



City of Hampton

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

Council Approved Minutes - Final City Council Legislative Session

Mayor Jimmy Gray
Councilmember Randy C. Bowman, Sr.
Vice Mayor Steven L. Brown
Councilmember Carolyn S. Campbell
Councilmember Michelle Taylor Ferebee
Councilmember Hope L. Harper
Councilmember Martha M. Mugler

STAFF: Mary Bunting, City Manager
Courtney R. Sydnor, City Attorney
Katherine K. Glass, MMC, Clerk of Council

Wednesday, January 8, 2025

6:30 PM

Council Chambers

CALL TO ORDER/ROLL CALL

Mayor Gray called the meeting to order at 6:30 p.m. with all members of the City Council present.

Present: 7 - Councilmember Randy C. Bowman Sr., Vice Mayor Steven L. Brown, Councilmember Carolyn S. Campbell, Councilmember Michelle T. Ferebee, Councilmember Hope L. Harper, Councilmember Martha Mugler and Mayor Jimmy Gray

JIMMY GRAY PRESIDED

INVOCATION - Councilwoman Martha Mugler

Councilwoman Mugler gave the invocation.

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

Mayor Gray shared that the organizational meeting of City Council took place this morning and he welcomed the new and returning members. He also spoke about the goal for the new Council which is to work together to do its best for the citizens of Hampton.

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 Sr., Vice Mayor Brown, Councilmember Campbell, Councilmember Ferebee, Councilmember Harper, Councilmember Mugler and Mayor Gray

1. [24-0533](#) 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: [FY2024 VDOT U-1 Submittal](#)

Item approved.

Aye: 7 - Councilmember Bowman Sr., Vice Mayor Brown, Councilmember Campbell, Councilmember Ferebee, Councilmember Harper, Councilmember Mugler and Mayor Gray

2. [24-0535](#) Resolution to Amend the Resolution Establishing the Citizens Police Advisory Group as a Hampton City Council Appointed Committee

Attachments: [CPAG 2024 Resolution Amendment](#)

Item approved.

Aye: 7 - Councilmember Bowman Sr., Vice Mayor Brown, Councilmember Campbell, Councilmember Ferebee, Councilmember Harper, Councilmember Mugler and Mayor Gray

3. [24-0523](#) Correction of Appointment Terms for Citizens Police Advisory Group, Peninsula Agency and Aging, and Neighborhood Commission

Item approved.

Aye: 7 - Councilmember Bowman Sr., Vice Mayor Brown, Councilmember Campbell, Councilmember Ferebee, Councilmember Harper, Councilmember Mugler and Mayor Gray

4. [24-0536](#) Resolution Authorizing the Donation of Tasers and related equipment to the Gloucester County Sheriff's Office
Item approved.

Aye: 7 - Councilmember Bowman Sr., Vice Mayor Brown, Councilmember Campbell, Councilmember Ferebee, Councilmember Harper, Councilmember Mugler and Mayor Gray

5. [24-0537](#) Resolution Approving Donation of a Ballistic Vest and Vest Carrier to the Creston Police Department in Creston, Ohio.
Item approved.

Aye: 7 - Councilmember Bowman Sr., Vice Mayor Brown, Councilmember Campbell, Councilmember Ferebee, Councilmember Harper, Councilmember Mugler and Mayor Gray

6. [24-0532](#) Approval of the minutes from the October 23, 2024 work session.
Item approved.

Aye: 7 - Councilmember Bowman Sr., Vice Mayor Brown, Councilmember Campbell, Councilmember Ferebee, Councilmember Harper, Councilmember Mugler and Mayor Gray

PRESENTATIONS, PROCLAMATIONS, AWARDS

There were no presentations, proclamations or awards at this meeting.

PUBLIC HEARINGS

Ms. Glass read the protocol for public hearings.

Use Permits

7. [24-0456](#) Use Permit Application by Virginia Electric and Power Company to Relocate and Operate a Communication Tower at 902 G Street [LRSN: 1000699]

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

Ms. Glass read the title for the item.

Mayor Gray noted that City Manager Mary Bunting was traveling, therefore, Deputy City Manager Brian DeProfio was sitting in for her. Mr. DeProfio introduced the item and called upon Chief Planner, Donald Whipple, to make the presentation.

Mr. Whipple greeted those on the dais and began reviewing the slide presentation. He shared two maps of the site location which is at the intersection of G Street and West Pembroke Avenue. He spoke about the required landscape criteria in the zoning ordinance and said that since much of the area is already paved, staff agrees that the better location for this is in the existing area which currently has no landscaping.

