



# 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 Linda D. Curtis*  
*Councilmember Jimmy Gray*  
*Councilmember W.H. "Billy" Hobbs*  
*Councilmember Will Moffett*  
*Councilmember Teresa V. Schmidt*  
*Councilmember Chris Snead*

*STAFF: Mary Bunting, City Manager*  
*Vanessa T. Valldejuli, City Attorney*  
*Katherine K. Glass, CMC, Clerk of Council*

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**Wednesday, October 26, 2016**

**6:30 PM**

**Council Chambers**

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### CALL TO ORDER/ROLL CALL

Mayor Tuck convened the meeting at 6:47 p.m. All members of the City Council were present.

**Present:** 7 - Vice Mayor Linda D. Curtis, Councilmember Jimmy Gray, Councilmember Billy Hobbs, Councilmember Chris Snead, Councilmember Will Moffett, Councilmember Teresa V. Schmidt and Mayor Donnie R. Tuck

### DONNIE R. TUCK PRESIDED

### INVOCATION - Councilwoman Chris Snead

### PLEDGE OF ALLEGIANCE TO FLAG

### MAYOR'S COMMENTS

Mayor Tuck introduced Crime Prevention Program Manager and Program Analyst Rick Arrington who gave a brief overview of how the City of Hampton became recertified for the third time as a Virginia Certified Crime Prevention Community. Mr. Arrington presented the certification certificate to Mayor Tuck and Sgt. Mark Kincaid, Hampton Police Division.

1. [16-0355](#) Presentation of a plaque to the City and its Police Division for Hampton's Recertification as a Certified Crime Prevention Community.

**Attachments:** [2009 - Resolution - Participate - Certified Crime Prevention program](#)

Presented by Rick Arrington, Crime Prevention Program Manager and Program Analyst. Mr. Arrington provided the Mayor and Sgt. Mark Kincaid of the Hampton Police Division with a plaque for Hampton's successful recertification as a Virginia Certified Crime Prevention Community.

## 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

The City Manager, Mary Bunting, expressed the city's appreciation to Mr. Rinaldi, a member of the O'Rourke family, for their generous land donation. Motion made by Councilmember Gray, seconded by Vice Mayor Curtis, to approve the Consent Agenda. The motion carried by the following vote:

**Aye:** 7 - Vice Mayor Curtis, Councilmember Gray, Councilmember Hobbs, Councilmember Snead, Councilmember Moffett, Councilmember Schmidt and Mayor Tuck

2. [16-0316](#) Motion to Accept, Pursuant to City Code Section 2-134(a), the Donation of a 38.7 Acre, More or Less, Parcel of Land From O'Rourke Family, LLC, (formerly known as O'Rourke Family, LLLP, formerly known as O'Rourke Family Limited Partnership)

**Attachments:** [O'Rourke Deed](#)

Item approved.

**Aye:** 7 - Vice Mayor Curtis, Councilmember Gray, Councilmember Hobbs, Councilmember Snead, Councilmember Moffett, Councilmember Schmidt and Mayor Tuck

3. [16-0358](#) Resolution Approving a 15' Wide Utility Easement to Virginia Electric and Power Company ("Dominion") Totaling 2,650 Square Feet (0.0608 Acre), More or Less, through City Property Located at 8110 Orcutt Avenue (LRSN 3002700) for the Transmission and Distribution of Electrical Power to a Cell Tower

Attachments: [Right of Way](#)

Item approved.

**Aye:** 7 - Vice Mayor Curtis, Councilmember Gray, Councilmember Hobbs, Councilmember Snead, Councilmember Moffett, Councilmember Schmidt and Mayor Tuck

4. [16-0360](#) Approval of the minutes from the work session of April 27, 2016, and the legislative session of September 28, 2016.

Item approved.

**Aye:** 7 - Vice Mayor Curtis, Councilmember Gray, Councilmember Hobbs, Councilmember Snead, Councilmember Moffett, Councilmember Schmidt and Mayor Tuck

5. [16-0364](#) Resolution Reappropriating \$23,000.00 Donated To The City Of Hampton By the Federal Bureau Of Investigation For The Sole Purpose Of Paying For Repairs At The Hampton Police Weapons Range.

Attachments: [FBI - firearms training funding - ltr](#)  
[Resolution - 11-0331 - FBI Donate - July 2011](#)

Item approved.

