for their involvement for the past 25 years and welcomed questions and comments from Council. No further discussion took place.

Mayor Tuck then shared that a delegation from one of Hampton's Sister Cities, Anyang, South Korea, recently visited Hampton and shared highlights of that visit.

Additionally, Mayor Tuck shared that a long-term local business, Wood's Orchard and Farm Market, will be closing this upcoming Saturday and shared a recent visit with its owners, Billy and Betty Wood, where he thanked them for serving Hampton's citizens for so many years.

Lastly, Mayor Tuck read the letter, on behalf of Council, thanking Billy and Betty Wood for their contributions to the City.

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 Brown and seconded by Councilmember Mugler to approve the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Harper

1. [24-0409](#) Resolution to Amend the City Council Approved Fiscal Year

2025 Budget to Accept and Appropriate Certain Funding to be Received from the Fort Monroe Authority to Provide Services to Homeless Persons and Families

Item approved.

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

Absent: 1 - Councilmember Harper

2. [24-0413](#) Resolution to Amend the Fiscal Year 2025 Council Approved Budget to Accept and Appropriate the 2025 Sentara Cares Grant Awarded by Sentara Health/Optima Health

Attachments: [Sentara Cares Grant](#)

Item approved.

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

Absent: 1 - Councilmember Harper

3. [24-0419](#) Resolution to Accept and Appropriate \$1,400,000, to be Received on a Reimbursement Basis from the City of Newport News Department of Water Works, to the Capital Projects Miscellaneous Revenue Account of the Capital Budget (Capital Project) Fund for Construction Costs of the Queens Way Streetscape Project based on a Cost Sharing Agreement to be Entered into between the City of Newport News and the City of Hampton

Item approved.

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

Absent: 1 - Councilmember Harper

4. [24-0415](#) Resolution to Amend the Fiscal Year 2025 Council Approved Budget to Accept and Appropriate the Assistance to Firefighters

Grant Awarded by Homeland Security

Attachments: [Award Letter](#)

Item approved.

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

Absent: 1 - Councilmember Harper

5. [24-0425](#) Approval of Hampton City Council Meeting Calendar for 2025

Attachments: [Calendar](#)

Item approved.

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

Absent: 1 - Councilmember Harper

6. [24-0417](#) Approval of the minutes from the 10 a.m. special meeting on August 14, 2024 at Darling Stadium and the July 10, 2024 legislative session.

Item approved.

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

Absent: 1 - Councilmember Harper

PRESENTATIONS, PROCLAMATIONS, AWARDS

PUBLIC HEARINGS

The Clerk did not read the protocol for public hearings as there were no individuals signed up to speak at the public hearing.

7. [24-0412](#) HUD Report on 2023-2024 CDBG/HOME Consolidated Annual Performance and Evaluation Report (CAPER)

Attachments: [CAPER FINAL FY 2023-2024 Presentation](#)

Ms. Glass read the title for the item.

City Manager Mary Bunting introduced the Community Development Neighborhood Services Division Manager, Jonathan McBride, to make the presentation.

Mr. McBride greeted those on the dais and said that this is the fourth year of our five-year annual Consolidated Plan. This fiscal year is the fifth year and staff is in the process of working through an update to the Consolidated Plan in the next fiscal year. He noted that the CAPER reports the activities from the program year that began in 2023 (July 1, 2023-June 30, 2024).

Mr. McBride shared the two sources of funding being reported on this evening which are the Community Development Block Grant Program (CDBG) and Home Investment Partnership (HOME). Activities incorporated in CDBG have to meet one of three national objectives to either benefit low/moderate income persons, aid in the prevention of slums and blight, or meet an urgent need. Primary objectives that the HOME partnership must be directed toward include, decent/affordable housing to low and very low-income households, expand the capacity of non-profit Community-based Housing Development Organizations (CHDO's), strengthen the ability of local governments to provide housing, and leverage private sector participation. Mr. McBride added that Hampton has a 15% set-aside to support non-profit participation activities (CHDO's).