Mr. Whipple shared an image of the proposed tower and said that this would replace the existing self-supporting tower on-site. The proposal is for it to include a new, modern self-supporting structure. Dominion Energy is expected to be the only carrier using the tower; however, it will be constructed to potentially allow co-location in the future.

Next, Mr. Whipple shared the dimensions of the tower and spoke about the equipment that would be used, including an antenna and generator. He also spoke a bit more about landscaping.

Mr. Whipple continued sharing information related to the use permit including zoning (M-2); the future land use map which shows this as business industrial; and public policy related to this application. The Hampton Community Plan public policy calls for evaluating land use proposals from a regional, city-wide and neighborhood perspective; safeguarding the integrity of existing residential neighborhoods; following a master plan process with communication towers; and coordinating with service providers and planning for replacement and expansion of local infrastructure. Mr. Whipple noted that there is a utility service section within the Community Plan about communication towers, specifically about large industrial sites and parks.

Mr. Whipple spoke about the legal aspects of the proposal and what can and cannot be considered. Some of these are related to the tower's size, location and environmental impact. He noted that the City Attorney's Office is available to address specific questions related to this topic if needed.

Mr. Whipple shared staff's analysis of the proposal which is that it is in alignment with the Community Plan and the proposed location and height are appropriate for the business/industrial area.

In closing, Mr. Whipple said that the applicant has not held a community meeting, although that was recommended by staff. Staff also recommends several conditions related to site design, height, tower accessibility, removal of tower, public safety and compliance with laws.

Mr. Whipple noted that the applicant was present and said that staff and the Planning Commission recommend approval of the application with nine conditions. He then opened the floor for questions and comments.

In response to Councilwoman Mugler, Mr. Whipple clarified that the applicant has outlined a schedule to remove the existing tower and erect the new one.

Mayor Gray opened the public hearing. There were no speakers on the item and the Mayor closed the public hearing. A motion was made by Councilmember Hope Harper and seconded by Councilmember Michelle Ferebee, that this Use Permit be approved with nine (9) conditions. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman Sr., Vice Mayor Brown, Councilmember Campbell, Councilmember Ferebee, Councilmember Harper, Councilmember Mugler and Mayor Gray

8. [24-0490](#) Use Permit Application by Raising Canes Restaurants LLC to Permit a Restaurant 3 at 1044 W. Mercury Blvd. [LRSN: 7001551]

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

Ms. Glass read the title for the item. Mr. DeProfio called upon Mr. Whipple to make the presentation.

Mr. Whipple greeted those on the dais and shared the first few slides of the presentation related to site location, the proposal to extend hours of operation at the existing fast-food restaurant, the floor plan, zoning, and the future land use map which calls for mixed use in this area.

Mr. Whipple spoke about the Hampton Community Plan and the Coliseum Central Master Plan as they relate to this application. The Hampton Community Plan calls for promoting compatibility and synergy among different land uses and encouraging a mix of land uses that are appropriate for each district. The Coliseum Central Master Plan calls for transforming aging auto-dominant retail centers into walkable mixed-use districts and implementing design strategies to transform Riverdale Plaza.

Mr. Whipple shared staff's analysis of the proposal which is that the proposed Restaurant three hours of operation would be consistent with typical fast food restaurant operations in the Coliseum Central area. Currently, fast food restaurants are within the district and throughout the City that predate some of the zoning ordinance amendments and have late night hours. Being that this is a new fast-food restaurant, they need this use permit for extending its hours. Staff believes the existing location and scale of development supports the requested extended hours of operation.

Mr. Whipple summarized the information from the last few slides of the presentation. While strongly recommended by staff, the applicant has not yet held a community meeting. Staff's recommended conditions are related to hours of operation, window transparency and privacy, capacity, alcohol sales and service, licensing and compliance with laws. The applicant would be required to come before the City to amend the use permit if it is determined later that it would like to have alcohol sales and service.

Mr. Whipple noted that the applicant was present and that staff and the Planning Commission recommend approval with eight conditions. He opened the floor for questions, but no discussion took place.

