



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 Eleanor Weston Brown
Councilmember Steven L. Brown
Councilmember Billy Hobbs
Councilmember Chris Snead

STAFF: Mary Bunting, City Manager
Cheran Cordell Ivery, City Attorney
Katherine K. Glass, Clerk of Council

Wednesday, February 24, 2021

6:30 PM

Council Chambers

CALL TO ORDER/ROLL CALL

Mayor Tuck called the meeting to order at 6:50 p.m. All members of City Council were present with Councilman Hobbs and Councilwoman Snead participating remotely from their homes via Zoom. The City Manager and City Attorney also participated from their offices via Zoom. In order to keep those physically present in Council Chambers to ten, also present in Council Chambers were the Clerk of Council, a staff person from Channel 47, a Bailiff and a Fire Marshal. This allowed a member of the public to address members of City Council.

Mayor Tuck explained that governmental bodies are exempted from the ten people gathering limit but the City of Hampton is choosing to lead by example by limited the number in Council Chambers to ten.

Present: 7 - Councilmember Chris L. Bowman, Councilmember Eleanor Weston Brown, Councilmember Steven L. Brown, Vice Mayor Jimmy Gray, Councilmember Billy Hobbs, Councilmember Chris Snead and Mayor Donnie R. Tuck

DONNIE R. TUCK PRESIDED

1. [21-0067](#) Motion to approve the electronic participation of Councilman Hobbs (pursuant to Section (1)(a) of the City Council's Electronic Meeting policy), and Councilwoman Snead (pursuant to Section

(1)(a) of the City Council's Electronic Meeting policy).

Councilmembers Billy Hobbs and Chris Snead read statements requesting approval to participate in the meeting electronically via zoom. A motion was made by Councilmember Chris Bowman and seconded by Councilmember Steven Brown, that this Motion be approved. The motion carried by the following vote:

Aye: 5 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray and Mayor Tuck

Abstained: 2 - Councilmember Hobbs and Councilmember Snead

INVOCATION - Councilmember Steve Brown

Before giving the invocation, Councilman Brown asked those in attendance to observe a moment of silence in memory of the over 500,000 United States citizens who have lost their lives due to the Corona virus.

PLEDGE OF ALLEGIANCE TO FLAG

Mayor Tuck led the Pledge of Allegiance.

MAYOR'S COMMENTS

Mayor Tuck shared that he received an e-mail from Dr. Janice Richison, Assistant Principal of Hunter B. Andrews PreK-8 School. Dr. Richison communicated that Virginia Department of Transportation (VDOT) sponsored a Tunnel Boring Machine (TBM) Naming Contest back in October which was open to all Middle Schools in Hampton Roads and the Andrews team was one of the top three finalists for the award. This morning the announcement was made that our team was the third place finisher and their name was TEO standing for The Emancipation Oak and presented the name based upon its historic significance. The first place winner was a Virginia Beach school who suggested Dr. Mary Jackson, a Hampton resident and the first female African American engineer at NASA. The second place winner was Crittenden Middle School who also submitted the name Mary.

Mayor Tuck continued indicating that the members of the Youth Advisory Group (YAG) of Hampton's Citizens' Unity Commission met last Tuesday to discuss how Hampton could inspire youth

and continue to make their world meaningful. Some of the suggestions were to provide support, personal protective equipment, and encouragement to those who are scared or at risk and to address safety and validate cleanliness to help relieve anxiety. They suggested continued support by providing peer-to-peer counselors and managing the age gap as most young people would benefit from the advice of a peer. Identifying scholarship opportunities from organizations and community groups would be beneficial to young people. They also asked that people be supportive of the Class of 2021 as they transition from high school to college during a pandemic. They wanted more attention drawn to washing hands, wearing masks and watching your distance stating that Youth are ready to mingle with friends but must be sure to still adhere to safety guidelines.