Next, Mr. McBride shared a chart indicating the 2024 U.S. Department of Housing and Urban Development (HUD) income limits based on family size. The Regional family of four median income is \$100,700; whereas, a family of four in a low to moderate household income is anything below \$80,550. The programs supported through this program would have to meet that qualification.

Mr. McBride shared that we received \$914,517 in allocations for the CDBG Program and \$575,846 for the HOME Program and then reviewed the next slide which lists the resources and expenditures for both programs. He reported that Hampton spent more funds under CDBG than what was allocated for because we spent older funds to meet the required spend down by May 2, 2024. He reported that Hampton accomplished that spend down and are in compliance with our CDBG funds thanks to the work of our Hampton Redevelopment and Housing Authority staff and partners. HOME funds were less, but that spend down will be caught up in the next few months.

Next, Mr. McBride reported on the 2023-2024 HOME and CDBG program accomplishments. In summary, CDBG funds went toward the WEEP (Weatherization and Energy Efficiency Program), Accessibility Programs and Code

Enforcement (rental inspection program). HOME funds went toward housing and ownership programs, housing counseling programs, and our CHDO, Habitat for Humanity.

Next, Mr. McBride provided an update on the progress of the housing program waitlist. Since January of 2022, staff was able to address 370 waitlist inquires. There was no response from 190 applicants; 31 applicants were over income or disqualified for household reasons; 15 applicants were offered the process, but declined to participate; 30 applicants are in the paperwork process; 28 projects are underway; and 76 projects have been completed. In addition, 110 waitlist inquiries remain as people continue to find out about the program. Mr. McBride noted that while staff is serving a lot of people, the number of inquiries continues to rise because additional calls continue to come in with people requesting to be on the waitlist.

Mr. McBride reported on the critical home repair process. In summary, 46 homes are receiving assistance. Four applications are in process, 17 projects are underway and 25 projects were completed. Of the \$2 million appropriated, approximately \$479,000 has been expended for these projects in the first nine months of the year, which shows the success of the program. Mr. McBride also shared that 66 total critical repairs were completed or are underway in various categories, some of which include HVAC, roofing, electrical and plumbing repairs.

Mr. McBride shared the 2023-2024 CAPER schedule. The public comment period began September 11, 2024, and concludes today; the City Council Meeting public hearing is today; and the report will be submitted to HUD on September 30, 2024.

Mr. McBride opened the floor for questions and comments.

In response to Vice Mayor Gray, Mr. McBride explained that there is some overlap between the critical repair process and the waitlist program because, in some cases, there may be immediate needs that can be addressed through the critical repair process versus those applicants waiting for major renovations.

Mayor Tuck opened the public hearing and, since there were no individuals signed up to speak, he closed the public hearing.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Chris Bowman, that this report be accepted. The motion carried by the following vote:

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

Absent: 1 - Councilmember Harper

PUBLIC COMMENT

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

Mayor Tuck noted that four speakers signed up and then called upon the first speaker, Isaac Bond.

Mr. Isaac Bond greeted those on the dais, introduced himself, and made the following statement: For the last 10 years, we've been having a nightmare going on with our neighbor. We have a neighbor that parks with the front end of his vehicle in my driveway, in our driveway, and he's so...we can't make left turns. Now, this has been going on for 10 years. I called the police out there several times. They won't make a move. They tell me he has a right to park in the City street. I've been working with the folks downstairs, the Public Works, Dupin, Mitchell, Hackstall, Woods - I've been working with those guys for 10 years, and they gave me a letter where by doing what he's doing, he can fine him from \$50 to \$150 per incident. It's been 10 years. He is still doing it. I called the Mayor's Office. Talked to you guys - you girls. I called the City Manager Office. I called the City Council. Called you guys and asked - tell you my problem. What I'd like to have.... I'd like the guy to get out of my driveway so I can use my driveway. Y'all said you would check on it and evidently you called these people downstairs because I told you I was working with them, and I called you guys back and all three of you told me (the folks in the office told me) that ... Mr. Bond, the guys in Public Works said they've done all they can do for you...said they cannot make a person stop parking on the City streets, and they said they told your folks that I wanted them to stop people from parking on Pennsylvania Avenue and the folks downstairs said they tried to convince me that I didn't own the avenue, like I'm retarded. And the folks at the Mayor's Office and the City Office, I think they're the same people, which is fine, but they told me, don't call back there with that foolishness, no more. And right today, which is a lie, I never said nothing about stopping people from parking on the Avenue, Pennsylvania Avenue, that's unheard of, but that's what the folks at Public Works told you guys about me. Meanwhile, the guy still got a great, big old conversion van parked in my driveway right now. It stays there. I can't make that turn.

