



City of Hampton

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

Council Approved Minutes - Final City Council Legislative Session

Mayor Donnie R. Tuck
Vice Mayor Jimmy Gray
Councilmember Chris L. Bowman
Councilmember Eleanor Weston Brown
Councilmember Steven L. Brown
Councilmember Billy Hobbs
Councilmember Chris Snead

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

Wednesday, March 24, 2021

6:30 PM

Council Chambers

CALL TO ORDER/ROLL CALL

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

Present: 6 - Councilmember Chris L. Bowman, Councilmember Eleanor Weston Brown, Councilmember Steven L. Brown, Vice Mayor Jimmy Gray, Councilmember Billy Hobbs and Mayor Donnie R. Tuck

DONNIE R. TUCK PRESIDED

INVOCATION - Councilman Hobbs

Councilman Hobbs gave the invocation.

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

Mayor Tuck shared that March is International Women's Month and he posthumously honored Jo Shuler who passed in March of 2020 by reading and presenting a proclamation in her honor to her daughter, Sharmon Hawkins.

Mayor Tuck asked Councilwoman Snead, who recommended the proclamation, to assist in presenting the proclamation.

Councilwoman Snead stated that it was an honor to recognize Jo Shuler and how she was a mentor and gave credit to her for some of her career success.

Ms. Hawkins stated she missed her mother, thanked Council for the proclamation

and stated that her mother's legacy will live on through us.

CONSENT AGENDA

Clerk of Council, Katherine Glass, read the protocol for the consent agenda and a summary of the consent items.

Approval of the Consent Agenda

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

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

1. [21-0102](#) Resolution to Amend the Fiscal Year 2021 Council Approved Budget to Accept and Appropriate the 2019 Continuum of Care (CoC) Planning Project Grant Awarded by the United States Department of Housing and Urban Development (HUD).

Attachments: [Award Letter](#)
[FY19 Agreement](#)
[Grant Proposal FY2019](#)

item approved.

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

2. [21-0104](#) Resolution to Amend the Fiscal Year 2021 Council Approved Budget to Accept and Appropriate \$700,000 of Federal Funds from Joint Base Langley-Eustis (Langley Air Force Base) to the Capital Projects Fund for the Tree Timbering/Harvesting Project

Attachments: [Map](#)

Item approved.

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

3. [21-0110](#) Resolution Authorizing the Execution of a Joint Funding Agreement and Approving a Cost Share with U.S. Geological Survey.

Attachments: [Tidal Monitoring 20LMJFAVA000075 JFA](#)

Item approved.

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

4. [21-0111](#) Resolution to Amend the Fiscal Year 2021 Council Approved Budget and Appropriate \$253,997 from the Capital Projects Fund Restricted Fund Balance to the Capital Projects Fund Transportation Initiative Project

Item approved.

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

5. [21-0119](#) Resolution to Approve the Seventh Amended Charter Agreement of the Hampton Roads Workforce Council

Attachments: [7th Amended Charter Agreement](#)
[WIOA Factsheets \(Department of Labor\)](#)

Item approved.

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

6. [21-0115](#) Approval of the minutes from the legislative session of January 27, 2021, the work and ceremonial sessions of February 24, 2021, and the legislative session of March 10, 2021.

Item approved.

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

PRESENTATIONS, PROCLAMATIONS, AWARDS

7. [21-0098](#) Briefing on the June 2020 Air Installations Compatible Use Zones Study from Joint Base Langley-Eustis, Virginia

Attachments: [Presentation \(as published\)](#)
[Publication - Corrected](#)

Mayor Tuck called on City Manager Mary Bunting to introduce the item.

Ms. Bunting stated that the Air Installation Compatible Use Zone (AICUZ) presentation will give Council and the community a preview of the expected changes to the AICUZ zones and the importance of this study as it relates to Langley. Ms. Bunting also noted that the City is greatly proud of their affiliation with the military base and look forward to continuing to protect the base.

Ms. Bunting introduced Director of Federal Facilities Bruce Sturk along with additional speakers Mr. Travis Willer (Langley); Lt. Col. Robert “Rexxxx” Brooks (Langley) and Lt. Col. Brooks’ Wingman; Susan Gaston (Chief Administrative Officer for the Virginia Peninsula Association of Realtors); and Peggy Todd (Realtor & Neighborhood Commissioner) who gave the presentation.