**Aye:** 7 - Vice Mayor Curtis, Councilmember Gray, Councilmember Hobbs, Councilmember Snead, Councilmember Moffett, Councilmember Schmidt and Mayor Tuck

6. [16-0370](#) Ordinance to Amend and Reenact Chapter 24, of the Code of the City of Hampton "Offenses-Miscellaneous" to Amend Article I, "In General", Sec. 24-5 Entitled "Prohibited Trick or Treat Activities".

Attachments: [Redline](#)

Item approved.

**Aye:** 7 - Vice Mayor Curtis, Councilmember Gray, Councilmember Hobbs, Councilmember Snead, Councilmember Moffett, Councilmember Schmidt and Mayor Tuck

## PRESENTATIONS, PROCLAMATIONS, AWARDS

## **PUBLIC HEARINGS**

### **Ordinances**

## **PUBLIC COMMENT**

Mayor Tuck opened the Public Comment period.

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

Mr. Donald R. Boyce, Jr. made the following comments: I am pleased to have the Air Force and NASA here this evening. They are celebrating 100 years and as all the older residents of Hampton know Mercury Boulevard used to be called Military Highway. It is now Mercury Boulevard and I think the City should be proud of it and proud enough to fix the half we own down on our end of East Mercury. First, I would like to start off this evening by complimenting Director of Public Works Mr. Lynn Allsbrook and the Public Works Department for getting the off and on ramps of West Mercury Boulevard and LaSalle Avenue clean. I don't know if anyone has traveled by there this week, they were finishing up Monday afternoon. I stopped and thanked the workers and stated that it really looks good and you don't have to worry about running into the fences anymore. I left a message with Mr. Allsbrook so he could set up a meeting to discuss in layman's terms how the City classifies the streets to have work done. I am not going to give a list of streets and side roads, I would dare anybody in Council Chambers to drive down East Mercury Boulevard two street lights and not hit a bump. Today I almost saw a cyclist get hit because the path on the right hand side on Andrews Boulevard ends before the next street and the cyclist had to pull out into the street to continue. Had the driver in front of me not swerved the cyclist would have been hit. I think we need to put some priorities on East Mercury Boulevard. It is named after project Mercury which was done at NASA. I appreciate being up here as a speaker tonight and thank City Council for their attention to my concerns and would like to ask someone on the Planning Commission to figure out what we are going to do with the old Big K-Mart. I suggested a couple of meetings ago that we contact David and Busters which would bring a lot of revenue into the City thereby reducing our taxes. Thank you very much for your time.

Mr. John Krulis made the following comments: It's been a long time since I have been up here. I have had a car on life support and sometimes I feel I am too. I signed in, they want to know what you are going to talk about - often times I leave that blank because I am not sure what I am going to talk about, but I put in there thank you for serving. They thought it was a joke, but it is not a joke at all.

Congratulations to all of you who have been elected or re-elected and I do mean that. You may not think I mean that but I mean that. I am not a person of many words, if I say something I say it because I mean it and I do thank you for serving. It is something you could not get me to do for any amount of money so I really do appreciate you serving. That said, I want to make a point about this past election that I think is really very, very significant. Mr. Wallace was supposed to win, as you know. You all supported him, I mean many of you made it very public that you were supporting him. Everybody, the State House, I got calls from Governor McAuliffe repeatedly, Representative Bobby Scott called me almost daily. Every Senator, I was waiting for the White House to call to say we need Mr. Wallace back there and Mr. Tuck won this election and he had the endorsement, I think, of the Sierra Club maybe. Miss Monroe and Hugh Bassette's coalition for the elderly and disabled, but he had tons and tons of people just plain ole people who said we want to see something new and different and we want a new fresh air. There are many issues and I am not going to go into issues except maybe the aquatics center. Maybe that's where that breathe of fresh air is needed. Also, we really need people for Meals on Wheels, 246-1904 / 05, the Mayor is the only person I have convinced to go and do it. If you ask him if it is worthwhile doing and it is more than worthwhile it really would be, anybody please sign up. Thank you and thank you for serving.

## GENERAL ITEMS

City Manager Mary Bunting acknowledged Mr. Mark Ronaldi who represents the O'Rourke family. Ms. Bunting thanked the O'Rourke family for their generous property donation adjacent to the Hampton's Golf Course.

## Ordinances

## Resolutions

## REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

7. [16-0367](#) Briefing and Discussion of City's Proposed 2017 General Assembly Legislative Package

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

City Manager Mary Bunting introduced the City's Virginia General Assembly Legislative Liaison Laura Bateman of Bateman Consulting, LLC, who presented an overview of the items being considered for inclusion in the proposed 2017 General Assembly Legislative Package.

