



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 Steven L. Brown
Councilmember Hope L. Harper
Councilmember Billy Hobbs
Councilmember Martha Mugler

STAFF: Mary Bunting, City Manager
Steven D. Bond, Interim City Attorney
Katherine K. Glass, CMC, Clerk of Council

Wednesday, December 13, 2023

6:30 PM

Council Chambers

CALL TO ORDER/ROLL CALL

Mayor Tuck called the meeting to order at 6:30 p.m. All members of the City Council were present except for Councilman Hobbs who is under the weather.

Present: 6 - Councilmember Chris L. Bowman, Councilmember Steven L. Brown, Vice Mayor Jimmy Gray, Councilmember Hope L. Harper, Councilmember Martha Mugler and Mayor Donnie R. Tuck

Excused: 1 - Councilmember Billy Hobbs

DONNIE R. TUCK PRESIDED

INVOCATION - Councilman Chris Bowman

Councilman Bowman gave the invocation.

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

Mayor Tuck recognized Hampton's Director of Federal Facilities, Bruce Sturk, for his many years of service. Mr. Sturk was the first in this type of role in our region and has led the way for others in nearby localities to work in similar roles. Colonel Matthew Altman and Chief Dave Coulson from Joint Base

Langley Eustis also paid special tribute to Mr. Sturk and shared some of his accomplishments and contributions to Joint Base Langley Eustis, Fort Monroe, Langley Air Force Base, the Military Affairs Committee and a number of other entities and federal agencies.

Mr. Sturk, who was accompanied by his wife, was presented with the Commander's Public Service Award for his outstanding service and enduring dedication to our community, our service members, their families and our nation. Mr. Sturk gave brief remarks.

Mayor Tuck recognized Rev. Charles Cheek of the Hampton Roads Work Life Program who highlighted some of their outstanding participants. Supporters and participants of the program who were in attendance stood to be recognized.

Mayor Tuck recognized Aichoo Ashe, Director of Fine Arts for Hampton City Schools.

Ms. Ashe greeted those on the dais and thanked the Mayor, members of Council, administrators, teachers, principals, students, parents and family members for their support and effort.

Ms. Ashe shared a bit of background information about the annual Mayor's holiday card contest and then introduced this year's winners.

Hampton High: Student: Momo Reddick
Parent: Mele Kuahine-Sands
Teachers: Mrs. Ault-Green and Mrs. McFarland
Admin: Academy Principal: Mr. Collins

Bethel High: Student: Eliza Theisen
Parents: Andrea Jones and Timothy Theisen
Teacher: Ms. Liddell

Admin: Executive Principal: Dr. Howard

Kecoughtan High: Student: Riley Brooker

Parent: Ms. Connie Osborn

Teacher: Mrs. Brewer

Admin: Academy Principal Dr. Grove and Executive
Principal Dr. Lucas

Phoebus High: Student: McKinsey Williams

Parent: Mrs. Williams

Teacher: Mr. Hakanson

Admin: Executive Principal Mr. Coccoli

Principal Riggs-Poole of Bethel High School and Principal Jackson of Phoebus High School were also in attendance. Parents and principals came forward to be photographed with the students and the members of Council.

[23-0354](#)

Resolution in Recognition of Cheran Cordell Ivery

Mayor Tuck announced that City Attorney Cheran Cordell Ivery would be leaving Hampton and stated that while we are excited for her new journey, her departure leaves a gap in our hearts. The Mayor then read and presented the resolution in recognition of City Attorney Ivery.

The members of Council gave remarks and offered well wishes to City Attorney Ivery. City Manager Bunting also made remarks on behalf of staff.

City Attorney Ivery thanked everyone for the kind words. She thanked Council and the City Manager for the opportunity to serve Hampton. She also recognized the staff in the City Attorney and Risk Management offices and then made a few additional remarks.

Mayor Tuck updated citizens on the status of short-term rentals with the following statement: On November 8, 2023, the Hampton City Council deferred all pending agenda items for

short-term rental use permits to the February 28, 2024, City Council meeting. The Council recognizes that the regulation of short-term rentals is a complex policy decision. As such, the Council wanted to provide additional time for City staff to make recommendations to Council regarding future short-term rental policies. City staff has convened a stakeholder group to assist them in forming their recommendations. The group consists of representatives from various neighborhoods throughout Hampton, as well as tourism and real estate representatives. Several of these stakeholders participated in the community engagement efforts associated with adoption of Hampton's current short-term rental policies and regulations. I'm pleased to report that the short-term rental stakeholder group began meeting on December 7, 2023. The group will continue to meet with City staff over the next several weeks as to assist staff in developing the recommendations concerning short-term rental policies.

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

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Mugler and Mayor Tuck

[23-0358](#)

I move to amend the agenda to add a motion with respect to making an appointment for an Interim City Attorney and to ratify the addition of the resolution for Mrs. Ivery.

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

Aye: 5 - Councilmember Bowman, Vice Mayor Gray, Councilmember Harper, Councilmember Mugler and Mayor Tuck

Out: 1 - Councilmember Brown

[23-0340](#)

I move to appoint Steven D. Bond to the position of interim City Attorney effective December 30, 2023.

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

Aye: 5 - Councilmember Bowman, Vice Mayor Gray, Councilmember Harper, Councilmember Mugler and Mayor Tuck

Out: 1 - Councilmember Brown

CONSENT AGENDA

Clerk of Council Katherine Glass read the protocol for the consent agenda and announced that a request was made for item 23-0368 to be pulled from the consent agenda for a separate vote.

Councilwoman Mugler stated: I consulted with the City Attorney because my spouse is the Commissioner of the Revenue for the City of Hampton. As such, in an abundance of caution and to avoid the appearance of impropriety, I must recuse myself from all discussion and voting regarding the year end budget adjustments impacting the Commissioner of the Revenue. Accordingly, I request that an item under File 23-0368, Department 140 Commissioner of the Revenue be pulled and voted on as a separate matter, so that I may abstain from voting on the budget adjustments for the Commissioner of the Revenue.

