

# City of Hampton

22 Lincoln Street  
Hampton, VA 23669  
[www.hampton.gov](http://www.hampton.gov)



## Agenda

Wednesday, December 13, 2023

6:30 PM

Council Chambers

### City Council Legislative Session

*Mayor Donnie R. Tuck*  
*Vice Mayor Jimmy Gray*  
*Councilmember Chris L. Bowman*  
*Councilmember Steven L. Brown*  
*Councilmember Hope L. Harper*  
*Councilmember Billy Hobbs*  
*Councilmember Martha Mugler*

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

## WELCOME TO THE HAMPTON CITY COUNCIL MEETING

Because of the large number of matters that need consideration, the City Council has established a meeting format and certain guidelines for citizen participation. These help ensure that everyone who wishes to speak can do so, and that the Council can benefit from hearing as many different people as possible in the shortest time.

### ORDER OF BUSINESS

Agenda items are taken up one at a time in the order in which they are listed. Matters on the consent agenda are routine and are adopted by one motion without separate discussion. However, items can be moved from the consent agenda to the regular agenda upon request by a member of the Council. Keep in mind that the agenda is for the convenience of the public and the Council, and that it can be altered by the Council at any time without prior notice when the Council considers it in the public's interest to do so.

### CITIZENS ARE INVITED TO PARTICIPATE

The City Council has adopted a Citizen Participation Policy and City Council Public Hearing & Public Comment Protocol to encourage participation by citizens in City government and to ensure its meetings are conducted in an efficient and orderly manner. Citizens are encouraged to review both documents prior to attending City Council meetings. The Citizen Participation Policy and City Council Public Hearing & Public Comment Protocol are available on the City's website and copies can be provided upon request to the Clerk of Council. Please take note of the following key provisions contained in the above-referenced documents.

(1) No person shall be permitted to enter a City Council meeting with the following items:

- Large objects that may be used as weapons, including but not limited to batons, sticks, knives, or other cutting tools;

- Large banners, signs, flags, or other displays;

- Permitted banners, signs, flags, or other displays shall be limited to 3'x5'; composed of paper, cardboard, foamboard, or fabric; and shall not contain wood, metal, or plastic supports or handles.

- Megaphones, bullhorns, whistles, or other devices designed to emit loud noises;

- Laser pointers, flashlights, or other devices designed to emit lights;

- Food or drink; and

- "Selfie" sticks.

(2) The City Council has adopted a three (3) minute time limit policy for individuals desiring to address issues before this body. If you wish to address the City Council on a public hearing item or as part of the general public comment period, you must sign in before the meeting in the lobby of City Hall. Speaking on topics not appearing on the agenda as public hearing items is handled under the public comment portion of the meeting.

If you are with a group of people, you may want to have a spokesman or two present your position to the Council and have others in agreement recognized by standing. The Council will always try to hear everyone who wishes to speak on a subject, but sometimes discussion has to be limited due to time. If the previous speaker has stated your position, you may make that known by reference (for example, "I agree with the position stated by Mr. Jones and have nothing further to add").

Meetings of the Council are formal proceedings, and all comments are recorded. For that reason, you are requested not to speak from your seat or out of turn. When you are called by the presiding officer, please follow these steps:

- (1) Come forward to the speaker's podium.
- (2) State your name
- (3) State your conclusion and give facts and other data to back it up.
- (4) If you represent a group or organization, ask the others to rise and be recognized.
- (5) If you have a written statement, give it and other supportive material to the Clerk for the record.

Thank you for taking your time to participate in the Council meeting. Good government depends on the interest and involvement of you and your fellow citizens. We invite you to return.

**CALL TO ORDER/ROLL CALL****INVOCATION - Councilman Chris Bowman****PLEDGE OF ALLEGIANCE TO FLAG****MAYOR'S COMMENTS****CONSENT AGENDA**

1. [23-0368](#) Resolution Approving the Fiscal Year 2023 Year-End Budget Adjustments
2. [23-0325](#) Resolution Approving Fiscal Year 2024 First Quarter Budget Adjustments
3. [23-0365](#) Resolution Authorizing the Execution of a Lease Agreement Between the City of Hampton and the School Board of the City of Hampton for the use of Office Space on the Second, Third, Fourth, and Fifth Floors in the Ruppert L. Sargent Building Located at 1 Franklin Street, Suite 603, Hampton, Virginia
4. [23-0332](#) Ordinance to Amend and Re-Enact Article III of Chapter 41.1 of the City Code of the City of Hampton, Virginia Entitled "Wetlands" to Reflect Changes Made to the Tidal Wetlands Act Regarding Advertising, Notice, and Permit Issuance Requirements
5. [23-0347](#) Approval of the minutes from the Downtown Hampton Business District Annual Meeting on November 8, 2023; the Hampton City Schools Community Priorities Workshop meeting of November 9, 2023; and the Aberdeen Gardens Historic & Civic Association's meeting of November 18, 2023.
6. [23-0355](#) Approval of the minutes from the City Council's legislative session of February 8, 2023; work session of March 22, 2023; ceremonial session of April 26, 2023; and the work session of November 8, 2023