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

A motion was made by Councilmember Martha Mugler and seconded by Councilmember Hope Harper, that this Use Permit be approved. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman Sr., Vice Mayor Brown, Councilmember Campbell, Councilmember Ferebee, Councilmember Harper, Councilmember Mugler and Mayor Gray

9. [24-0489](#) Use Permit Application by A & A Loyalty Group to Permit a Restaurant 3 at 85 & 87 Lincoln Street [portion of LRSN: 2003249]

Attachments: [Safety Plan - Karma](#)
[Application](#)
[Staff Recommended Conditions](#)
[PC Amended Conditions Redline](#)
[PC Amended Conditions Clean Version](#)
[Alternative Conditions Holidays Redline](#)
[Alternative Conditions Holidays Clean](#)
[Staff Report Updated for February 26, 2025](#)
[Original Staff Report](#)
[Original Presentation](#)
[Presentation Updated for February 26, 2025](#)

Ms. Glass read the title for the item.

Mr. DeProfio introduced the item and called upon Mr. Whipple to make the presentation.

Mr. Whipple greeted those on the dais, shared a map of the site location and provided the following history about Karma Restaurant and Lounge: Karma Restaurant and Lounge received an approved use permit to operate a restaurant three at 87 Lincoln Street subject to 12 conditions. Conditions were related to hours of operation, location of indoor live entertainment, window transparency (privacy), security, sound, dancing and ABC licensing/expiration. In June of 2024, staff began working with the applicant in consideration of expanding the restaurant into a neighboring suite. Currently, there is a zoning administrator permit to allow the use of 85 Lincoln Street for a banquet hall (issued in August of 2024) which only allows private events in the space. The expansion as a restaurant three requires a new use permit.

Mr. Whipple summarized the proposal which is to expand into the adjacent suite 2,300 square feet with general hours of operation Sunday-Saturday 5 am - 2 am with indoor live entertainment Sunday-Saturday, 12 pm - 2 am.

Mr. Whipple continued speaking about zoning (DT-1) and the Future Land Use Map for this site and noted that the immediate surrounding area is for mixed use.

Mr. Whipple spoke about the Hampton Community Plan and the Downtown Hampton Master Plan as they relate to this application. The Hampton Community Plan calls for promoting compatibility and synergy among different land uses; encouraging a mix of land uses that is appropriate for each district; nurturing small and start-up businesses; and expanding tourism, entertainment and cultural opportunities within the City. The Downtown Hampton Master Plan recommends creating a vibrant downtown with retail, restaurants and redevelopment opportunities to create new urban housing along Franklin Street.

Mr. Whipple stated that staff's analysis of the proposal is that the applicant's requested hours of operation exceed those approved for other restaurant three uses; staff's recommendation for hours of operation would bring the proposal in greater alignment with previously approved restaurants in Downtown; and the existing location and the character of the surrounding area supports the restaurant operation.

Mr. Whipple summarized the information included in the final slides of the presentation. The applicant has not held a community meeting, although that was strongly recommended by staff. Staff has a number of recommended conditions, related to hours of operation, live entertainment hours and location, window transparency/privacy and other standard conditions with respect to capacity, sound, security, dancing, third party promotions, ABC licensing and expiration, and compliance with laws.

Mr. Whipple explained that the Planning Commission's recommendation was to approve the application with 13 conditions with an amendment to extend the hours of operation from Sunday - Saturday 5:00 am to 2:00 am with an acceptable updated security plan. He continued saying that since that time after working more with the applicant, the following proposed alternative has been suggested: the amendment would include an amendment to the security plan as approved by the HPD; the proposed amendment to the hours of operation would be 5am - 2am Friday - Saturday, and 5am to midnight, Sunday - Thursday, with the exception of specific dates which would allow for the hours of operation to be expanded regardless of the day of the week, from 5am - 2am.

Mr. Whipple noted that the applicant was present and said that staff recommends approval with conditions with three options for conditions: the original staff recommended conditions, the Planning Commission recommended amended

amendments to the conditions or the alternate amendment to the staff recommended conditions. Mr. Whipple opened the floor for questions and comments.

Councilwoman Harper mentioned that there was concern at the Planning Commission meeting about the enforcement and use of an itemized list rather than going with straight hours of operation and asked about the status of the enforcement.

Mr. Whipple reported that there has been no change in status, but this type of tracking would present challenges for staff and there are concerns about setting a precedence for extended hours seven days a week throughout the year. The applicant conveyed that he does not need it expanded 365 days per year, so staff is trying to work with him to come to something in between. He reiterated that currently, there is no resolution to the enforcement.

Councilwoman Campbell shared that she met with the applicant and is in favor of option three, the alternate amended staff recommendations conditions, as this will allow the restaurant to be open on special days and allows the police to be aware of which days to plan for extra support.