Mayor Tuck polled the Council and there was no objection to Councilwoman Mugler's request.

[23-0372](#)

Motion to pull an item under File 23-0368, Department 140 Commissioner of the Revenue for a separate vote

A motion was made by Councilmember Martha Mugler and seconded by Councilmember Hope Harper, that an item under File 23-0368, Department 140 Commissioner of the Revenue be

pulled and voted on as a separate matter. The motion carried by the following vote:

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Mugler and Mayor Tuck

1. [23-0368](#) Resolution Approving the Fiscal Year 2023 Year-End Budget Adjustments

Attachments: [FY23 Year End - CA - CCameron - LG RvB](#)

A motion was made by Councilmember Hope Harper and seconded by Councilmember Chris Bowman, that the Fiscal Year 2023 Year-End Budget Adjustments for Department Code 140 (Commissioner of the Revenue) be approved. The motion carried by the following vote:

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

Abstained: 1 - Councilmember Mugler

A motion was made by Councilmember Chris Bowman and seconded by Councilmember Steven Brown that the remainder of the Fiscal Year 2023 Year-End Budget Adjustments be approved. The motion carried unanimously.

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Mugler and Mayor Tuck

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.

Attachments: [231108 MIN DHDP - final REVISED](#)
[231109 MIN HCS Community Priorities Workshop - final REVISED](#)
[231118 MIN Aberdeen - final REVISED](#)

A motion was made by Vice Mayor Jimmy Gray and seconded by Councilmember Martha Mugler, that this Minutes be deferred to the City Council Legislative Session, due back on 1/10/2024.

The motion carried by the following vote:

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Mugler and Mayor Tuck

Approval of the Consent Agenda

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

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Mugler and Mayor Tuck

2. [23-0325](#) Resolution Approving Fiscal Year 2024 First Quarter Budget Adjustments

Attachments: [FY24 First Quarter - Action](#)

Item approved.

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Mugler and Mayor Tuck

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

Attachments: [Ruppert Sargent Lease CAO Draft 12.1.23 Recitals rev 12.8.23](#)

Item approved.

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Mugler and Mayor Tuck

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

Attachments: [Redline Chapter 41.1](#)
[Clean Chapter 41.1](#)

Item approved.

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Mugler and Mayor Tuck

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

Item approved.

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Mugler and Mayor Tuck

PRESENTATIONS, PROCLAMATIONS, AWARDS

PUBLIC HEARINGS

Ms. Glass read the protocol for 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

Attachments: [Application](#)
[Proffer Agreement](#)
[Staff Report](#)
[Resolution](#)
[Presentation](#)

Ms. Glass read the title for this and the next item. City Manager Mary Bunting introduced Chief Planner Donald Whipple to make the presentation. She also indicated that there would be one public hearing on both items, but each item

required a separate vote.

Mr. Whipple greeted those on the dais and presented information on the rezoning and use permit applications. The information presented was related to the site location; the proposal for the 5-story building which would house 382 apartment units and include a parking garage; the current zoning of the property, (C-2) limited commercial district; the recommended land use from the Hampton Community Plan (which reflects a mixed-use land use designation); and public policy statements from the Hampton Community Plan.

Mr. Whipple continued providing information about the rezoning and use permit as it relates to the Coliseum Central Master Plan; policies within the recommendations for the Coliseum South initiative area; the concept plan for the project; and proffered amenities, including a pool, dog park, walking path, wellness center and meeting room.

The final portion of the presentation provided information about the required variance, should the rezoning and use permit be approved; a rendering of the building, including the elevated view of the building from Commerce Drive and Pine Chapel Road; and a list of the proffered conditions and recommended Use Permit conditions.

Mr. Whipple provided staff's analysis of the project. This project represents an adaptive redevelopment of underutilized commercial property within the Coliseum Central District; it is consistent with the City's land use policies (more specifically, with the high-density residential recommendation from the Coliseum Central Master Plan); it has a quality design; and it includes community amenities.

Mr. Whipple stated that after the public hearing is held, staff and the Planning Commission recommend approval of the rezoning application with fourteen proffered conditions and the use permit application with eleven conditions. He noted that the applicant was present to answer questions if needed and then opened the floor for discussion.

Mayor Tuck clarified that he is not against the project, but reminded everyone about the effort to do away with minimum parking requirements and also the public policy statement and presentation which reference walkability. He explained that, in his opinion, this project which proposes a five to six story parking garage, would support more cars and not encourage people to use alternate means of transportation. He asked Mr. Whipple to give an update on the planning process about potentially doing away with minimum parking requirements.

Mr. Whipple stated that staff is working on creating new districts for the Coliseum Central area and is hoping to bring a proposal to the Planning Commission and City Council that considers possible reduction of the parking requirements within those new districts.

Councilman Bowman suggested that a building consisting of 382 units will most likely produce 382 to 400 vehicles in the parking garage and asked what potential concerns may be associated with that many vehicles entering and exiting the property during peak times. He also asked about the handling of stormwater and luxury car chargers.

Mr. Whipple shared that the proposal was vetted by other City departments, including the Traffic Engineering Division of Public Works. The traffic impact analysis met their satisfaction with no additional required improvements. In addition, Commerce Drive was recently connected from Mercury Boulevard to Pine Chapel Road, making it a well-connected block. In summary, there is no anticipated negative impacts of the traffic to the roads.

With regard to stormwater, Mr. Whipple explained that there would be a combination of above and below ground maintenance as it appears that the maintenance will be supplemented with some underground storage. With regard to luxury car chargers, the proposal includes having charging stations.

