



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 Michelle T. Ferebee
Councilmember Billy Hobbs

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

Wednesday, September 28, 2022

6:30 PM

Council Chambers

CALL TO ORDER/ROLL CALL

Mayor Tuck called the meeting to order at 6:33 p.m. with all members of the City Council present.

Present: 7 - Councilmember Chris L. Bowman, Councilmember Eleanor Weston Brown, Councilmember Steven L. Brown, Councilmember Michelle T. Ferebee, Vice Mayor Jimmy Gray, Councilmember Billy Hobbs 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 shared that the Center of Science and Industry (COSI) partnered with the Virginia Peninsula Foodbank and NASA earlier today, since September is Hunger Action Month, to distribute approximately 500 STEM kits called Learning Lunch Boxes along with food distribution today. NASA provided supporting volunteers. The kits provide about 10 hours of content and five science activities. Vice Mayor Gray described the contents included in the learning lunch boxes.

Mayor Tuck made a few comments related to prostate cancer and then introduced President and Co-Founder of the Hampton Roads Prostate Health Forum, Charlie Hill. Mr. Hill said that African-Americans live the sickest and die the youngest of any group in our country. He shared his personal experience with the disease and has dedicated most of his time making others aware of prostate cancer.

Mr. Hill made a few additional remarks about prostate cancer; announced that September is Prostate Cancer Awareness Month; and left blue ribbons for Council to wear promoting awareness.

CONSENT AGENDA

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

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

1. [22-0256](#) Resolution to Amend the Fiscal Year 2023 Council Approved Budget and Accept and Appropriate the 2022 Summer Food Service Program Grant for Children through the U.S. Department of Agriculture (USDA)

Attachments: [PRLS USDA SFSP Grant Application](#)

Item approved.

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

2. [22-0260](#) 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 FY2023 Capital Budget to Incorporate the Projects; to Appropriate \$1,500,000 VDOT State of Good Repair Funds to the Capital Projects Fund for those Four Projects, including West County Street Resurfacing Project, Mercury Boulevard Resurfacing Projects, Armistead Avenue Resurfacing Project; and to Authorize the City Manager or Her Designee to Execute any Necessary Agreements

Attachments: [Agreement Package UPC 121039.pdf](#)
[Agreement Package UPC 121041.pdf](#)
[Agreement Package UPC 121113. 121040.pdf](#)

Item approved.

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

3. [22-0261](#) Resolution to Amend the FY 2023 Council Approved Budget to Accept and Appropriate an Unconditional \$10,000.00 Gift from the United Steelworkers Local 8888 to be used by the City of Hampton's Department of Parks, Recreation & Leisure Services to Support the Operation and Maintenance of the Mary W. Jackson Neighborhood Center, Pursuant to City Code § 2-134
item approved.

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

PRESENTATIONS, PROCLAMATIONS, AWARDS

There were no Presentations, Proclamations or Awards.

PUBLIC HEARINGS

There were no public hearings.

PUBLIC COMMENT

Ms. Glass read the protocol for the Public Comment Period.

Rev. John Kenney greeted those on the dais and made the following statement: I am here to speak on behalf of a subject that will be before you in a very few months.

Communities of color have historically been the victims of government practices when it comes to the preservation of said communities. From Native American Indian reservations to black Wall Street to the massive splintering of black communities as a result of interstate highway construction, communities of color have always been victimized. And, true to form, this soon to be voted upon rezoning application of 750 Shell Road is the latest expression of such government takeover. Now, why do I say that? There are several reasons I want to list tonight. First of all, the EDA (Economic Development Authority) acquired 750 Shell Road property. Since they've acquired it, there has been zero input from the community over their opinions or desires over the future of the property that once housed the Virginia School for the Deaf and Blind. There was a land use amendment hearing in January 2017, where no opposing voices from the community was offered because, as we were told in a meeting, and I quote, "The community is not normally invited to land use amendment hearings." Secondly, the proposal for rezoning is an environmental justice issue simply because of two basic criteria: communities of color and low-income. Now, both of these criteria describe the community surrounding this rezoning proposal; therefore, making the construction of warehouses and all that comes with warehouses antithetical to the future well-being of an already disadvantaged community. Fair treatment is lacking because no one in the community should bear the overall negative burdens of any one community. Thirdly, this proposal lacks both equity in planning and ethics in planning. The City has developed policies regarding the future infill development of communities, one such policy: new construction must be compatible with existing structures in the neighborhood - that was ignored. Also, the proposal contradicts the community design objective of promoting projects that fit its surroundings and celebrates Hampton's culture and heritage. Since there is no equity in planning or ethics in planning, this effort will further disenfranchise yet another black community. Thank you.