Councilwoman Mugler asked for clarity about “window transparency/privacy” and also what type of entertainment will be there.

Mr. Whipple explained that the window transparency/privacy feature is a security measure that would prevent something outside of the establishment from looking in. It also keeps the operator from blocking visibility in the establishment, for example, by the police. With regard to the type of entertainment, he said that staff does not typically ask details about the type of entertainment; however, the applicant indicated that there is not enough room for a large band or full stage, therefore, he would assume that entertainment will most likely be individual performers, DJ’s, karaoke and things of that nature.

Councilwoman Ferebee asked if the Planning Commission’s recommendation is the only recommendation that includes an updated security plan?

Mr. Whipple clarified that options two and three have updated security plans and the applicant has been working with HPD to develop a security plan. He indicated that he was just informed that an updated security plan for option one can also be done if that is a concern of Council’s.

Mayor Gray said that there appears to be an unfair advantage for businesses who were downtown prior to the newly created structure with regard to hours of

operation, and this leaves newer businesses at a disadvantage. He suggested that this approach is re-evaluated for extended hours in downtown so that everyone can compete on a level playing field.

The applicant, Mr. Courtney Ray, spoke about three concerns he has with the use permit application. One, in his first restaurant three permit, nothing indicated that he could not use third party promoters (anyone not employed directly by him), whereas, that is indicated in this new use permit. He explained that he works with many organizations and does not want to be limited to what organizations he can work with and would like reconsideration of that matter. He shared an example of an organization (Delta Sigma Theta Sorority Inc.) that will not be able to use his facility for their Founders Day event if this limitation is in place. He also posed a hypothetical scenario in which a large-scale promoter has an event at the Coliseum and wants to hold an after party at his (Mr. Ray's) establishment, this would prohibit that and he does not think that is okay. Two, after drawing a security plan and meeting with officers about it, he is not in agreement with the requirement for two cameras to cover the visibility of the parking lot and the fact that HPD must have 24-hour access to live feed footage. He clarified that he is okay with installing the cameras, but is not okay with giving someone else 24-hour access to his business cameras and, in his opinion, if that is required, then Hampton should get with his landlord and install and pay for that. Three, hours of operation. He commented about the City putting Raising Cane's in the same playing field as Wendy's and indicated that he does not think he is on the same playing field as other businesses similar to his, and therefore, believes this is unfair and unjust.

Vice Mayor Brown asked Mr. Ray to speak more about why the group will not be able to use his facility for their Founders Day event; the rationale behind the third-party promotion restriction; and security cameras at his location.

Mr. Ray explained that the third-party promotion restriction is the reason the group cannot use the facility as they are not employed by him and would create their own flyers. With regard to third-party promoting, he said that in discussions with the Police Chief, he learned that there may have been instances in the past where owners blamed the third-party promoter for violations and perhaps this is the City's way to eliminate future problems, however, this would not be the case with him. With regard to security cameras, Mr. Ray said that he currently has 16 cameras, but the parking lot is very large, so the wide-angle camera only catches the front. HPD recommended he install two more cameras that capture the left and right sides. He shared that he is now okay with spending the money to do that; however, is not okay with giving someone 24-hour access to his cameras as that is unheard of.

Vice Mayor Brown asked staff to address if it is common for the HPD to request that

businesses give them 24-hour access to their cameras.

Planning Zoning Division Manager, Mike Hayes, clarified a few things. The City has not required 24-hour access in the past and the plan is still under review pending a question about the appropriateness of 24-hour access. He noted that Council is not being asked to adopt a particular plan tonight, but the condition is that one of the plans gets accepted by the HPD. With regard to third-party promoters, the purpose of this is to prohibit owners from handing the keys to their establishment over to a third party who in turn throws a party, charges a fee and makes a profit. In the case of someone wanting to host an after party (for example after the Jazz Festival) that the owner is hosting at his own restaurant, that is permitted, but turning the keys over to someone to use the space to run an event is not. The owner must be in control of the event and is allowed to work with someone else to do the advertising.

Councilwoman Ferebee thanked Mr. Hayes for the clarification and asked for more information in the case of an organization having a fundraiser at an establishment.

Mr. Hayes explained if the owner allows a nonprofit organization to use the space, for example as a banquet hall, then that is permitted because he is still in control of what is taking place at the space and if the nonprofit has pre-sold tickets, that is fine; however, it crosses the line when the event is for profit and the general public is invited to pay a cover at the door with the potential for the event to turn into a club atmosphere for the night. He continued saying the problem is when this type of thing happens and the restaurant owner indicates it was another organization that caused the problem and it was not his event so he cannot help what they did. Mr. Hayes reiterated that the point of this condition is to ensure that the restaurant owner is the one who is always in control of the operation, even if they are working with somebody else to do the advertising.