Mayor Tuck indicated that Mr. Bond's speaking time had expired.

The Mayor called on the next speaker, Teresa Roundy.

Ms. Teresa Roundy greeted those on the dais, introduced herself and made the following statement: I'm a resident and business owner, here in Hampton, and I wanted to come today and just tell you today marks... this week marks the 19th Anniversary of Barnes Cemetery being desecrated, and, if you look, you should have one of these. This is the minutes from the September 28, 2005, City Council Meeting where Mr. Marcellus Alsop came to speak. His grandmother, his mother and his uncle were disinterred and moved without notification, no knowledge, and no legal means being done, and he came before Council, and he stated that this (if you look on page 15, you'll see it as highlighted)...He stated that the cemetery had been in the family since slavery days. He stated that those days the land was in the middle of poor house woods and no houses were around it. He didn't know if the land was purchased or granted by Elizabeth City County. It was purchased by Norfleet Barnes, but the family had permission to use the land and another piece of land next to the cemetery. And Mr. Alsop - you'll see the map here, he also said that there were more graves near Gail Street (Court). They put this road in, but he's talking about the wooded tree line that the people did the ground penetrating radar - said there was no graves. He personally was there when his family members were buried near the back side which was where Gail Street (Court) is. And then Carmen Taylor said that she was informed there were no undertakers present with the removal of the bodies, which is a requirement when you disinter and reinter. And then the next page, Mayor Kearney said there was many laws that prohibits this. Well, in order to do this, legally, you have to do your due diligence for notification and next-of-kin (put it in the paper). It wasn't done. Bill of inequity from the court - that wasn't done. City permit to open and close the grave - that wasn't done. Health permit to transport it - that was done, but they were falsified. The undertaker (and his family was Native American) so that permits was not done.

Mayor Tuck called on the next speaker, Dennis Greene.

Mr. Dennis Greene greeted those on the dais and made the following statement: I'm just here to repeat what I said last meeting with one update. My name is Dennis Greene, and I'm a volunteer with the US Military Veterans Hall of Fame. The Hall of Fame inducts up to eight veterans per calendar year, concluding with an annual gala to celebrate those who serve with honor, corresponding as closely as possible with Veterans. Day. I'm proud to announce the Board of Directors chose to celebrate this year's inductees here in Hampton, Virginia, at our convention center on Saturday, November 16, 2024. The organization has worked closely with City officials since February, and we look forward to an outstanding celebration. Please go to www.usvetshalloffame.org for more information. A \$99 tax deductible donation secures a seat, dinner and networking with national, state and community leaders. There is a possibility of national coverage as News Nation confirmed that our event

is on their calendar. News Nation reaches approximately 50 million households. So, thank you for the opportunity to address you this evening. The update that I have that I did not have last time was the actual list of inductees, and I'll leave this there with you. You have a copy of all eight inductees. Thank you.

Mayor Tuck called on the last speaker, Joan Weaver.