Mayor Tuck stated that the past Thursday or Friday he was waiting for the elevator to arrive on the either floor when he noticed two women from the City's custodial team, Jacqueline Shelton and Jessica Westley, who were dusting and they even dusted the plates mounted on the wall outside of the restrooms. The plates are just a few inches large and about a quarter of an inch thick and about five feet five inches above the floor and the ladies took a rag and wiped the top of those signs and he was amazed by their conscientiousness as no one would notice if those signs were dirty or clean but they took pride in their work and he wanted to recognize them. He commended Ms. Shelton and Ms. Westley for their thoroughness and conscientiousness.

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 Snead, seconded by Councilmember Weston Brown, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

2. [21-0060](#) Resolution to Amend the Fiscal Year 2021 Council Approved Budget to Appropriate \$18,938.57 from the Women in Public Service (WIPS) Conference Assigned Fund Balance Account to the Fire & Rescue Division's Operating Budget.

Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

3. [21-0066](#) Resolution to Amend the Fiscal Year 2021 Council Approved Budget to Accept and Appropriate the 400 Years Forward: Continuing the Legacy of Heritage in Hampton Marketing Leverage Grant awarded by the Virginia Tourism Corporation to the Hampton Convention and Visitor Bureau

Attachments: [Routing Document](#)
[Grant Proposal Overview](#)
[Grant Agreement](#)
[Grant Award](#)

Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

4. [21-0078](#) Resolution to Transfer Bond Funds of \$166,422 from the completed Factory Point Restoration Project and from the Shoreline Management Study Project to the Gosnold's Hope Park Maintenance Dredging Project.

Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

5. [21-0065](#) Resolution Authorizing the Approval and Execution of an Agreement between the City of Hampton, Virginia, the City of Newport News, Virginia, and the Peninsula Industrial Finance Corporation to Facilitate the Receipt, Administration, and Distribution of a CARES Act Recovery Assistance Grant from the Economic Development Administration of the United States Department of Commerce to Prevent, Prepare for, and Respond to the Coronavirus Pandemic

Attachments: [EDA RLF STCs - Apr 30 2019](#)
[AGREEMENT BETWEEN NEWPORT NEWS HAMPTON and PIFC - Final 2.17.2021](#)
[Award Letter Newport 01-79-14981](#)
[Exhibit 1 - Current Administrative Plan](#)
[Exhibit 1-A - CARES Act RLF Admin Plan Amendment](#)
[Specific Award Conditions RLF Award-Newport News 01-79-14983](#)

Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

6. [21-0086](#) Resolution to Approve an Encroachment Agreement Pursuant to Hampton City Code § 34-86 Between the City of Hampton and Raymond Lee Wiesen to Allow an Encroachment Into a Portion of City of Hampton Drainage Easement for the Installation of a Black Aluminum Fence and Gate

Attachments: [2021-01-27_Signed by owner](#)
[Presentation](#)

Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

7. [21-0085](#) Resolution to Request the Virginia Department of Transportation Program Four State of Good Repair Projects into its Six-Year Improvement Plan, to Amend the City Manager's Council Approved FY21 Capital Budget to Incorporate the Projects, to Appropriate \$1,500,000 VDOT State of Good Repair Funds

Required for the Projects, and to Authorize the City Manager or Her Designee to Execute any Necessary Agreements

- Attachments:** [VDOT Appendix A - UPC 117145](#)
[VDOT Appendix A - UPC 117146](#)
[VDOT Appendix A - UPC 117147](#)
[VDOT Appendix A - UPC 117196](#)

Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

8. [21-0087](#) Resolution Requesting the Virginia Department of Transportation to Add and Delete Certain Streets to Those Classified as Principal and Minor Arterial Roads and Collector Roads and Local Streets

Attachments: [2021 VDOT Street Additions U-1 Form](#)

Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

9. [21-0076](#) Approval of the minutes from the work session and ceremonial session of January 27, 2021, and the special meeting of February 10, 2021

Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

PRESENTATIONS, PROCLAMATIONS, AWARDS

PUBLIC HEARINGS

The Clerk did not read the protocol for the public hearing in that no speakers were signed up to speak on the items.