Additional information was presented by Deputy City Attorney Bonnie Brown; Development Services Manager Hannah Sabo; and Community Development Department Deputy Director Steve Shapiro.

Mayor Tuck asked what zero eight meant in the map shown on the screen. Mr. Sturk replied that it is zero eight zero, which is the direction you would be coming in to land on that runway and that runway goes on a compass as zero eight zero.

Councilman Billy Hobbs stated that he is probably the only member of City Council that lives a five minute drive from the Armistead gate and he does not hear any noise. Like John Lewis used to say “good trouble”, that’s good noise, keep it up.

Mayor Tuck commented that Susan Gaston stated she is actually a Coast Guard/Navy family and he is an Air Force family. A little more than two months after he and his wife were married, she was transferred from the Pentagon to Langley and they spent about two years in Bethel Manor.

Mayor Tuck thanked Mr. Sturk for the relationship he has cultivated with Langley Air Force Base in addition to previous Mayors and Councilmembers. As a region, there is group called Hampton Roads Military & Federal Facilities Alliance (HRMFFA) and, with the exception of this past year, we have traveled to the Pentagon and met with

different officials to include the Secretary of the Air Force. One of the things that HRMFFA tried to do was to increase the missions at Langley.

Mayor Tuck gave kudos to the Hampton City Schools Superintendent for the fact that our schools are 100% accredited. According to Secretary Wilson, at the time, that is something that is very important as far as missions and basing.

The other thing that our General Assembly has done is to make it easier for family members, who have licenses in other states, to come to Virginia and be able to transfer their license into a practical use versus not being able to use because they did not have a Virginia license.

Mayor Tuck commented that he and his wife can hear the sound of freedom on most mornings.

He continued, we recognized that we are a military community and are extremely pleased with the relationship and a lot of things have been done to cultivate that relationship and looks forward to the members of the Flight Training Unit (FTU) and their family members to arrive, and hope they will choose to live in Hampton.

PUBLIC HEARINGS

Clerk of Council, Katherine Glass, read the protocol for the public hearing.

Use Permits

8. [21-0090](#) Use Permit Application by Colonial Downs Group LLC to Amend the Conditions of an Amusement Center for an Indoor Off-Track Betting Horse Racing Facility at 1990 to 1996 Power Plant Parkway [Leasehold LRSN 13001056, portion] which is within the Power Plant of Hampton Roads Shopping Center [Parcel LSRN 3004808, portion]

Attachments: [Conditions](#)
 [Application](#)
 [Staff Report](#)
 [Presentation](#)
 [Conditions Redline](#)
 [CC Design Standards](#)
 [PC Staff Report](#)

City Manager Mary Bunting introduced Chief Planner, Donald Whipple, who gave

the presentation.

Councilman Chris Bowman stated it was good to see enhanced security lighting and traffic emphasis. He also mentioned that the history on the police data has been very low and encouraging.

Councilman Billy Hobbs asked if there was any community input about the changing of hours.

Mr. Whipple replied, in 2018 is when this initially came in and the applicant declined to have a community meeting and, at this time, they mentioned already being open and being in a predominately commercial shopping center with very little surrounding residences. They relied on input from the Coliseum Central Business Improvement District.

Councilman Hobbs asked if he could verify that item 7 (Security Plan), in the original agreement has been absolutely maintained as it was written.

Mr. Whipple confirmed that it has.

Councilman Hobbs asked if it can be verified that there are seven officers at all times.

Mr. Whipple replied that he personally cannot.

Councilman Hobbs asked who can verify.

Mr. Whipple replied he is unsure of who can verify but stated that Rosie's had recently asked if they could back off of that number because of the reduced numbers as a result of the restrictions due to COVID-19, which the City allowed based on the number of people.

Councilman Hobbs stated he has had some public input and read the following from social media. "The Hampton City Council are voting to keep Rosie's open until 4 a.m. Would that open the door to other bars and restaurants to extend their hours? Will Rosie's be serving food, liquor and beer? Curious how those folks that live in Hampton feel." Councilman Hobbs stated he is being told they do not feel like they have had a chance for input and the City is breaking the norm.