In response to Councilwoman Harper, Mr. Hayes clarified that Delta Sigma Theta Sorority Inc., will be allowed to hold their Founders Day event there.

Vice Mayor Brown noted that he understands that a neighborhood meeting is not required, but staff strongly suggested it. He expressed concern about the neighbors in close proximity to the restaurant and wants to know why a community meeting was not held allowing the neighbors an opportunity to chime in about the proposed changes.

Mr. Ray indicated that he did not know about the option for a neighborhood meeting until today and that staff did not reach out to him to strongly suggest that he have one. He added that he has no problem with knocking on doors and talking to the neighbors about the proposal.

Mr. DeProfio shared the following information. Staff emailed the applicant on December 4 and an item included in that email specifically suggested and encouraged the applicant to have a community meeting. There were a few other things also recommended in that email. The applicant responded to the email thanking staff for sending the email. Mr. DeProfio reiterated that staff sent the email and he (Mr. DeProfio) saw the email.

Mr. Ray noted that he may have overlooked that, but did not realize that he could have a community meeting. He then spoke about the promoter concern again stating that he started off as a promoter and Hampton offers a promoter's license for promoters to do business in the City of Hampton, so he does not understand why that will be taken away from his establishment. He reiterated that this was not in his first use permit and said it does not make sense to him for the City to offer promoters licenses if they do not want promoters.

In response to Councilwoman Mugler, Mr. Ray shared that entertainment would typically include small bands, DJ's and karaoke. Councilwoman Mugler then expressed concern about there being no community meeting and that the security plan has not yet been approved by HPD. She said for those reasons, her recommendation would be to defer the item.

Mayor Gray asked if there was an oversight about third-party promoters in Mr. Ray's first use permit as that has been a standard condition in most live entertainment permits that we have recently approved.

Mr. Hayes indicated that there was an oversight on staff's part in that use permit and confirmed that is standard, for example, it is part of Hampton University's use permit for the Harbor Center.

Mayor Gray asked for better understanding about when and where third-party promoters are allowed.

Mr. Hayes noted that that is not a land use question, and while he is not familiar with promoters' licenses, generally it has been a standard condition not to allow them in restaurants and banquet halls, and perhaps staff can research that better.

Councilwoman Campbell suggested that, at a minimum, she would like to see us get his business open to take him from banquet status to restaurant status so that he can get his business rolling.

Following the motion, Councilwoman Mugler indicated that Council is looking for a

completed and approved security plan and prefers that a community meeting is held, thus the request for the item to be deferred until February 26.

Councilwoman Ferebee concurred with Councilwoman Mugler's rationale and asked if the establishment has any events on the calendar that would be affected by this delay. Mr. Ray indicated that he did not have his calendar, but an event is scheduled for this Sunday.

Mayor Gray explained his nay vote stating having spoken with the Police Chief, this business owner has a great record with HPD in terms of cooperating with security requirements and as Councilwoman Campbell indicated, this use permit is about opening up the other side of the building.

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

A motion was made by Councilmember Martha Mugler and seconded by Vice Mayor Steven Brown, that this Use Permit be deferred to the City Council Legislative Session, due back on 2/26/2025 and that they have a completed and approved security plan in addition to holding a community meeting. The motion carried by the following vote:

- Aye:** 4 - Councilmember Bowman Sr., Vice Mayor Brown, Councilmember Ferebee and Councilmember Mugler
- Nay:** 3 - Councilmember Campbell, Councilmember Harper and Mayor Gray

Resolutions

Ms. Glass read the titles for items 10-14.

Deputy City Manager DeProfio explained that Hampton's Code requires that a budget public hearing is advertised and conducted if the budget is amended by more than 1%. Typically budget amendments during the year fall below this threshold and are usually associated with grants that we receive each year or other one time expenses. However, the City was recently awarded a \$20,006,400 federal grant from the Environmental Protection Agency to address flooding issues in the Aberdeen Gardens area, which is item number 24-0531 on the agenda this

evening. The grant, by itself, puts the City over the 1% threshold, which is the reason for this evening's public hearing. There is no local match for this grant, or any of the other grants on the agenda this evening. In addition to the \$20 million EPA grant, the budget related items on the agenda tonight include appropriating \$2 million from our capital fund, fund balance to cover higher costs for capital projects previously approved by Council, a \$42,427 grant for police equipment, \$150,000 for active shooter and terrorism training for the Hampton Roads Region and \$11,843 to support training and supplies for our volunteer Community Emergency Response Team. Council is being asked to approve all five items in separate actions, however, we are legally allowed to have one hearing since, together, they amend the budget by the more than the 1% threshold.