Ms. Bunting commented that we have reached out to Hampton University, Virginia First Cities and the Hampton Roads Planning District Commission to include specific items in the package.

Councilman Moffett asked Ms. Bateman to elaborate on constitution inequity. Ms. Bateman responded that when the State mandates a constitutional change to provide tax relief for certain citizens that affects one locality disproportionately and it is a State issue, then the State should be on the hook to help with funding.

Councilman Moffett asked if we are asking the State to make the City whole or asking the State to study some of the inequities. Ms. Bateman responded that a specific study has not been requested and at this time they are just asking the State to take note.

Councilwoman Snead stated that this came up at the Virginia Municipal League (VML) and Virginia First Cities and the thought process is that there are still new referendums that are coming out and if the State wants to give tax relief to specific groups of people then the State should be the one to fund it.

Vice Mayor Curtis thanked Councilwoman Snead for the great explanation and commented that if the citizens of the Commonwealth want to vote for the tax relief then the citizens of the Commonwealth should be equally impacted by the outcome of the decision.

Ms. Bateman gave the figures on the impact the veteran tax relief has had on Hampton.

Councilwoman Schmidt asked Ms. Bateman to explain the “reduce the Intellectual and Developmental Disabilities “I/DD” waiver waiting list”. Ms. Bateman replied that it came from the Hampton/Newport News Community Services Board who currently have a waiting list to get an intellectual or developmental disability waiver for community based services.

Councilwoman Schmidt asked Ms. Bateman to explain the “remove the restoration restriction on emergency psychiatric treatment”. Ms. Bateman replied that the request came from the Regional Jail to expedite emergency psychiatric treatment for an inmate.

Ms. Bunting commented that Council will be given written documentation detailing the new policy positions in the 2017 General Assembly Legislative Package.

Councilman Moffett commented that the overgrown shrubs item presented last year failed and asked Ms. Bateman if we just give up. She replied to never give up and there is no reason not to try again. Councilman Moffett asked if there were other ways to address the concern for an opportunity for success and asked that it be added to this year's package for another try.

8. [16-0369](#) Update on Hampton Roads Crossing Study

Attachments: [Presentation](#)

City Manager Mary Bunting introduced Director of Public Works Lynn Allsbrook who made a presentation on an update of the Hampton Roads Crossing Study.

Councilwoman Schmidt asked Mr. Allsbrook to explain the configuration on how the traffic is going to move across the water once passed the land at the Hampton Roads Bridge Tunnel (HRBT) 6-Lane Cross Section. Mr. Allsbrook replied that there will be three lane tunnels in each direction.

Vice Mayor Curtis asked Mr. Allsbrook if all the lanes could become west bound if an evacuation took place. Mr. Allsbrook replied that Virginia Department of Transportation (VDOT) would have to make that decision and they have not been brought into the discussion.

Councilman Moffett asked Mr. Allsbrook what specific properties would need to be acquired to make the six lanes a reality. Mr. Allsbrook replied that primarily property needed would be around Strawberry Banks and the use of existing right-of-ways to avoid any impacts to Hampton University or homes along the corridor.

### Special Report from the City Manager

City Manager Mary Bunting spoke briefly about recent gun-related incidents and introduced Police Chief Terry Sult to give an update to the plan on how to address the increase of gun-violence incidents in the City.

Chief Sult noted that a Gun Crime Task Force is being created to go after illegal fire arms and the crimes associated in trying to be proactive in preventing crime related instances. The department is working very diligently on tracking fire arms from the time of the arrest to the outcome of the court decision to measure successes and failures. We are reaching out and working with our federal partners; looking into enhancing our crime analysis capability with a focus on gun crime; upgrading and

exploring advanced technology in our patrol cars; taking existing cameras and re-deploying them in more strategic locations; deploying a real-time information center program; refocusing the use of overtime towards gun crime initiatives and most importantly community outreach.

Ms. Bunting added that if something can be done to enhance the Police Department capabilities she may bring an appropriation out of Designated Departmental Savings or Fund Balance to fund a request.

Councilman Moffett thanked Chief Sult for his presentation and stated that he believes that this Council has always supported the Hampton Police Department in providing resources as requested. Councilman Moffett asked what has changed and if it appeared that some of the crimes are being perpetrated by the same people and could you speak to those people. Chief Sult thanked Council for its continuous support; and stated that it is hard to say what has changed and if there is a common theme among the same people.