Mr. Whipple replied that changing the hours does not change the alcohol law and they still have to stop serving alcohol at 2 a.m.

Councilman Hobbs asked who took the authority to change the agreement made and stated his concern about the security. Like my mother told me, after 12 at night nothing good is going on out in the street.

Mr. Whipple replied that after speaking with the police department, there has not been any bad remarks and they are happy with the security plan and it is functioning well. It was a request by the General Manager of Rosie's for consideration and then there was consultation with the Police Department and the Zoning Administrator who enforces the conditions. It was only through getting clarity and assurance from the Police Department they were in agreement was it even considered.

City Manager, Mary Bunting made clear that Council did not authorize it and that it was a consultation between Hampton Police Department and the Zoning Administrator.

Councilman Hobbs stated that he had a problem with that and a hard time with this to begin with. No disrespect, we have not had gambling in the City of Hampton before and worries about the security of our citizens. He does drive by Rosie's a lot and does not see much social distancing or people wearing face coverings when standing back to back on the sidewalk. He stated he is having a hard time extending the hours.

Councilman Steve Brown stated that when he heard this request for extended hours in the Planning Commission meeting, his concern then was because Rosie's had only been in operation less than a year the Planning Commission denied the request the first time. We wanted to give them at least year to see what incidents were in terms of police calls and what type of calls Rosie's would be receiving. Councilman Brown thanked Rosie's for reaching out to him and for their due diligence in making sure there was follow through on the request he had made to make sure the calls were not so the public did not feel intimidated or fearful to go into the establishment, and that is not what I am seeing. Councilman Hobbs did bring up a good point in terms of the number of security persons who should be on site, because I asked that question last time too. Would security be maintained and, if there were an abundance amount of people would security also increase the numbers? Hearing this tonight, certainly is challenging to say the least, that security has been altered. I want to express to them that when you are open from 8 a.m. to 4 a.m. that is an extended time and if other businesses in that area want to extend their hours, we may be getting more of those requests. He thanked Rosie's for reaching out and answering his concerns.

Councilwoman Chris Snead stated that, prior to the pandemic, she went to Rosie's

with girlfriends and the security was overwhelming. She felt safe during the day or in the evening. She continued that it made good sense to her, because of their limitations on the number of people they could have in the facility, that they would reduce security. You would not need as many police officers as before. She reiterated that the security before the pandemic was in full force. That is not to say they did not have the same ratio based on the number of people that they had. While she has not been back since the pandemic, she had friends to go and, none of them ever said they felt insecure. Councilwoman Snead commented that, she thought, Rosie's was handling this quite well considering the perception that people have of facilities like theirs. After the pandemic, she would go back and supports the request to stay open until 4 a.m.

Mary Bunting asked Deputy City Attorney Bonnie Brown to give an explanation on the security ratio. Ms. Brown explained that the ratio of security guards was temporarily decreased proportionately aligning with the Governor's Executive Order relative to reduced capacity during COVID. Chief Sult also provided information on the need for the Hampton Police Division to approve any security plan. Chief Sult also expressed some concern about the ability to provide extra duty police officers until 4 a.m. in light of a shift change which would occur shortly after that hour.

Councilman Steve Brown stated he felt there are some concerns and asked if the item could be deferred.

Mayor Tuck replied that everything needed to be heard first because this was a public hearing item.

Vice Mayor Gray stated it was his understanding that the number of security officers required when first approved was a specific number and did not understand that extra duty officers were required and asked the City Manager for explanation.

City Manager Mary Bunting deferred to staff who wrote the condition as to how it can be fulfilled.

Deputy City Attorney Bonnie Brown replied that the condition would not require one or the other, extra duty or security, as long as the condition is met. She continued that we could not permanently reduce the number from seven to any other number because Council set the seven and the only reason the reduction was in place was because of the Executive Order.

Vice Mayor Gray asked about Chief Sult's statement needing an approved plan for available extra duty officers.

Chief Sult stated that Rosie's has been a superb partner in security and everything else. The security plan that has to be approved by the Police Chief or his designee, is a separate document from code, and in that if we do not approve the plan it becomes a code issue if they continue to operate. There was a written plan put together by Rosie's and in that plan required extra duty officers particularly in the later hours of the night. Chief Sult stated he has not seen a revision of the plan and there would need to be a new plan submitted as an addendum to the original plan.