10. [21-0082](#) FY2019 Community Development Block Grant (CDBG) Annual

Action Plan Amendment

Attachments: [CDBGCV1 Amendment Package FY19
Presentation](#)

There was a joint presentation and public hearing on items 21-0082 and 21-0083. There were no speakers on these items so Mayor Tuck opened and closed the Public Hearing. A motion was made by Councilmember Steven Brown and seconded by Councilmember Eleanor Weston Brown, that this Public Hearing be approved. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

11. [21-0083](#) FY2019 Community Development Block Grant (CDBG) Annual Action Plan Amendment (CDBG-CV3)

Attachments: [CDBGCV3 Amendment Package FY19
Presentation Note](#)

There was a joint presentation and public hearing on items 21-0082 and 21-0083. There were no speakers on these items so Mayor Tuck opened and closed the Public Hearing. A motion was made by Councilmember Steven Brown and seconded by Councilmember Eleanor Weston Brown, that this Public Hearing be approved. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

City Manager, Mary Bunting introduced Lauren White, the Chief Development Specialist in the Community Development Department Neighborhood Office Division and indicate that she would give a presentation highlighting two different amendments, each requiring two votes.

Ms. Lauren White greeted the attendees and introduced her presentation on the substantial amendment to the 2019 action plan. This covered a special allocation of Community Development Block Grant funds known as CDBG-CV1 and CDBG-CV3. She announced that the City of Hampton has been awarded two special community development block grant allocations from the federal CARES Act. She provided the qualifications of the funds use towards the COVID-19 pandemic.

She provided background information on the amendment to CDBG-CV1 and CDBG-CV3. Federally there were three allocations of CDBG-CV funds, but the second allocation was awarded to State government, so the City of Hampton was ineligible for the CDBG-CV2 funds. Next, Ms. White listed eligible uses of CDBG-CV funds in buildings and improvements, special economic development, provision of public services, and administrative and planning activities. She announced the City's CDBG-CV planning team included representatives from multiple departments including City Manager's Office, Emergency Management, Community Development, Economic Development, Human Services, Peninsula Health District, and Parks, Recreation and Leisure Services.

On the next slide, Ms. White presented the proposed activities and budget for CDBG-CV1. The housing programs activity was determined to be ineligible for CDBG-CV funds, so it was reallocated to the support for health and human services activity. The support for health and human services activity provides funds for nonprofits and City services providing emergency food, shelter, and health care support for low income residents in low to moderate income areas. The business assistance activity provides funds to local businesses in low to moderate income areas. The planning/administration activity includes funds to support a City-wide poverty study that will assist in responding to immediate and future release efforts.

She continued to the proposed activities and budget slide for CDBG-CV3 providing details on business assistance, support for health and human services, and planning/administration activities.

From the public input and next steps slide, Ms. White announced that public comments received would be submitted to HUD as part of the Action Plan amendment included in public record. She continued that staff recommends City Council approve this amendment to the 2019 Annual Action Plan.

Ms. White thanked the attendees and opened the floor for questions.

Mayor Tuck asked if there were any questions or comments. No questions or comments were posed.

PUBLIC COMMENT

The Clerk of Council read protocol for Public Comment period.

Mayor announced Andrew Bigelow as the first person to speak.

Andrew Bigelow:

Good evening Mayor Tuck, members of Council. My name is Andrew Bigelow and I live in Hampton's Riverdale neighborhood. I'd like to speak to you tonight concerning a property assessment change notice which I and others in my neighborhood received in the mail last week. That notice advised us of a 6% increase in the assessed value of our homes. I am here tonight to ask that you reexamine the criteria on which that general assessment increase was made in light of the pandemic induced economic situation that we've been in for the past year. I am thinking that there are fewer houses for sale in this community simply because the normal housing market has been artificially and adversely impacted by the pandemic and economic situation that we as a community find ourselves in. As a result, the relatively few people who are in a position to sell their homes at this time can demand a higher than normal sales price due to limited property availability. The rest of us are not in a position to sell because we have no safe place to go in light of the current pandemic. To raise everyone's property assessment and impose the resulting property tax increase based upon this marketplace irregularity does not seem to me to be the right thing to do to the citizens of this City at this time. We can expect that the marketplace will eventually right itself and return to normal. But I'm sure that in that case there is no provision in the assessor's rules to refund the increased tax money that was collected as a result of this artificially induced assessment increase. I ask that Council reexamine current property assessment criteria and the tax rate in light of our community economic and pandemic situation and do what is in the best interest of Hampton citizens that is the people who live here. This assessment increase translates into a tax increase that most people in the community can ill afford. I think there are other people here that agree with me, but they have not been allowed into the room. But I thank you for your time and I hope you'll look into this situation because it's something that we need to do something positive about. Thank you.