Mr. Chris Mathews greeted those on the dais and made the following statement: I'm out in our community every day. I'm always finding new reasons to talk to people (and) taking on new issues with people. One of the issues that I've noticed myself and it's been brought to my attention by multiple people is the Boo Williams Sports Complex is underutilized as a neighborhood recreational center. We have the ability to use it for rec leagues such as kickball, roller derby, numerable sports - soccer, field hockey, anything for adult pick up leagues and those are all revenue streams that could come into the Boo Williams Sports Complex. They would be able to take a tax payer funded complex and turn it into something that could compete in at least a semi-national stage. One where we could bring in teams from out of the City into our City and have them stay in our hotels, eat our food and enjoy their time in Hampton and compete in a friendly, open environment such as the Boo Williams Sports Complex. Specifically, I'd like to talk about the roller derby. I have been

approached by the Ghost Riders, they are a roller derby team out of Smithfield and they practice in Newport News, but they are looking to expand, they want more competition and we host a great venue. We would be able to create our own team, compete with them. There's ...Virginia Beach has a team too, and, this is something that could turn Hampton into another spot that people want to come to just for one reason - that reason may be a sport or pick up league that they are attracted to. That's all I have for you. Thank you.

Mr. Aaron Weaver greeted those on the dais and made the following statement: I come today to voice frustration and concern that has been being voiced since 2013. The Daily Press has detailed the articles in reference to the site 750 Shell Road and in reference to this and how discussions with development of the school site transitioned into expressions of frustration among the City. A resident said - Mr. Gene McCoy said...It seems like we are always being dealt a bad hand. Every inch of land does count, but don't make it count on our end. The land can be something other than industrial park and still make money. Three years later, this property was transferred to Economic Development August 17, 2016. This was way before the January 11th City Council public hearing and also the public hearing on December 1, 2016. Why do I say that's important? I say that's important because we were told that there's nothing that can be done with this land in terms of for what we asked for which is multi-family development - either single-family development. That's what we're being told. At the same point in time, Town Point Park of Briarfield was sold for \$9 million and ten acres of land. Tides Newmarket at H20 was \$2 million for 2.66 acres of land. The most recent, current two recent ones, 960 Big Bethel Road was sold for \$750,000 for 7.56 acres of land doing exactly what we've been asking...multi-family development. The most current one is what we just witnessed the last two weeks - 10 doors, Carson Drive, 37.86 acres. Again, these are the things that we were asking for with this property. We're not asking for an industrial park because of all the many things that come with an industrial park. We are asking for this. We are appealing for this. Mayor Tuck made some great comments amongst those being having adequate housing for housing and childcare. We all agree. We wholeheartedly agree with those statements and also the statement that housing units are needed. We are extremely concerned with the compatibility with this land and it goes on to talk about the City Public Policy, Policy 7, Policy 11, Policy 25, Policy 29. All of these policies do not fit with what is trying to be done. Mind you, we were not advised, like this policy 25 says, we were not advised. We were told what was going to be put there and then we asked to speak directly to City Council ourselves and we were told that we cannot do that because it could be a conflict of interest. Mind you, on the day that I was sitting at the Economic Development, they were in a closed session meeting where they got to talk about the numbers and stuff like this. This is what I am appealing to you all for. This is what the neighborhood is appealing to you all for. I am asking. That's what we are doing.