At Vice Mayor Gray's request, Mr. Whipple provided the following information about the minimum requirement/density of 324 units: The minimum requirement of Multiple Dwelling (MD-4) District for a dwelling size is 500 square feet. As presented, 60% of the units are proposed at 481 square feet which nets the 382 total units that they're requesting. If that 60% had to be built to at least 500 square feet, that would amount to about a 15% reduction or 324 units. Staff still believes the density is very important at this site. In addition, staff has no control over what the Board of Zoning Appeals (BZA) does. If they do not grant the variance, the developer would have to build to the required minimum 500 square feet. The applicant has agreed to proffer the minimum 324 units as their baseline.

Vice Mayor Gray said it is currently C-2 which also allows apartments and asked how many apartments would be allowed if it was C-2.

Mr. Whipple explained that there is no minimum density requirement. Under C-2, Multifamily can be developed with an approved use permit, but the standards of MD-1, MD-2 or MD-3 would have to be met.

The Mayor opened the joint public hearing on 23-0316 and 23-0317. There were no speakers and he closed the public

hearing.

A motion was made by Councilmember Martha Mugler and seconded by Councilmember Chris Bowman, that this Zoning Ordinance - Map be approved with fourteen (14) proffered conditions. The motion carried by the following vote:

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Mugler and Mayor Tuck

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]

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

Presented by Donald Whipple, Chief Planner. The Mayor opened the joint public hearing on 23-0316 and 23-0317. There were no speakers and he closed the public hearing.

A motion was made by Councilmember Chris Bowman and seconded by Councilmember Martha Mugler, that this Use Permit be approved with eleven (11) proffered conditions. The motion carried by the following vote:

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Mugler and Mayor Tuck

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]

Attachments: [Application](#)
[Signed Proffer Agreement](#)
[Staff Report](#)
[Resolution](#)
[Presentation](#)

Ms. Glass read the title for items 23-0313 and 23-0314 and noted that a joint public hearing will take place, but two votes will be required.

Ms. Bunting introduced City Planner Davis Pemberton to make the presentation.

Mr. Pemberton greeted those on the dais and presented information on the rezoning and use permit applications. The information was related to site location; the purpose for the use permit (to allow the mental health/substance abuse treatment facility at that site); zoning; and a rendering of the building.

Mr. Pemberton provided the following history for the property/existing facility: In 1981, a use permit was granted to permit a hospital on the property. At the time, the property was zoned R-M, which permitted a hospital use subject to an approved Use Permit. Following this, the site plan was approved in 1982, for the development of the hospital and on that site plan there was a future area of expansion identified. In 2015, City Council approved amendments to the Zoning Ordinance to adopt, define and separate different medical uses. At that time, mental health/substance abuse treatment facility use was prohibited in several zoning districts including the Multiple Residential (R-M) District. In 2021, Riverside proposed an addition to the existing facility and due to the approved site plan in 1982, showing the future expansion, that addition was permitted without the need for use from rezoning. Importantly, the proposed addition as part of this application was not within the feature or identified within the future expansion area on that site plan. In 2022, City Council approved amendments to the Zoning Ordinance which added “mental health/substance abuse treatment facility” as a permitted use, subject to approval of a use permit within the Limited Commercial (C-2) zoning district. As R-M does not permit the existing use, the proposed addition is an expansion of legal nonconforming use. Therefore, a rezoning and a use permit is required in order to bring the existing use into conformance and to permit the proposed addition.

Mr. Pemberton continued providing information about the rezoning and use permit applications related to public policy; the Hampton Community Plan; proffered conditions; and use permit application recommended conditions related to issuance of a permit, limitation of use, capacity, certification, Coliseum Central Design Standards, the security plan, nullification and revocation.

Mr. Pemberton shared staff's analysis of the proposal. It is consistent with the adopted policies; it promotes maintenance, reinvestment and preservation of existing facilities and sites; individuals in crisis will receive needed specialized health care; and it brings the existing use into conformance with current zoning regulations.

Mr. Pemberton stated that after the public hearing is held, staff and the Planning Commission recommend approval of the rezoning application with five proffered conditions and recommend approval of the use permit with nine conditions. He also said that the applicant was present to answer questions if needed.

The Mayor opened the joint public hearing on 23-0313 and 23-0314. There were no speakers and he closed the public hearing.

A motion was made by Councilmember Martha Mugler and seconded by Councilmember Steven Brown, that this Zoning Ordinance - Map be approved with five (5) proffered conditions. The motion carried by the following vote:

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Mugler and Mayor Tuck

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]

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

Presented by Davis Pemberton, City Planner. The Mayor opened the joint public hearing on 23-0313 and 23-0314. There were no speakers and he closed the public hearing.

A motion was made by Councilmember Hope Harper and seconded by Councilmember Martha Mugler, that this Use Permit be approved with nine (9) proffered conditions. The motion carried by the following vote:

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Mugler and Mayor Tuck

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]

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

Ms. Glass read the title for the item.

Ms. Bunting noted that Chief Planner Donald Whipple had returned to the podium to present this item.

Mr. Whipple greeted those on the dais and presented information on the use permit application. The information was related to the site location and the proposal for a 4-story, 103 room building. The project also proposes to incorporate pedestrian connections to the adjacent streets and on-property amenities including an outdoor courtyard, a laundry facility, and a fitness center.

Mr. Whipple continued providing information about the use permit as it relates to zoning; public policy; the Hampton Community Plan; the Coliseum Central Master Plan; policies within the recommendations for the Coliseum North Initiative area; the proposed concept plan for the project; a rendering of the building including elevated views of the building from Marcella Road and Hartford Road; and the list of recommended conditions. Some of the conditions discussed are related to issuance of permit, design, the concept plan, building materials, building height and size, management, security, amenities, and hotel licensing and operation.