10. [24-0531](#) Resolution to Amend the Fiscal Year 2025 Council Approved Budget to Accept and Appropriate the U.S. Environmental Protection Agency's (EPA) Environmental and Climate Justice Block Grant Program Award for the Aberdeen Gardens Community Resilience Implementation Strategy [Grant No. (FAIN) 953A0079]

Attachments: [Application](#)
[Grant Overview and Routing Forms](#)
[EPA Notice of Award](#)

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

A motion was made by Vice Mayor Steven Brown and seconded by Councilmember Michelle Ferebee, that this Resolution-Budget be approved. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman Sr., Vice Mayor Brown, Councilmember Campbell, Councilmember Ferebee, Councilmember Harper, Councilmember Mugler and Mayor Gray

11. [24-0534](#) Resolution to Amend the Fiscal Year 2025 Council Approved

Budget to Appropriate a Total of \$2,000,000 from the Capital Budget (Projects) Committed Fund Balance Account to the Capital Budget (Projects) Fund Contingency Account to Complete Certain Ongoing Capital Projects

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

A motion was made by Councilmember Hope Harper and seconded by Councilmember Michelle Ferebee, that this Resolution-Budget be approved. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman Sr., Vice Mayor Brown, Councilmember Campbell, Councilmember Ferebee, Councilmember Harper, Councilmember Mugler and Mayor Gray

12. [24-0518](#) Resolution to Amend the Fiscal Year 2025 Council Approved Budget to Accept and Appropriate the FY2024 Edward Byrne Memorial Justice Assistance Grant Awarded by U.S. Department of Justice, Bureau of Justice Assistance.

Attachments: [FY24 Byrne Guideline Document](#)
[FY24 - Byrne Award Package](#)

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

A motion was made by Councilmember Michelle Ferebee and seconded by Vice Mayor Steven Brown, that this Resolution be approved. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman Sr., Vice Mayor Brown, Councilmember Campbell, Councilmember Ferebee, Councilmember Harper, Councilmember Mugler and Mayor Gray

13. [24-0524](#) Resolution to Amend the Fiscal Year 2025 Council Approved Budget to Accept and Appropriate the 2024 Urban Area Security Initiative Grant Awarded through the Virginia Department of Emergency Management for Terrorism/Active Shooter and

Bleeding Control Training for the Hampton Roads region

Attachments: [Grant Application](#)
[Grant Routing and Grant Overview](#)
[Grant Award](#)

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

A motion was made by Councilmember Randy Bowman and seconded by Councilmember Hope Harper, that this Resolution be approved. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman Sr., Vice Mayor Brown, Councilmember Campbell, Councilmember Ferebee, Councilmember Harper, Councilmember Mugler and Mayor Gray

14. [24-0525](#) Resolution to Amend the Fiscal Year 2025 Council Approved Budget to Accept and Appropriate the 2024 State Homeland Security Program Grant Awarded through the Virginia Department of Emergency Management for the Community Emergency Response Team (CERT) Regional Collaboration - Peninsula.

Attachments: [Grant Application](#)
[Grant Routing and Grant Overview](#)
[Grant Award](#)

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

A motion was made by Councilmember Martha Mugler and seconded by Vice Mayor Steven Brown, that this Resolution be approved. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman Sr., Vice Mayor Brown, Councilmember Campbell, Councilmember Ferebee, Councilmember Harper, Councilmember Mugler and Mayor Gray

PUBLIC COMMENT

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

For the benefit of the speakers, Mayor Gray explained how the timer works and then reminded them that they will be allowed three minutes to speak, and if their comments exceed that, they will not be given additional speaking time. He noted that since there are only four speakers signed up, all speakers are being asked to use the free-standing microphone instead of alternating between the podium and free-standing microphone.

Mayor Gray called on Travis Adams.