Thank you all for your time.

Ms. Joan Weaver greeted those on the dais and made the following statement: As we said, we will return time and time again requesting to be heard regarding Virginia State School for the Deaf and Blind. What we are asking is not something which has not been done before. At the Hampton City Council, or should I say City of Hampton Planning Commission, I reflected back on a time when, in my opinion, Hampton City government was ethical in everything that it did. I reflected on that woman there, our first elected Mayor, Mayor Ann Kilgore, and I think she and the City Council that she represented is something that we would like you all to reflect on, also, to see what Hampton City was like. And, I will recap for you. She was the first woman to serve as Mayor. During her tenure, she and her City Council, we had the City Hall built; we had the Police station; donated land for Thomas Nelson Community College; and she helped successfully integrate the Hampton Public Schools, and she did it without one single lawsuit. Now what does that say about her integrity and her character? She, an educator, based upon her outstanding community college and public accomplishments, it is clear Virginia State School for the Deaf and Blind campus would be given the respect for the development that it rightfully deserves and it is development that is compatible with the environment. Her moral compass is sorely missed in government. The things she did, integrity-based decision making decisions; human dignity got sacrificed for a dollar. So, what we are asking, don't put us on the sacrificial block. Do not let it be said that the City of Hampton collected taxes as the expense of environmental justice, or should I say injustice, in which we, the Virginia State School for the Deaf and Blind and the neighboring communities have been subjected to. We are looking at environmental injustices and we don't want the pollutants. We don't want any of that in our area because if it were not for industry pollutants, we would not be suffering what we are suffering now in our environment, climate change, and it is something which is critical and crucial. So, once again, we ask, give us the dignity. Follow your rules. And, that is what we ask. Thank you.

Delegate A.C. Cordoza greeted those on the dais and made the following statement: I am the Delegate representing Hampton, Poquoson and York County and I am coming to give you an update from the Governor's team. As you guys know, Hurricane Ian is approaching us quickly and will arrive on Friday. The Governor has declared a state of emergency ahead of Ian, and so, I am here to inform you and the citizens of Hampton of ways they can be more prepared for the storm. I would request that the citizens please visit vaemergency.gov or (inaudible) Facebook, Instagram, except Twitter which is VDEM for more information and updates. That's basically my update. Please be safe and be prepared. Thank you.

Mr. Danny Calhoun greeted those on the dais and made the following statement: I

am a business owner here in Hampton and I am new to the City, so I really liked the warm welcome that Virginia has given me. My business is in the beauty industry and we provide licenses for people to get licenses in the barber industry, cosmetology, nail technician and skin care. We accepted an award on behalf of Beauty for Ashes. I'm pretty sure that is a great organization, but my organization is called the Asher Institute of Hampton. We are also in the beauty industry, so I could see how they made that (inaudible word). I was going to give it to them. I'm pretty sure it is nice.

Mayor Tuck indicated that staff will find a way to get the award to the appropriate business.

Mr. Calhoun continued his statement: We were just featured (since I've been here for a couple of weeks). We have gone out into the community. The first thing we would like to do is establish ourselves as a business. What we do is we offer free haircuts for people. We were just featured on News 3 last week. They gave us an Everyday Hero Award because we gave out 100 haircuts; 100 car washes. I was up there washing people's cars and it was a great time. It was about \$8,000 worth of community dollars that we spent to put that event together, but we also have plans to do a turkey drive to give people some food for Thanksgiving which is coming up in November. We definitely want to do a toy drive. These are things that I have done. I've been in business for over 20 years. I come from Ohio. I went to the University of Cincinnati and I played college football. I was a professional boxer. I worked with Floyd Mayweather, Jr. I'm from Chicago, Illinois. So, I'm Danny Calhoun from the Asher Institute of Hampton. I'm just looking forward to anybody here that can give us some help. We want to partner with the free store foodbanks and we want to partner with you guys. We have hundreds of students that are looking for an opportunity that may not be interested in a four-year college degree, but we can get them licensed within one year and they can get into the workforce and that is what we offer. So, we have voting students, a lot of them and we want to support the community any way we can.