Mr. Whipple provided staff's analysis of the project. This development is consistent with the City's land use policies; it would be an appropriate commercial development of an underutilized vacant parcel; the extended stay hotel development has the opportunity to serve the medical community and the Langley Air Force Base community; the quality of the design is appropriate for this site; and it includes amenities.

Mr. Whipple stated that after the public hearing is held, staff and the Planning Commission recommend approval of the use permit with 14 conditions. He opened the floor for discussion. No further discussion took place.

The Mayor opened the public hearing. There were no speakers and he closed the public hearing.

A motion was made by Councilmember Martha Mugler and seconded by Councilmember Chris Bowman, that this Use Permit be approved with fourteen (14) proffered conditions. The motion carried by the following vote:

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Mugler and Mayor Tuck

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

Ms. Glass read the title for the item.

Ms. Bunting made the following statement regarding items 13-21: I wanted to take an opportunity to describe this because this is somewhat of a rare occurrence, but it's a good occurrence that we're getting a fair amount of state and federal money. The Code of Virginia and our City Code require us to hold a public hearing, when we're amending the approved budget by more than one percent at any given time. The nine items that are outlined here, cumulatively exceed that threshold, but in particular, there are several really large ones that I wanted to note for the benefit of the public because they're substantial. The one relating to the schools, is a total of \$22.2 million, and it reflects additional funding for fiscal 2024 that the state adopted when they finally passed a budget. You may recall when we had to approve our budget, they had only adopted what they called a skinny budget, but they came back later and did more. They also had some carryover funds from the state that were provided, so those funds totaled over \$22 million, and that in and of itself would have triggered this provision. I also want to note, because I'm very proud of the work that our grants management and our emergency management teams have done to get money for the City to address coastal resiliency: We have a \$13.8 million grant from the Federal Emergency Management Agency's Hazard Mitigation Program to

be used for our North Armistead Avenue Resilience Project. That too, is rather substantial. There's also some significant Virginia Department of Transportation (VDOT) funding here for their street resurfacing program. They gave us more than we expected when we adopted the budget when there was that smaller state budget, and we did get a significant grant to improve pedestrian safety along Mercury Boulevard, to name a few. Most of these other ones typically would have been on consent agenda, but we had a lot of really good money coming into the City for some very important projects, and I thought it important to explain to the public what this is about. Very rare that we hit that one percent threshold at any given meeting, but this particular time, we did.

Ms. Glass read a summary of items 13 through 21.

Mayor Tuck opened the public hearing. There were no speakers signed up to speak so the public hearing was closed.

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

Attachments: [NWS Account Inquiry-HAZMAT Recovery FY23](#)

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

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Mugler and Mayor Tuck

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

Attachments: [Grant Award Letter](#)

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

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Mugler and Mayor Tuck

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

Attachments: [FY23 General Fund Rollover Report for Council Agenda](#)

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

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Mugler and Mayor Tuck

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

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

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Mugler and Mayor Tuck

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]

Attachments: [4512-VA-0002 Hampton Armistead Award Package](#)

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

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Mugler and Mayor Tuck

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

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

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Mugler and Mayor Tuck

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

A motion was made by Councilmember Mugler and seconded by Councilmember Brown, that this Consent Item be approved. The motion carried by the following vote:

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Mugler and Mayor Tuck

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

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Mugler and Mayor Tuck

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

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Mugler and Mayor Tuck

At 8:01 p.m., Mayor Tuck called for a ten minute recess.

PUBLIC COMMENT

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

Mayor Tuck indicated that 15 people signed up to speak and noted that he would call upon speakers two at a time who should alternate between the podium and free-standing microphone.

Mr. Michael Mulherin introduced himself, greeted those on the dais and made the following statement: I've been a homeowner since 1994, in the area of Coliseum Central. Happy Holidays. Future, Happy New Year. I respect and love all of you, but I got a chance to say hi and goodbye to our City Attorney. I have great respect for what the City Attorney's office does and all the attorneys, and I'm glad that she's

going to stay in Virginia because I think we need more people like her to help me. I wanted to say that it is a fact that Fort Monroe, here in Hampton, always remained part of the United States of America. It was never taken by the Confederate Armory. Fact: in the last month on Marcella Road, near the Rally's, bordering Coliseum Central, a 2-year-old child, and a 17-year-old teenager died to guns. Fact, we are Hampton. I'd like to say that again. We are Hampton, and for centuries, hundreds of years, we have succeeded, despite the greatest of odds. Confederate Mallory said...any quality of numbers may be compensated by invulnerability. Thank you. Happy Holidays.

Ms. Jacquelin Wade introduced herself, greeted those on the dais and the citizens of Hampton and made the following statement: On behalf of my family and I, I stand before you tonight to say thank you for my appointment to the Athletic Hall of Fame Committee. It is a pleasure to be given such an outstanding opportunity to serve. As a resident of Hampton for the past eight years, I was a mother of two from which I became a grandmother of seven, a great-grandmother of one. I faithfully attend Cornerstone Worship Center International, am a member of the Kiwanis Club, serve on the committee for Immaculate Conception Catholics Church Sunday Supper, serve as scheduled administrator for the Newport News Mayor's Book Club, and a reader for Hampton Mayor's Book Club. Of course, I cannot forget being a member of the Buckroe Improvement League. As you may know, I directed Kiwanis Seafood Festival, for many of you have attended. I also serve in Hampton as an officer of election, Jury Commissioner, yard judge and single handedly collected enough plastic for trex benches for both animal shelters. I volunteer for Hampton Healthy Families, as well as I direct the newly formed heroes lounge at the Newport News Airport. And now being appointed to the Athletic Hall of Fame Committee, it is my hope to transpose my many years of experience, collaborating and paying attention to the details of a project with honor, dignity and integrity, loyal to the trust you have placed in me, always striving for excellence and innovation. Yes, I believe service to others is service to God, and please know, I shall look to you for guidance whenever doing what is right comes into question. Together, Hampton's reputation as an All-American City and tourist destination shall be enhanced. Greg Garrett said it correctly - Hampton is an amazing place. Once again, I say thank you, and may you have a wonderful rest of your week.