Mr. Travis Adams introduced himself, greeted those on the dais, congratulated those who had electoral victories and made the following statement: Mayor Gray, I have to say that I had the pleasure of coaching your granddaughter in soccer this fall, and if you bring 1% of the energy that she brought to the field, then we're going to be alright. So, during the recent campaign, many of you emphasized the importance of addressing jobs and housing affordability in Hampton. These issues were central priorities for multiple incoming members, and I'm happy to hear that. It's encouraging to see this Council is prepared to focus on these critical challenges. A couple of years ago, I came to the Council to talk about the idea of property tax reform, specifically, taxing land at a higher rate than buildings. This encourages development and reduces vacant, under-used properties, including home building. The latest ODU state of the region report highlights how rising housing costs in Hampton Roads continues to outpace incomes, making it harder for families to afford rent and purchase homes. They also project that problem is only going to grow, especially as the Navy continues to come into the area. This is an issue that demands fresh thinking and creative solutions. One example of how our current property tax system falls short is the Willow Oaks Shopping Center. The most recent assessment showed the property's value at around \$10 million, while in 2019, it was valued at nearly \$15 million. Combined with the tax breaks over the past several years, it's reduced their tax burden from \$220,000 a year in 2019 to just \$80,000 this year. Despite this reduced burden, the shopping center remains largely empty with no significant effort to attract new businesses or revitalize the property. Our current tax structure allows this to happen. By treating land and buildings the same, it fails to incentivize property owners to make productive use of their land. A split rate property tax could address this by taxing land more heavily, encouraging owners to develop their properties or sell them to someone who will. Cities like Pittsburgh have used the system successfully, and Mayor Duggan in Detroit has recently proposed it to tackle similar issues. The reality is this, when properties like Willow Oaks remain idle while benefiting from lower taxes, it hurts our community. It means fewer jobs, less economic activity and missed opportunities to provide housing. We need to ensure that property owners are contributing to Hampton's growth rather than holding it back. Thank you for your time.

Mayor Gray called on the next speaker, Aaron Weaver.

Mr. Aaron Weaver introduced himself and made the following statement: I want to extend my heartfelt congratulations to Vice Mayor Brown on his continued commitment to serving our community. I also want to thank Councilwoman Campbell, Councilwoman Ferebee and Councilman Bowman, Sr. Standing with him in this process, Vice Mayor Brown has proven through his actions that he does what's right by the people. When my neighborhood spoke up about a project that just didn't make sense in a lot of ways, he listened, he asked those tough questions, and he showed us exactly why it was inadequate. He never hesitated to stand alone if that's what it took to protect our interests, and when this very body faced a difficult matter involving an admitted criminal, once again, he was the sole voice of truth, standing firmly for the people. Those aren't isolated instances. They reflect the years of Council experience and deep involvement in our neighborhoods that the Vice Mayor brings to the table. He's out there in the community at meetings, and he makes sure to listen before he speaks. Because of that, I congratulate him and say thank you to him, and you all. Not just to him, but to all who serve alongside him in striving for our City. Now, as we move forward, I look forward to seeing the Council and citizens work hand in hand. We have wonderful City employees who deserve our support, appreciation, and we have neighborhoods that will thrive with collaboration and also resources. Let's continue to push our City forward, united and strong, knowing that we stand on the right side of what everyone who calls this place home. Thank you for your leadership, dedication and your partnership. Again, partnership. Thank you. We will keep moving our City forward in the right direction. Have a good one.

Mayor Gray called on the next speaker, Joan Weaver.

Ms. Joan Weaver greeted everyone, introduced herself and made the following statement: Back for a mission that has not been completed, a new broom does sweep clean so there are some little spots that need to be cleaned. Virginia State School for the Deaf and Blind, Hampton History Museum, inclusion now, stop dragging your feet. The history has been written. Let's do it now. Please discontinue the community conversation. There's nothing left to say. Now is the time to act. We are tired of being hidden figures. We are ready to come into light. You raped our place, our campus. You took that and put an albatross there, which is generational, as I have said, that is a damnation to our community. Let's stop the foolishness. Let's put our history, which is Hampton's history for the world, to see. Put us there. Put us now and stop dragging your feet. Now, for the gaiety. Carolyn, Randy - we were neck and neck. Hope. Miss Ferebee. I loved being out there with you all during the campaign. You are our family. You sit on some

phenomenal platforms, and I believe we're going to be pretty good. Not forgetting you too, my dear. I loved it all. We had a wonderful time together. Mayor Gray, now moving forward, I ask that Wythe - Old Wythe is not forgotten, that's been done too long. And, last but not least, as Cuba Gooding Jr., would say: show me the money. Where's the \$1.5 million you told us that's supposed to be there for us? You took us as a scapegoat. Now, give us the money. And, last but not least, Reverend Councilman Steven Brown, you were not a pawn. You worked for our community. You felt our pain, integrity, decency, dignity, empathy, humility and accountability. Yes, sir, Vice Mayor, you are a man of the community, and you did not waver. You were unwavering, and one day, let's drop that Vice and preferably hear Mayor. So, until then, let all of us pull together and work together, but don't forget the marginalized. Don't underestimate our community. We still have problems that need to be addressed, so let's get with it, and I wish you all the best. I'm proud of you all. Thank you.