Mayor Tuck called on the next speaker Rico McLean.

Rico McLean:

Thank you, Mayor. Mayor ... just talk? Mayor Tuck, Councilmembers, good evening to all. My name is Rico McLean. I live in Hampton. First of all, I'd like to echo Mr. Bigelow's comments. We are in agreement with him. And second, I'd like to make a comment on the City increase tax myself. I feel that it's not the right time to assess 6% increase in the assessment property during the pandemic period. I'd like to ask that it may be reconsidered, either put a hold on it and let it remain as is, or lower the tax rate or something that will allow the economy to recover. This would be a great help and not such an impact on the homeowners. Right now, a lot of homeowners can't pay, and are losing their homes due to not having jobs or being able to earn a living. They wait for stimulus checks. Some have been received too little too late because they're already behind and in arrears. I believe this time is needed for the economy to recover. Thank you.

Mayor Tuck announce the next speaker, Craig Knopp.

Craig Knopp:

Good Evening Council. So, I see that we're starting school here again.

Mayor Tuck asked him to state his name.

Mr. Knopp proceeded.

Good Evening City Council, my name is Craig Knopp. I'm going to sit here and kind of talk about some school issues I got. So, not so much for you guys just more so our State delegates that are from this area here. As you know, kids are starting back to school and security for school is always a concern. Last year, our delegates, Delegate Moore and Delegate Mugler, had a bill brought to them that would reduce the school funding for school resource officers by 15 million moving it off to another item and this is very concerning that our delegates don't feel that school resource officers are a high priority that they can go ahead and move funding away from that but I'm not so much going to ask whether they've contacted you. I do have concerns that they've probably have not contacted you, but I'll take that up with them and I will talk with them more on that. Basically, I had a few other questions on the school resource officers and the budget themselves. Does that come from the police or does it come from the funding that we give to the School Board itself. And then, that's the only question I have. That's all I have, alright. Thank you.

Mayor informed Mr. Knopp that the City Manager would get a response to him about the funding for resources.

The Mayor stated the tax rate or assessments were not discussed with the Council. There was a brief discussion in the earlier work session, and it was decided to allow the Finance Committee to look at the tax rate. He provided an example of property assessment based on the street he lives on where the same investor fixed up both houses and sold them with increased sale prices. The intent of the City Council is not to impoverish residents, but real estate tax is the primary source of revenue. The Mayor shared that the intent is to make the City more appealing to businesses so they will relocate to Hampton. The meal and hotel taxes were down last year due to the pandemic. The Mayor reiterated that the Finance Committee will look at the appraisals and tax rate and advise Council and City Manager as to what might be done.

The City Manager, Mary Bunting, announced a substantial increase on sales throughout the State. She continued that historically low interest rates are making homeownership for most people who previously rented. Mrs. Bunting announced a 13% increase in sales transfers this year. Under State law Council must follow the sales data. They cannot artificially change assessments, defer implementation of assessment or lower and assessment increase. Property must be assessed as sales data suggests. She added if someone feels their assessment is erroneous or accurate, there is an appeal process

individuals can follow. First step is to speak with assessor that completed the review. They will show what affected their review. She encouraged people to call 311 to be connected to the assessor who did property review in their neighborhood. If an error is found, they will correct it. If they don't believe there was an error, they will inform citizens. The Council appoints a real estate assessment review board that meets each year to review citizen and business appeals. The Assessor's office will provide forms for appeal review. She provided information for the Elderly and Disabled Tax Relief Program for seniors with limited income. Options are to freeze taxes at current value or defer taxes and not pay anything until when the property transfers. She continued the Commissioner of the Revenue Office completes the applications and certifications. If anyone is interested in the program, they can call 311 and be connected with the Commissioner of the Revenue Office to complete an application.