Mayor Tuck reminded everyone that clapping is not permitted in Council Chambers.

Ms. Ursula Barkers greeted those on the dais and made the following statement: As we have begun this holiday season, I'm a little bit slightly irritable in front of you today, so please forgive me. The irritability stems from the non-stopping heavy duty, earth-moving and construction equipment right behind us on the grounds of the former, deaf, blind and multi-disabled school property. As I've mentioned before to

Council, my property line is adjacent to the school property line. There were some trees left, but most of the trees were taken down. So, there's really no sound barrier. My greatest concern today, tonight is I want to follow up. I addressed City Council about the wildlife there, which is now roaming freely around on Greenbrier, and on other neighboring neighborhoods, streets and coyotes, deer, I mean on a daily basis. When I reached out, I was told by Council... I was received feedback saying they will naturally migrate to other areas. Well, migrating to other areas mean Aberdeen Road, Pembroke Avenue, Victoria Boulevard - that's not sustainable, and obviously, it's frightening for people. We have it on our ring cameras where the coyotes are going by through the neighborhood, etc. And, it's breaking my heart to see the wildlife being treated this way. Americans are known to be animal loving people all over the world, and I'm just... I'm astounded. The agencies I've reached out two months ago when I sent emails to Council told me Animal Protection Environments, they have no jurisdiction, they cannot intervene, they cannot do anything. So, hopefully we will find a solution soon before these animals are starving to death because their habitat has been taken away. Quickly, my second point is I always try to adhere to rules and regulations, 46-year citizen on Greenbrier. I received my first citation from the City in regards to my little boat trailer in my backyard not being properly on a driveway on a solid ground. I had to purchase a permit, we had to purchase new gravel and you know, concrete mass to create a slab back there, and I think that's infringing on me, and I'm surprised that you guys are so adamant about intervening with our backyards when I drive down West Pembroke Avenue, and we have mentioned so many times, and as Manager Bunting knows, we've always said - why are these businesses not being held accountable? Their places are rundown, they're falling apart and it's just, you know, totally derelict.

Mayor Tuck indicated that Ms. Barker's speaking time had expired.

Mr. Ernest Johnson signed up to speak, but was not present when called upon to do so.

Mr. Ryan Barber introduced himself, greeted those on the dais and made the following statement: This my partner Brian Hopson, also the proud owner of Brian Hopson Karate in Hampton and Yorktown. We came here to speak to you tonight for two reasons. Number one, we are currently in the process of acquiring the Peninsula Golf Center, which is the driving range off Mercury Boulevard behind the KFC. The current business broke ground in 1979, and they've been operational since 1980. The Peninsula Golf Center has been successfully providing a fun, safe and friendly recreational environment for the golf community in the City, as well as tourists as well as anyone wanting to hone in on their game, anyone wanting to introduce themselves to the game of golf and also maybe just to blow off some

steam. Our goal as the new owners is to build on this and especially to reach out to the youth in our City. We have contacted First Tee, which is a golf inspired organization designed to impact the lives of young people by providing educational programs that build character, install life enhancing values, and promote healthy choices through the game of golf. First Tee is very excited to establish a program here at our driving range in Hampton. We are also planning to reach out to all the high school golf programs to provide them the same as well as the apprentice school. Through our process, thus far, we have met David McCauley, your Director of Parks and Rec and Patti Lewis, who has been successfully managing our golf courses here in Hampton as well as mentoring us through this process. David and Patti are also both very excited to work with us because they have great ideas to enhance our golf community. I am personally excited about the opportunity to give back to the City in which I was born and raised and now raising children myself. That being said, the second reason we wanted to talk to you tonight is to ask City Council for your support in this endeavor. We are currently in lease negotiations with the City because the City owns the property and we have built our financial models based off of the current owners existing lease and their financial records. In order to achieve our goals set forth here tonight, we are asking the City for a comparable lease as to the one that's already existing, so that we can continue to provide an affordable, safe and healthy recreational activity for our citizens and especially the youth. Let's work together to keep our kids off the street and to get them into a fun, friendly environment for all to enjoy. We are happy to answer any questions and we hope to be on your agenda next month. Thank you for your time and we look forward to working with you in the future.

Mr. Aaron Weaver introduced himself and made the following statement: First, I want to acknowledge my written request regarding heightened security at City Hall measure necessitated by warranted actions towards three separate employees, through three different years by Councilman Bowman. This critical issue, I believe, rightly falls under the Council's purview, and I have raised my voice and written in that regard, however, on October 25, my focus was on a matter that was misconstrued by the City Manager. My proposal was for an amendment to Chapter Three of the City Charter. This proposed amendment is just not a formality, it's a crucial step towards strengthening the accountability and the conduct of City Council members, particularly in the light of criminal activities and violations of our City employee policy handbook, which is important. The need for change was starkly illuminated following my Freedom of Information Request which the admitted criminal, Councilman Bowman, disturbingly exposed a lack of clarity in current governance framework. The question was simple. What happens if a Councilmember commits a crime and was met by a vague and inadequate response. The obscurity in our charter is a vulnerability that undermines the trust we place in our elected officials. Recently, my advocacy for this amendment was unfortunately

labeled as a political statement during a Council meeting. This label, intentional or not, mirrored the rhetoric of Councilman Bowman's defense, and doing so, shifted focus from our core issues, our commitment to the truth and accountability, which was bought by the Council's whose purview it is under. I am here to seek a public correction of this mislabeling from our City Manager and as the statement was made in her official capacity, the correction and not about personal vindication, but it's about upholding the integrity of our civic process and the ethical standards that we expect from our City's leaders. The actions of Councilman Bowman, including recent revelations in Hampton General District Court, that after the alleged incident in January, there are potential messages that he was back to soliciting prostitutes in February, contrary to what his lawyer lied and said that was a one-time event. This Council has been faced with and will continue to be faced with critical decisions that you all cannot hide from, no matter how you try to no matter how your actions try to not say something about it or not make what I took what I actually said and use the counts to the City Attorney for what she is great for, and we're thankful for you, by the way. So far, then which has been a hope and we forget to respond to not only the words, but decisive concrete action, amend our City Charter with clear, purposeful language. Address these issues by sending anything needed to the state legislator level as needed, but above all, take a stand for what is right and the integrity of our City for the trust of what we collectively placed in you. You are elected, not just to occupy seats, to collect. Thank you.