**PRESENTATIONS, PROCLAMATIONS, AWARDS****PUBLIC HEARINGS****Rezoning and Use Permits**

7. [23-0316](#) Rezoning Application No. 23-0316 by Coliseum Center, LLC to Rezone +/- 4.88 acres, Located at 1909 Commerce Drive [LRSN: 7001267] from Limited Commercial (C-2) District to Multifamily Residential (MD-4) District with Conditions for Multifamily Dwellings

8. [23-0317](#) Use Permit Application No. 23-0317 by Coliseum Center, LLC to Construct Multifamily Dwelling Units on +/- 4.88 acres, Located at 1909 Commerce Drive [LRSN: 7001267]
9. [23-0313](#) Rezoning Application No. 23-0313 by Riverside Hospital, Inc. to Rezone a Parcel, Totaling +/- 13.8 Acres, from Multiple Residential (R-M) District and Limited Commercial (C-2) District to Limited Commercial (C-2) District with Conditions at 2244 Executive Drive [LRSN: 7001882]
10. [23-0314](#) Use Permit Application No. 23-0314 by Riverside Hospital, Inc. to Permit a Mental Health/Substance Abuse Treatment Facility at 2244 Executive Drive [LRSN: 7001882]
11. [23-0315](#) Use Permit Application No 23-0315 by Coliseum Central Hospitality LLC to Construct and Operate an Extended Stay Hotel on +/- 2.67 Acres Located at 2122 Hartford Road [LRSN: 7001311]

## Ordinances

## Resolutions

12. [23-0356](#) Public Hearing on Proposed Budget Amendments that Exceed More than One Percent of the Fiscal Year 2024 City Council Approved Budget
13. [23-0215](#) Resolution to Amend the Fiscal Year 2024 Council Approved Budget and Appropriate \$51,617.67 from the Hazmat Restricted Fund Balance to the Fire and Rescue Division's General Fund Operating Budget
14. [23-0318](#) Resolution to Amend the Fiscal Year 2024 Council Approved Budget and Accept and Appropriate the 2020 U.S. Department of Commerce's Economic Development Administration FY 2020 Public Works and Economic Adjustment Assistance Grant Award
15. [23-0338](#) Resolution to Amend the Fiscal Year 2024 Council Approved Budget and Appropriate a total of \$2,758,103 from the General Fund's Assigned and Committed Fund Balance Accounts to the General Fund Operating Budgets of the City Attorney; City Treasurer; Civic and Community Support; Clerk of the Circuit Court; Commonwealth's Attorney; Community Development; Court Service Unit; Emergency Management; Non-departmental; Office of Youth and Young Adult Opportunities; and, Retirement and Employee Benefits to complete activities started in Fiscal Year 2023
16. [23-0364](#) Resolution to Amend the City Council Approved Fiscal Year 2024 Budget to Accept and Appropriate to the General Fund's School Operating Fund: (1) \$7,866,046 of State Carryover Funds; and (2) \$14,365,777 of Additional Fiscal Year 2024 State Funds
17. [23-0362](#) Resolution to Amend the Fiscal Year 2024 Council Approved Budget to

Accept and Appropriate the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) Award through the Virginia Department of Emergency Management (VDEM) for the City of Hampton - North Armistead Avenue Resilience Project [FEMA-DR-4512-VA-0002]

18. [23-0359](#) Resolution to Amend the Fiscal Year 2024 Council Approved Budget to Accept and Appropriate the Increased Allocations from the Virginia Department of Transportation for the Fiscal Year 2024 Urban Maintenance Program
19. [23-0361](#) Resolution to Amend the Fiscal Year 2024 Council Approved Budget to Accept and Appropriate \$509,528 in Additional Virginia Highway Safety Improvement Program Funding from the Virginia Department of Transportation to the Capital Fund (Capital Projects Fund) for the Mercury Boulevard Pedestrian Improvements Project
20. [23-0360](#) Resolution to Amend the Fiscal Year 2024 Council Approved Budget to Accept and Appropriate \$152,988 in Additional Congestion Mitigation and Air Quality Funding from the Virginia Department of Transportation to the Capital Fund (Capital Projects Fund) for the Cunningham Drive Sidewalk Project
21. [23-0357](#) Resolution to Amend the Fiscal Year 2024 Council Approved Budget to Accept and Appropriate the Fiscal Year 2024 Litter Prevention and Recycling Program Grant Awarded by the Virginia Department of Environmental Quality

## **PUBLIC COMMENT**

## **GENERAL ITEMS**

### **Ordinances**

### **Resolutions**

### **Appointments**

22. [23-0198](#) Consideration of Appointments to a Hampton VA 250 Committee
23. [23-0363](#) Consideration of Appointments to the Board of Zoning Appeals

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

## **MISCELLANEOUS NEW BUSINESS**

## **ADJOURNMENT**

**Contact Info:**

**Clerk of Council, 757-727-6315, [council@hampton.gov](mailto:council@hampton.gov)**