Mrs. Bunting concluding her remarks. In her response to Mr. Knopp for the public record she stated the school resource officers are full time police officers. The school system pays for their salaries while they are in the schools which are nine to ten months of the year. Their salaries and benefits are paid by Hampton City Schools in the summer months and when they are not in the schools, they are redeployed throughout the community.

The Mayor thanked Mrs. Bunting and proceeded with the meeting

The Mayor shared that the City Council had a brief discussion this morning and will allow the Finance Committee to look at the tax rate so that they can take a holistic approach. He also indicated that Council doesn't have anything to do with the assessment. He shared that Council understands the hardship many face in this situation but real estate taxes is one of the primary means of funding local government. Council does not want to impoverish Hampton citizens.

The City Manager added that Hampton had a substantial increase in sales which aligns with the region and the state and the low interest rates make home ownership available to more. There was a 13% increase in sales transfers this year. Many of the sales moved very quickly and at prices higher than expected. The City is required to accurately assess properties and Council cannot impact that, however if individuals believe there is an error in their assessment, there is a process for citizens to first speak with the assessor who did their property review which also provides an opportunity for citizens to provide mitigating information. This begins with a call to 311. There is also a citizen review board to hear citizen appeals of their assessment. The assessor's office provides the forms to do so. Since this is particularly difficult for many seniors, the City does have a program for elderly and disabled and quite a few members of the community will qualify at some level and there are a variety of ways relief is offered. The applications are available through the Commissioner of the Revenue's office and 311 can connect citizens with that office.

The City Manager indicated that the school system does pay for the school resource officers for the months when they are in the schools and the City redeploys them in the summer and covers their salaries during that time.

GENERAL ITEMS

Appointments

Clerk read motion required for appointments

Two motions were required. She stated the first motion would require a second.

12. [21-0048](#) Consideration of an Appointment to the Hampton Redevelopment & Housing Authority
- A motion was made by Councilmember Eleanor Weston Brown to appoint Gerelle Jones to a first four year term which will expire on February 28, 2025. The motion carried by the following vote:
- Aye:** 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck
13. [21-0070](#) Consideration of an Appointment to the Hampton Federal Area Development Authority (FADA)
- A motion was made by Councilmember Eleanor Weston Brown to appoint Paula Hogg to her second term which will end on November 30, 2024. The motion carried by the following vote:
- Aye:** 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck
14. [21-0047](#) Consideration of Appointments to the Coliseum Advisory Committee
- A motion was made by Councilmember Chris Snead and seconded by Councilmember Billy Hobbs, that this Appointment be deferred to the City Council Legislative Session, due back on 3/24/2021. The motion carried by the following vote:
- Aye:** 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

15. [21-0071](#) Consideration of Appointments to the Animal Control Advisory Committee
- A motion was made by Councilmember Eleanor Weston Brown that Sharon Bilyj, Katherine Omo, and Liz Peabody be appointed to first terms of three years which will expire on February 28, 2024. The motion carried by the following vote:
- Aye:** 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck
16. [21-0049](#) Consideration of Appointments to the Board of Zoning Appeals
- A motion was made by Councilmember Eleanor Weston Brown that recommendation be made to the Hampton Circuit Court to reappoint Dr. Tamika Lett to her first full term ending on December 31, 2025 and to appoint Joshua King to fill the unexpired portion of a term until December 31, 2023, and to appoint Phillip Sift as an alternate. The motion carried by the following vote:
- Aye:** 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

There were no reports.

MISCELLANEOUS NEW BUSINESS

Councilman Bowman indicates that as he has done some local clean-ups, he has noticed masks that can end up in storm drains, etc. and can harm birds and sea life. He reminded citizens that they should cut the ear straps on masks before disposing of them which will help save birds and sea life.

ADJOURNMENT

The meeting adjourned at 7:34 p.m.

Donnie R. Tuck
Mayor

Katherine K. Glass, CMC
Clerk of Council

Date approved by Council _____