Mayor Tuck indicated that Mr. Weaver's speaking time had expired.

Ms. Joan Weaver greeted those on the dais and made the following statement: I am here because amongst all this gaiety, it's difficult for us in the 23661 to find it when in our neighborhood, there is so much disparity and problem. Traffic violations, environmental issues, redlining, health and longevity issues , dangers to us, and last but not least, my God kill Rudolph - to the referencing of the shooting of the deer. Catalpa Avenue is not a truck depot. We have had tractor trailers parked overnight, coming through us. We are not a thoroughfare. We came to you all and said that Pandora's box would open and hell would break loose and it has. So, we come back to you to see what you were going to do to help us. I personally, Mayor Tuck, I visited your office and I asked and I brought to, I believe, Joy, regarding the tractor trailer and the parking and all - there was no return to address that. In selected areas of the City a Hampton, there is no parking, no through trucks, no tractors. I say that the City Manager needs to look and see that we have signs put up in our community truck restrictions. We don't have that and God forbid regarding the deer again. I will say this too. There is a certain member on our City Council - he may not be an angel, but he is not the only one without a moral compass. Steven, Reverend, I exempt you, but for everybody who approved to bring that into our neighborhood, what is more than moral in Hampton City Code violations? What that

person did only impacted himself. That vote to rezone us, you all have damned a generation, a neighborhood, a community and all these disparities we will have for life. So, for that person who was going into Christmas, don't feel bad. You are in good company. They are all guilty of violations. Help us. Truck restrictions - stay out of our neighborhood. You caused it. Now, let's fix it. Thank you.

Mayor Tuck reminded speakers that they are being called upon two at a time in an attempt to move the process along.

Mr. Adam Morrow greeted those on the dais and the citizens of Hampton and made the following statement: This is my first time speaking at one of these, but it's about an issue that's rather important to me and to the world over. I have a feeling a lot of other people are going to speak to it tonight, and a lot better than I can, so I will just be brief and I will request the City Council issue a resolution calling for a just and lasting peace and ceasefire in Gaza, in the West Bank and in the Levant as a whole. Thank you. Have a good evening.

Mayor Tuck reminded everyone that applauding is not permitted in Council Chambers.

Ms. Frega Azza greeted those on the dais and made the following statement: I stand before you today calling in the spirit of activism and social justice that defines Hampton and request we be on the right side of history. I urge you to consider a formal resolution expressing solidarity with the Palestinian people, driven by profound commitment to humanity. Let me explain. The current situation in Palestine demands our attention. Innocent men, women, children, babies, newborns are enduring a campaign of ethnic cleansing and collective punishment at the hands of the Israeli state. Under international law, collective punishment is deemed a war crime involving sanctions imposed on individuals or groups in response to a crime committed by one of them. In Gaza, Israel's response to Hama's attacks has led to collective punishment, denying access to essential resources such as electricity, water, food and humanitarian aid to Palestinians. No human should be denied these basic rights to survive. An alarming ethnic cleansing campaign is unfolding before our eyes. A compelling 2 million Palestinians are being forced to leave Gaza immediately or face the threat of bombing by Israeli army. The Gaza Strip has already been termed the world's largest open-air prison by human rights groups and faces unbearable living conditions due to an imposed air, land and sea blockade for the past 75 years. We, the citizens of Hampton, are currently funding a collective punishment and ethnic cleansing campaign. Hampton residents contribute roughly \$2 million in federal tax dollars to the Israeli military, but you esteemed Mayor and Councilmembers, you can stop this. Sixty-six percent of voters are asking for a ceasefire, so why are the leaders not echoing the voices of the people? I propose a

resolution that calls for the following: 1. An immediate and permanent ceasefire. 2. Safe passage for humanitarian aid to alleviate the dire conditions faced by Gazans. 3. An end to the Israeli Apartheid occupation and blockade of the Palestinian land. 4. An immediate halt to all existing and future military aid. 5. The release of approximately 7,000 Palestinian hostages abducted since October 7, and approximately 220 Israeli hostages held by Hamas. Over 24,000 Palestinians, 70% who are women and children have been slaughtered by the Israeli airstrikes. Two million have been displaced. That is equivalent to all of Hampton residents multiplied by 14. Hampton, with its history of championing social justice, has a responsibility to lead national calls for justice. Let us stand at the forefront of the movement for justice. Cease fire now.

Mr. Naved Jafri signed up to speak, but handed his written remarks to the Clerk instead of speaking.