Vice Mayor Gray asked, in addition to the security required in accordance with the agreement of seven security officers, are they required to receive the same training as Hampton Police officers.

Councilwoman Snead stated that seven security officers could be extra duty police officers it is not seven security officers plus extra duty officers.

Chief Sult stated the issue is the number does not change, but they do have a mix in the security plan and a sworn officer be in the parking lot in the later hours. He went on to state he would need to refer back to the actual written plan but the intent and the reality of it is that the security officers separate from police officers work the inside of Rosie's and an off duty police officer works the parking lots, and it has worked well. The concern he has is that the plan be modified to include the 4 a.m. and we do an evaluation as to whether we can fill those slots until 4 a.m. that could potentially be a problem.

City Manager Mary Bunting read the security plan.

Vice Mayor Gray questioned if all of the security officers have the training needed and why is there a need for an off duty officer for the parking lot.

Ms. Bunting stated she was reading the minimum guidelines and other things can be added as deemed necessary.

Chief Sult added that they wanted someone in the parking lot with police powers and has worked very well. He just wants to make sure the same level of coverage is maintained.

Vice Mayor Gray stated he understood but asked why are we just getting to this tonight when we knew this request was coming.

Councilwoman Eleanor Brown stated she appreciates the concerns that have been raised about security. The experience has shown there have been no events and

that shows a testament to how well Rosie's is doing in wanting their facility to be secure. She stated she believes this has been a good partnership and expressed her concern about the change of the requirements. She does not feel Rosie's should be penalized for following the process and do not want our staff to exceed their authority in making decisions that should come before Council. As long as the requirements are being fulfilled and the reports indicate that Rosie's is secure she would be willing to support it.

Councilwoman Snead stated that when she has been at Rosie's there has been more than one extra duty police officer whether inside or outside the facility.

Councilman Brown stated his concerns after the City Manager read the security plan. If the plan changes, Hampton Police Department should have been involved in the change.

Chief Sult replied that he was able to determine that the data is correct and the coordination was at a lower level and did not rise through the chain of command.

Chief Sult added that the security has not been reduced at this point, Rosie's is a great partner and are willing to make sure extra duty is there. Hampton Police just needs to make sure the positions can be filled.

Councilman Bowman asked Chief Sult, if he cannot staff the extended hours, can a private security firm staff those hours?

Chief Sult replied that he believes that Rosie's has a good security group and believes that is a decision for the new Chief of Police to determine. At the end of the day it is all about safety and, when bad things happen it is usually after midnight. That is why we wanted a clear presence in the parking lot and has been successful.

Councilman Bowman asked Chief Sult that the concern of the potential of not being able to staff could be resolved by a private firm.

Chief Sult replied that, in his opinion, he would not do that because it would derogate the security. The purpose of having a police car there is you have to pass by it when entering and exiting the establishment.

Bonnie Brown added that the applicant and their attorney are here to make a presentation and may be able to answer some of your questions. She also stated that Council can make the determination to defer the item with no limit of time.

General Manager of Rosie's, Vincent Jordan, was available to answer any

questions. Mr. Jordan stated that the security plan is still in place and has not decreased the number of officers. Mr. Jordan continued to say they have an excellent partnership with Hampton Police and the Rosie's in Hampton is very secure. We know guests will not go where they do not feel safe and will do what needs to be done to maintain safety and security for our customers. Mr. Jordan recognized his team, John Marshall (Executive Director of Operations) and Curtis Marshall (Vice President of Safety and Security).

Mr. Marshall stated he had twenty seven years of law enforcement and was fortunate to have a retired Hampton Police Captain on their team. In addition, although the seven security officers have been met, Rosie's clearly sees the benefit of establishing a safety presence of having a Hampton Police presence. On an average week night we will have our minimum seven, perhaps more, and a separate extra duty officer that can do whatever is needed. On the weekends, we will have two extra duty officers in addition to our minimum seven or more. The minimum seven is a great guideline, I don't know that we need them at eight in the morning when our doors open, but that is a standard we live by. On Friday night if we have a promotion and we expect more people on the property, if PBR has a promotion and they make Vincent aware, then we are going to increase that. There have been times we have increased the extra duty officers based on holidays.