Mayor Tuck shared that Council had an extensive conversation earlier today about what Mr. Calhoun proposed, so his announcement is very timely. He also apologized about the plaque mix-up and assured Mr. Calhoun that the plaque would get to the appropriate person.

GENERAL ITEMS

There were no general items.

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

City Manager Mary Bunting thanked Delegate Cordoza for sharing the information

regarding the Governor's declaration; noted that Hampton has not yet made a local declaration, but most likely will soon; and then provided the following information which was received today during a call with the National Weather Service. Ms, Bunting noted that this information is subject to change based upon the path of Hurricane Ian.

Earlier today Ian had made landfall in Florida as a slow moving system. Florida is being hit with significant wind and rain as well as catastrophic storm surge levels. The storm will continue Northeast tonight and tomorrow. It will move into the Atlantic Ocean around 8PM Thursday and then turn North/Northwest. Virginia will be squeezed between high pressure systems to the north and Ian, resulting in a prolonged event. Currently, the tracks converge with a weekend landfall in South Carolina, although the National Weather Service advises that if the landfall track moves further north to the vicinity of Wilmington, NC, the impact to our area could be significantly worse than currently predicted. Currently, the predicted impacts to our Hampton Roads area are described as being similar to a prolonged Nor'Easter. For instance, the winds are expected to increase Friday night and continue through Sunday before decreasing late that day. Gusts of 30-35 miles per hour are likely with gusts up to 40-45 miles per hour are probable along the coast. We are currently expecting six to eight inches of rainfall on the Peninsula. It is estimated that the serious rain will begin between 2-5PM on Friday and continue overnight into Saturday morning. Saturday will bring ongoing moderate persistent rainfall throughout the day with periodic bands of heavy rain. Hourly accumulation of a half of an inch to an inch per hour is expected over the course of the day which means we will experience flooding. That happens whenever we have an intense rain event in the community. Rain is expected to decrease late Saturday with only scattered showers continuing on Sunday. The tides right now: The Northeast winds will persist Thursday evening through Saturday pushing water into the Chesapeake Bay. Minor tidal flooding is expected at each high tide from Friday afternoon through Tuesday. Tides will build each day and could be significant come late weekend and early next week. Northeast winds may pick up again as the storm exits, pushing tides even higher late Sunday and Monday.

Ms. Bunting noted that through the City's social media channels and our normal communications (email, Enews and our T.V. news stations), we will be giving updates to our residents as information changes and shifts according with Ian's track. She stated that the City will activate its emergency operations center as it does with any major weather event. She assured residents that the City government team is well-exercised and well-prepared for whatever may come our way.

Ms. Bunting also encouraged everyone to heed Delegate Cordoza's advice about checking the state website to ensure everyone is prepared and to evacuate early if

they choose to do so. She encouraged citizens to stay tuned to our public channels for more information.

Mayor Tuck asked if City staff has communicated with Hampton University's severe weather center as it typically has higher predictability than local area weather services.

Ms. Bunting said that she was uncertain as Council and staff have participated in other meetings all day, but Hampton's Emergency Management team usually consults with them. She reiterated that, as of now, she has no word about how Hampton University's severe weather forecast is tracking with the national weather service, but staff will share any information received once they know what their track may look like.

Following the City Manager's report, Mayor Tuck allowed Mr. Danny Calhoun to speak as his name was inadvertently placed on the incorrect sign-up sheet. Mr. Calhoun's comments can be found under the public comment portion of the minutes.

MISCELLANEOUS NEW BUSINESS

There was no new business.

ADJOURNMENT

The meeting adjourned at 7:09 p.m.

Contact Info:

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

Donnie R. Tuck
Mayor

Katherine K. Glass, CMC
Clerk of Council

Date approved by Council _____