Ms. Soha Amer introduced herself, greeted those on the dais and made the following statement: I would like to talk a little bit about myself. I had the privilege and opportunity to attend New Horizons Regional Education Center here in Hampton. While I was there, I earned my emergency medical technician license for the state of Virginia. As a licensed emergency medical technician here in Virginia, I took an oath to uphold to conserve life, alleviate suffering, promote health, do no harm, encourage the quality and equal availability of emergency medical care to provide services based on human need with compassion and respect and human dignity, unrestricted by consideration of national race, creed, color or status, to not judge the merits of the patient's who request for service, nor allow the patient's socioeconomic status to influence our demeanor or the care that we provide. Unfortunately, the past 68 days over the news, and my Instagram feed, I have witnessed pictures, devastating, heartbreaking, cruel, and downright tremendous. I request that the Mayor and City Councilmembers present here today to honor our humanity, and every human life by immediately calling for a ceasefire and directing US taxpayer dollars towards a humanitarian, dignified and peaceful resolution. The ongoing violence and the horrific loss of thousands of innocent Palestinian and Israeli lives is a humanitarian crisis that is impacting Hampton residents who are grieving and fearful for their loved ones. In addition to the pain and suffering our air of Muslim and Jewish communities are enduring here in Hampton, we are also facing the ongoing crisis of homelessness, gun violence, lack of access to health and mental health services, affordable childcare, quality education, well-paying jobs and affordable housing. It is unconscionable that the federal government would consider giving an additional \$14.3 billion in military aid to the State of Israel while our own communities lack access to these basic needs. The US must instead use its power and resources to immediately pursue diplomatic efforts to end the violence against the people of Gaza and the West Bank and to free all of the hostages. The

mass protests and numerous actions taking place all over the globe and the US show that Americans and the rest of the world overwhelmingly support an end to the violence in Gaza and Palestine. A recent poll showed that 66% of voters, which include 80% of Democrats, 57% of independents, and 56% of Republicans support a ceasefire. Our federal representatives must honor our humanity. Thank you.

During Ms. Palistine's turn to speak, she presented a cease fire resolution draft to the members of City Council. Ms. Palistine came forward to speak. Mayor Tuck asked her to state her name for the record and she replied stating that no one else stated their name. Mayor Tuck indicated that speakers have stated their names. Ms. Palistine indicated that she wanted to protect her identity for safety reasons. Mayor Tuck noted that he would speak with the City Attorney and/or Clerk on how to handle this and then asked Ms. Palistine to state her name for the record.

Ms. Palistine introduced herself as Free Palestine, greeted those on the dais and made the following statement: Mayor Tuck, you recently attended a conference on resilience and I would like to elaborate on that theme. I was born after 911, yet have had to condemn 911 my whole life, but I fear that four-year-old Ahmed who now has his legs amputated and his parents killed will have to grow up doing the same. So, yes, I condemn Hamas. I condemn the ongoing killing of innocent Palestinians. I condemn the killing of innocent Israelis on October 7. Now I asked you - will you condemn the occupation and war crimes being committed in Palestine? I want to take a moment of silence for the people of Palestine. If we were to dedicate just one second of silence for every person killed in Gaza over the last 66 days, we would be in silence for five hours. That's 15% of our City, our teachers, doctors, journalists would all be a part of that statistic. Many leaders believe Palestine is an international problem, but I'm here to tell you when the people you represent are impacted, it's your responsibility to do something. Well, what can the City do? The answer: sign the ceasefire resolution that's in your email tonight. The City of Hampton houses two mosques, making it a pinnacle for diversity in Hampton Roads. The rise of hate crimes in the US is a reality that unfortunately many of us in this room tonight have faced. Your silence, Mayor Tuck, and laughter does not reflect the urgency sharp pain and outrage of your constituents. We've seen and heard the silence loud and clear from our politicians and leaders over the last two months, who have repeatedly ignored the pleas of voters. The Constitution starts with "We the People" and establishes the elected representative democracy that the US Government was built on, but this silence, turning a blind eye to the death of 24,000 civilians. You call this a democracy? This isn't a democracy. It's a lack of humanity and betraying our core values as a City. If our City Council does not pass a resolution for an immediate ceasefire, it becomes clear, you stand with genocide, ethnic cleansing and collective punishment. Do we unequivocally stand against war crimes, crimes against humanity and human rights violations? How many more Palestinian children

need to die for you to pick up your pens? You've all received a copy of the ceasefire resolution draft. I see humanity in the people I'm standing in front of today, so I'm certain I will receive a reply from at least one Councilmember. So, what will it be? Will we take action or will we wait for the ink and blood to dry in order to speak truth to power. Many of you will say happy holidays during your remarks tonight. There is no joy or holidays when 24,000 lives...

Mayor Tuck indicated that 3 minutes were up and the speaking time had expired. The speaker indicated that she was interrupted in the beginning which took away some of her speaking time.

Mayor Tuck called for the meeting to be paused.

Junaid Ahmad signed up to speak, but did not speak.

Ms. Haifa Amin greeted those on the dais, introduced herself, thanked Council for the opportunity to speak and then made the following statement: I stand here today asking the Council to support the United States Congress House Resolution 786 and join other City Councils across the United States in drafting their own ceasefire resolution and calling for the following: An immediate and permanent ceasefire; the release of all hostages including Palestinians arbitrarily detained by Israel; the unrestricted entry of humanitarian assistance into Gaza; the restoration of electricity, water, food and medical supplies to Gaza; an end to the siege and blockade of Gaza; respect for international law by all parties affirming a commitment to combat anti-Palestinian and anti-Arab racism, anti-semitism and Islamophobia in all its forms; and to ensure the dignity and safety of all of our residents. We come to you today with a plea on behalf of the Palestinian people. The number of lives lost, mostly children, is astounding and heartbreaking. I'm quite sure when you took your positions on this Council, it was with the intention to do good and create change for the better. We are asking you to use your platform and raise your voices to call for a ceasefire in Gaza. Above all else, this is an issue of humanity. I am perplexed why this is even a question. No one should have to endure what the Palestinian people have endured for the last 75 years. During the COVID-19 pandemic, health care workers across the globe were praised for their tireless efforts, yet , in Gaza, they are forced to make impossible decisions like having to move babies out of their incubators, while the hospitals they are working in are being bombed. Journalists are being targeted with no regard for the press vests they wear. The Palestinian Administration of Education canceled the 2023/2024 school year because of the amount of children that died. Where in the world, other than Gaza, has that ever happened? When you ask a child in Gaza what they want to be when they grow up, they don't respond like the average child does (answers) - a doctor, lawyer, firefighter. When you ask them what they want to be when they

grow up, they say they hope to be alive. We ask that you call for a ceasefire and support the call for peace. Otherwise, your silence is deafening. Thank you.