Regarding the coverage of the 2 a.m. to 4 a.m. for extra duty. Our preference clearly would be to have law enforcement there. Because of the relationship with the Hampton Police Department, that would be our preference, and are prepared to spend that money because we see the return on that investment. Rosie's does have other options if extra duty officers are not available. We indicate the timeframe officers are needed and leave the scheduling to the extra duty coordinator. We have five properties, including Hampton. The other four have at least two nights a week, if not seven, that operate until 4 a.m. We have done this transition in Richmond with full success, and there have been zero disorderly or alcohol events during the 2-4 a.m. timeframe in the months of July and August. Last week Hampton had no reports of any type of disturbance.

Rosie's is an entertainment destination, not a nightclub, and we work really hard on the code of conduct, dress code, and everything in the gaming industry to make this a safe operation. The standard is, if you visit Rosie's, we want you to come back and if you do, we have done our job.

Mark Wagoner signed up to speak and made the following comment. A lot of the numbers you have received are actual. I am a retired homicide detective from Newport News and have a master's degree in business and security management. Hampton Police Department (HPD) serves a major role in the security function and I

am also the night security supervisor so I can give you a clearer picture of what transpires. Hampton Police Department serves their purpose for good discipline because at that time of night you have the worst in people. We ask them to leave and people do not want to leave or they come in an inebriated state already. The purpose HPD is that they deter all of that, and without HPD presence even with the armed security officers they have same powers as the unarmed officers. So the Rosie's officers that work there, they are all unarmed and have minimal requirements as a security officer and are there to observe and report. Anything that happens on the property as far as to arrest someone, we rely strictly on HPD. The problem we are having with HPD lately is we cannot have two officers stay a whole shift because they have prior obligations of reporting to work the following day. What is happening now if we extend the hours to 4 a.m. we cannot get officers to stay until 2 a.m. How are we going to say we are providing a safe environment when we cannot meet the minimum standard of an officer staying until 4 a.m.? It is unfair to the officers to say that they can stay until 4:00 a.m. and then report to duty and function well for another ten hour shift. The reason I am protesting against this extension of hours is because I live in Hampton. Hampton is a safe City and our crime stats are starting to rise and by opening our facility additional hours is just a recipe for disaster because at that time of the night I do not see responsible gamers there. I see people that are gambling and do not see them as responsible people. Our security personnel are trained but are trained with the minimal aspects of security.

Vice Mayor Gray asked Mr. Wagoner if he worked at Rosie's.

Mr. Wagoner replied that he is the night supervisor.

Vice Mayor Gray commented when Council first had Rosie's before them there was certainly a lot of concern regarding hours of operation and how it was going to affect the Business Improvement District (BID). Rosie's promised to adhere to all of the requirements in order to operate in the BID. Particularly there was concern amongst the BID with noise, trash, and those kinds of things that probably did not materialize. When I spoke to their representative a couple of weeks ago before this came up, I also contacted Mr. Raymond Tripp at the BID to get his thoughts. As was presented by staff in their presentation approval was recommended. Vice Mayor Gray stated that did that because Rosie's had met and honored everything they had promised. They have been a good community partner by giving grants to local non-profits which we have witnessed. I have people visiting from the Southside who go to Rosie's and eat at our restaurants and it is a good experience. Since we have not had any negative experiences and I am sensitive to the security needs, I am prepared to vote yes.

Councilman Steve Brown stated that he was satisfied when he heard the General Manager speak about security and the Vice President in making sure that they are following proper protocol for security. Rosie's is a good neighbor and he would vote yes.

A motion was made by Councilmember Chris Snead and seconded by Councilmember Chris Bowman, that this Use Permit be approved with seventeen (17) conditions. The motion carried by the following vote:

Aye: 6 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Snead and Mayor Tuck

Nay: 1 - Councilmember Hobbs

PUBLIC COMMENT

Clerk of Council Katherine Glass read the protocol for Public Comment.

Craig Knopp introduced himself and made the following comment. This may have been addressed already but every day I pass the Amazon building at the old Kmart site. The concern I have is have we addressed the HRT Transit bus stop in front and is it going to be upgraded. He doesn't know if the City has any power on this or not and you can stop me if they do not have any power on it.