Chief Sult stated that the Police Department has revamped its recruiting efforts and has already hired for the next academy.

Councilman Gray stated he looked forward to receiving and supporting the upcoming upgrades and the need for additional resources. He stressed the need to get some of the bad guys off the street. Councilman Gray wanted verification that the Gun Crime Task Force is in addition to the resources we already have working on crimes and he supports any additional overtime needed.

Chief Sult stated he appreciated Councilman Gray's comments and noted that their resources are strapped in the Crimes against Persons Unit and are working on a balance when pulling people; working on leveraging partnerships and resources along with combining talents internally. The goal is to make this an added resource.

Councilman Moffett stated his concern is the impact of the reallocation of resources and understands at a future date there will be a presentation on the impact of twelve-hour shifts.

Mayor Tuck asked Chief Sult about the statement that people are charged repeatedly and still on the street, what does that suggest? Chief Sult replied that it suggests there is a breakdown somewhere and that criminal acts are being decriminalized nationally and the message being sent is that there are acts you can commit with less accountability associated. There has always been an issue of



whether the Police Department is preparing the cases well enough, if people are being prosecuted aggressively and if they are convincing the jury for a conviction.

Mayor Tuck asked Chief Sult about the statement of spending fifty thousand dollars for a staffing study, but if we are not balanced against Newport News it suggests the crime would be pushed to Hampton. Mayor Tuck asked if Hampton needed to have the same numbers as Newport News. Chief Sult replied that Hampton has to have the same basic capacities and a balance and absolutely needs more people and we will have to seriously consider more people as we move forward.

Mayor Tuck asked Chief Sult how many officers have been hired in the past year and how many have left. Is the City positive or negative in relation to a year ago. Chief Sult replied that the Police Department is currently right at or just below full staff of the budgeted 296 positions.

Mayor Tuck asked if with the Community Oriented Policing Program (COPP), is there a requirement to fill these activities during the day or during second shift and do you have to backfill or take the officer out of rotation. Chief Sult replied that it is a little of both and varies.

Mayor Tuck asked how Keep Check works and are businesses included. Chief Sult responded that it is a special check on a location for a variety of reasons.

Mayor Tuck asked the Chief if he would ask a citizen to call 9-1-1 or the non-emergency number if they see something suspicious. Chief Sult replied that if the hair stands up on the back of your neck and you think you need a police officer now, call 9-1-1. If it can wait 15, 30 minutes or an hour then call the non-emergency number.

Mayor Tuck stated he has heard that when citizens call the non-emergency number that they get discouraged having to go through the directory and hang up and asked why this process was implemented.

Chief Sult explained that the menu was implemented to get greater efficiencies and they are currently reevaluating for improvement.

Mayor Tuck thanked Chief Sult and let him know he has the full support of Council.

Councilman Moffett requested an update at a future meeting and a full report on the direction of the youth violence initiative.

Ms. Bunting replied that Youth Violence Prevention Manager Synethia White gave a presentation on the work plan for the year several months ago and the changes and outcomes will take some time and will not happen overnight. The real measure should be how many lives we change to bring down crime.

Councilman Moffett stated that it is his impression that staff is working on access for citizens who are in need or in crisis to go to one place to find help either via website or social media. He also mentioned that he feels it is important that updates be sent out by email, eNews or social media to keep the community updated.

Ms. Bunting stated that she knows that connecting people to resources is a first step in getting at the root causes. She gave an example of a multi-week program called Jobs for Life which is a program that helps young adults with resume writing, interviewing, appropriate clothing, transportation and job data basis. The program just had its first graduation of five individuals. During an employment group meeting the Peninsula Workforce link made a connection and felt certain they would be able to place those individuals with employment and one of the most powerful indicators we can have is having permanent sustainable employment.

#### **MISCELLANEOUS NEW BUSINESS**

Mayor Tuck reminded everyone of the Old Wythe Exchange Club Pancake Breakfast this Saturday at Hampton High School.

Vice Mayor Curtis congratulated Parks and Recreation Leisure Services for the fantastic festival at Blue Bird Gap Farm this weekend and they have been recognized as one of the nation's top ten petting zoos.

#### **ADJOURNMENT**

The meeting adjourned at 8:29 p.m.

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Donnie R. Tuck  
Mayor

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Katherine K. Glass, CMC  
Clerk of Council

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