Ms. Shadiah Amin introduced herself, greeted those on the dais, thanked Council for the opportunity to speak and made the following statement: Tonight, I stand before you as a voice from the heart of Palestine as a Palestinian who has witnessed the unbearable pain and suffering that our brothers and sisters of Gaza must endure. The world may see statistics, numbers and political complexities, but I implore you to look beyond the headlines and into the eyes of the innocent children, their grieving mothers and the broken families. Look into the eyes of the mother who was forced to leave her baby behind in an incubator to flee south with the rest of her family. The journalists whose wife and children were killed in an air strike, and the author who was killed along with the power he shared through his poetry, the rhetoric the media adopts to describe people just like myself is dehumanizing and distasteful. Palestinians don't die, Palestinians are killed. Palestinians are not prisoners, they are hostages held in an open-air prison. Palestinians are humans with the same rights to live that you and I have. My people do not deserve to be censored for the world needs to see the pain and struggles that they are facing as a result of our silence and our tax dollars. As a Palestinian, I cannot find the words to convey the magnitude of the pain that my people endure daily. The images of destruction and suffering are etched into our collective memory, and the scars of injustice run deep. But in the face of this adversity, we must not lose sight of our shared humanity. I implore each and every one of you to stand with us to stand for humanity and to champion the cause of peace. Together, we can be the catalyst for change, the bearers of hope in a world that so desperately needs it. The people of Gaza deserve nothing less than a chance at a life free from the occupation that the Israeli government has imposed on them for decades. Let our collective voice be the force that paves the way for a permanent ceasefire and a chance at life for the men, women and children of Palestine. This is my plea to the City Council as a citizen of Hampton Roads: to pass a ceasefire resolution and use your power to show that the lives of more Palestinian constituents and their families matter to you. Every time the media lies, a neighborhood in Gaza dies. Cease fire. Thank you.

Ms. Sehian Nanez greeted those on the dais, introduced herself, and made the following statement: I'm a Navy vet, and now full-time student and I'm calling that you guys read that resolution you're receiving tonight and sign it. World powers have been utilizing apathy and preexisting regional conflict as a means to successfully execute colonization and colonialism for centuries. With the aid of technology, it wasn't until the end of World War II that all mankind was able to collectively witness the true price that's paid for this colonization. Six million, six million Jewish lives, six million martyrs. So, what do we do to keep these martyrs from dying in vain? As a result, on January 1, 1942, representatives of 26 nations at war with the Axis powers

met in Washington to sign the Declaration of the United Nations, what we know today as the UN, to ensure that this never happens again. I grabbed this directly from the United Nations website - definition of genocide set out in Article Two of the Genocide Convention is genocide means any of the following acts committed with intent to destroy in whole or in part, a national ethnical racial religious group. We're now looking at over 20,000 dead Palestinians in two months. Twenty thousand people of one ethnicity, the indigenous people to the land were relocated only to be massacred, using American tax dollars in an oil-rich country and the American people are supposed to believe this isn't for economic gain. Are we going to allow 6 million martyrs to die in vain? Individuals like Isaac Herzog and President Biden no longer control the narrative. The biggest lie that we were told is that we have to lie for them to protect ourselves. We have to tell the truth to protect others. When I was in the Navy, I swore an oath. I am a United States sailor, and support and defend the Constitution of the United States of America - and protecting democracy is a huge part of that. There are already over five cities who have passed a resolution (the City Council). So, what is this City Council's excuse? You're condemning genocide. You're being apathetic, which is a key ingredient to genocide happening. That's all.

Following Public Comment, Mayor Tuck indicated that the City Manager will check into the construction noise. He spoke about the constraints on how the City can handle wildlife and shared that the Police Chief looked into who may have shot a deer in that area. The Mayor also spoke about his own experience and requirement to comply with the law with regard to the boat trail and then shared that there are conflicts all over the world and the City cannot take a stand on each and every conflict and it is not wise for the City to engage in writing resolutions on matters in which they do not have all of the information.

The City Manager said that she can't think of a time that the City has issued a resolution on the same night it was requested. She also indicated that she responds to administrative matters, but she does not make policy herself and her reference to things being political means that it is a decision of the body, but not something for the City Manager to address.

GENERAL ITEMS

Appointments

- 22.** [23-0198](#) Consideration of Appointments to a Hampton VA 250 Committee

A motion was made by Councilmember Martha Mugler and seconded by Councilmember Hope Harper, that this Appointment be deferred to the City Council Legislative Session, due back on 1/10/2024. The motion carried by the following vote:

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Mugler and Mayor Tuck

23. [23-0363](#) Consideration of Appointments to the Board of Zoning Appeals

A motion was made by Councilmember Mugler and seconded by Councilmember Harper, that this Appointment be deferred to the City Council Legislative Session, due back on 1/10/2024. The motion carried by the following vote:

Aye: 6 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Mugler and Mayor Tuck

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

MISCELLANEOUS NEW BUSINESS

Vice Mayor Gray questioned construction traffic in the neighborhood discussed earlier as it should be coming from Aberdeen Road. The City Manager indicated that she will follow up on the traffic issues. The City Manager also spoke about the commercial vehicle parking issue and shared that she will look into signage, but needs to discuss that with the Public Works Director and the City Attorney.

Mayor Tuck congratulated the Phoebus High School football team on three in a row state championships.

ADJOURNMENT

The meeting adjourned at 9:01 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 _____