Ms. Joan Weaver greeted those on the dais and Ms. Glass, introduced herself, and made the following statement: I am here to give my mini update regarding our community, and I can stand here, 67 years old, and tell you all how hurt and disappointed I am. I feel like the step child that is not allowed in the kitchen, but is sitting at the kitchen door watching everybody in the City eat at the table. Of all the communities that we have here with...and I separate them, and I, matter of fact, white Wythe, located from Kecoughtan (Road) to Chesapeake (Avenue), and brown Wythe, from Kecoughtan (Road) to Pembroke Avenue, and it has been devastatingly sad. I'm going to share this with you. I know if you all have ridden down Pembroke Avenue, you have seen what City Council approved in our neighborhood. Mayor Tuck, Vice Mayor Gray, Chris Bowman, Billy Hobbs, Eleanor Brown and Ms. Ferebee (Michelle) all approved what is considered the Phoenix Commerce Center. They call it a success. I call it a tragedy. May I share with you, if you ride up that area, we have two warehouses that have been put in that spot that are comparable to a Nimitz Aircraft Carrier that sits on that spot, and we are the ones who face the burden of having that. It's been a detriment, and it's a shame. The proffers that were said were no longer adhered to. We have faced traffic. We have seen all types of negative things, and my ask is... Ms. Bunting, I thank you for your support. Steven (Brown), I thank you for your support as well, but we are tired of sitting at the side table. We want a place at the table. We are just as deserving as any of the communities that are in the City of Hampton, and as you enjoy your gaities, we want to have them too, but with those detriments in our neighborhood, it is going to be a difficult thing to do. Thank you.

Mayor Tuck noted that Ms. Weaver was the last speaker and called upon City Manager Bunting for remarks.

With regard to the issues raised by Mr. Bond, Ms. Bunting noted that she would look at the picture after the meeting, but the police were correct in that the Code provides that people can park anywhere on a public street provided for by taxpayer funds. They cannot, however, park in front of or block a driveway, otherwise, they can be ticketed for it. She also noted that our staff typically would not advise someone to not call the office, but that she would talk with staff as we are always happy to take calls, even if we have to explain things multiple times.

For the benefit of the public, Ms. Bunting provided the following additional information about Ms. Roundy's topic since her speaking time expired and she may have had more to say. At the time when this was brought to Council's attention, there was a fair amount of research done with the Police Department, the Commonwealth's Attorney and the Codes Compliance Department. Criminal charges were filed against the property owner for disinterment of bodies without a City permit, however, the court determined that the property owner did not have criminal intent and dismissed the charges. Once a court makes a determination, the City cannot relitigate a particular case. She explained that the City took action since that time to make notations about how to make sure that if there is a property, such as the Barnes Cemetery, and if there were future building permits applied that we had a note in our computer system to make sure we reviewed with people all the things expected to be done. First, determining whether there are any graves or not, starting with the ground penetrating radar, but if there are graves, clarify what the process is. She emphasized that we prefer people not move graves, but there is a state code that provides a mechanism, as Ms. Roundy was outlining for how that can be done. In addition, we now have records in our system about reviewing a site plan or building permit on known properties with graves. She thanked Ms. Roundy for reminding us of the issue and noted that everyone was shocked and sad about it.

Ms. Bunting thanked Mr. Greene for his efforts to bring the US Military Veterans Hall of Fame here, knowing how much we love and support the veterans in our community.

GENERAL ITEMS

There were no general items on the agenda.

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

The City Manager reported that, last Monday, the City and Hampton City Schools jointly held a Community Safety Forum at Hampton High School. She briefly described what took place at the forum. In summary, this work is being done in an effort to keep our students safe. Ms. Bunting also announced that there will be additional forums in the future and more opportunities for those who may not have been able to attend.

Ms. Bunting emphasized that while crime is down and we are making significant progress, it still takes the entire community working together to keep the community safe.

MISCELLANEOUS NEW BUSINESS

There were no items of new business.

ADJOURNMENT

The meeting adjourned at 7:30 p.m.

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

Donnie R. Tuck
Mayor

Katherine K. Glass, MMC
Clerk of Council

Date approved by Council _____