Mayor Gray called on the final speaker, Andrew Stith.

Mr. Andrew Stith introduced himself and made the following statement: Congratulations to the winners. Congratulations to everybody else. Well, all I'm going to say is Vice Mayor Gray, congratulations. Hope you do some good things in the City and everything, and move us forward. This is - we're not in 1610. This is 2025. Vice Mayor Brown, I miss Pine Chapel. I miss Lincoln Park and everything. We still need to do some about that. Okay, if I have some ideas, and I am in my mind that I want to give to the City and the state and everything, where do I go? My issue is there's no love for people with disabilities. This is what I have experienced. Bad landscape in neighborhoods going down the street. Bad crosswalks, no signal crossing in major intersections. You have to press the button 20,000 times where you have to go, you know, almost getting hit. Need mirrors, better laws, for street crossing. Need reflective gear at night, especially for people that are crossing the crosswalks. Need City laws and ordinances for this is the second one, definitely, definitely, definitely, Councilwoman Campbell, this is your baby. Homeowners that, as for me, as a veteran, that sign and also fought for my country and everything and had to sign for a VA loan and I'm getting a house that was refurbished, and basically, it's like freaking Animal House and everything. All they did was basically, did contracted they did the (inaudible word) and everything else. And as a safety person, as an OSHA (Occupational Safety and Health Administration) guy, I have looked at other houses and they do the same thing. What they need to do is, they need to do a City ordinance and a state ordinance and a federal ordinance, if I have to do it. Federal law is as well as they doing the plumbing, as well as they doing all the cosmetic stuff, they need the new electric, new plumbing, new fixtures, new everything, especially electric, you had to call these warranty people 100 freaking times to spend money, money, money, money and register.

Mayor Gray indicated that Mr. Stith's speaking time had expired. Mr. Stith indicated he would return some other time.

Mayor Gray closed the public comment period and called upon Mr. DeProfio to address Ms. Weaver's question about the status of the \$1.5 million from the Virginia School for the Deaf and Blind project.

Mr. DeProfio said that the \$1.5 million has been set aside in order for it to be there for when the community planning process concludes and they determine what the projects are that they want to spend the money on, so that money is still there and it is waiting for that process to conclude.

GENERAL ITEMS

Appointments

15. [24-0522](#) Consideration of an Appointment to Virginia First Cities

Attachments: [VFC Information Sheet](#)

A motion was made by Councilwoman Martha Mugler and seconded by Councilwoman Ferebee that Mayor Jimmy Gray be appointed in the place of former Mayor Donnie Tuck to the Board of Directors of Virginia First Cities. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman Sr., Vice Mayor Brown, Councilmember Campbell, Councilmember Ferebee, Councilmember Harper, Councilmember Mugler and Mayor Gray

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

There were no reports.

MISCELLANEOUS NEW BUSINESS

Vice Mayor Brown made remarks. He spoke about the recent election and installation. He shared that he has been in Hampton all of his life and he continues to think about the City's vibrancy, diversity and strength. He said that he is humbled to serve in this new capacity and thanked everyone that has helped shaped his morals, values and commitment to the community. He gave tribute to his mother who

raised a large family and taught him and his siblings to give back to the world more than they take from it. He pledged to be the best Vice Mayor he can be and said that there may be times when Council does not agree, but we should never be disagreeable and he knows that great things are ahead under the leadership of Mayor Gray and this Council. He also noted that Council does not do this work for remuneration, instead, they do it to make an impact and move the City forward. He again thanked the Hampton citizens for the opportunity to serve in this capacity; said God bless to all; and wished everyone a Happy New Year.

Councilman Bowman also thanked the citizens of Hampton and said that he is humbled to serve and looks forward to working with this Council, listening to the citizens and being their voice. He said in the words of Henry Ford...Coming together is a beginning; keeping together is progress; and working together is success. He closed his comments saying that tonight begins that success.

ADJOURNMENT

The meeting adjourned at 8:03 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 _____