I have issues that since the pandemic our two delegates Ward and Mugler are sitting at home collecting per diem and it aggravates me. It aggravates a lot of people, that I have mentioned it to that were unaware. He asked is there anything he can do as a private citizen or urge the City Council to push for Delegates Mugler and Ward to go to Richmond rather than sitting at home in ZOOM meetings. I don't know if you have anything now or it is something I can address in an email to you.

Mayor Tuck replied that there are plans to update a number of bus stops in Hampton with benches and shelters. Mayor Tuck deferred to the City Manager in regards to Mr. Knopp's second concern.

City Manager Mary Bunting stated that the City does not have any control over the matter of Delegates Ward and Mugler and these matters would need to be taken up with the Delegates and Senators.

GENERAL ITEMS

Appointments

9. [21-0047](#) Consideration of Appointments to the Coliseum Advisory Committee
- A motion was made by Councilwoman Snead to appoint Leon Robertson and Hardy J. Lang to their first terms which will expire on February 28, 2024, and to reappoint Samantha Snead to her second term which will also expire on February 28, 2024. The motion carried by the following vote:
- Aye:** 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Snead and Mayor Tuck
10. [21-0099](#) Consideration of Appointments to the Social Services Local Advisory Board
- A motion was made by Councilwoman Snead to reappoint Keisha Samuels to her second term and appoint Alexander Norwood to his first term, with both terms expiring on December 31, 2024. The motion carried by the following vote:
- Aye:** 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Snead and Mayor Tuck
11. [21-0100](#) Consideration of Appointments to the Neighborhood Commission
- A motion was made by Councilwoman Snead to appoint Channon Monroe to fill the unexpired portion of Christy Elliott's term which will expire on September 30, 2021, to appoint Gabriela Hayes to fill the unexpired portion of Deena Franklin's term which will expire on September 30, 2021, to appoint Kyra Reed as a youth representative to fill an unexpired portion of Wesleigh Gomes' term until October 31, 2023; and to appoint Lt. John Harrison to replace Paula Scheck as the Public Safety Representative. Two vacancies remain in District 3 and District 4;. The motion carried by the following vote:

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

12. [21-0101](#) Consideration of an Appointment to the Wetlands Board
A motion was made by Councilwoman Snead to reappoint Stephen Hughes for his first full term which will expire on December 30, 2025. The motion carried by the following vote:

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

13. [21-0103](#) Consideration of an Appointment to the Hampton Clean City Commission
A motion was made by Councilwoman Snead to appoint April Receveur in the place of Megan Pierce to a term expiring on January 31, 2024. The motion carried by the following vote:

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

14. [21-0107](#) Consideration of an Appointment to the Peninsula Agency on Aging
No action is required on this item.

15. [21-0108](#) Consideration of Appointments to the Hampton Senior Citizens Advisory Committee
A motion was made by Councilwoman Snead to reappoint Sandra Waldo, Angela Leary, and Kachina Thomas to their first full terms which will end on March 30, 2025. The motion carried by the following vote:

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

16. [21-0116](#) Consideration of an Appointment to the Parks & Recreation Advisory Board

A motion was made by Councilwoman Snead to appoint Susan Ottey to fill the unexpired portion of a term which will end on December 31, 2023. The motion carried by the following vote:

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

17. [21-0120](#) Consideration of Appointments to the Hampton Redevelopment and Housing Authority

A motion was made by Councilwoman Snead and seconded by Councilwoman Brown that this Appointment be deferred to the City Council Legislative Session, due back on 4/28/2021. The motion carried by the following vote:

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

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

18. [21-0118](#) Hampton Police Division Update on Crime and Mitigation Efforts

Attachments: [Presentation](#)

Prior to the presentation, the City Manager announced that this is Chief Terry Sult's final City Council meeting and expressed her appreciation to the Chief for his contributions to Hampton during his time as Police Chief. She also announced that Assistant Chief Kenneth Ferguson will serve as Interim Chief until a new Police Chief is selected.

Assistant Chief Ferguson gave the presentation with information also provided by Assistant Chief Gallop, Lt. Felder, and Captain Price. Captain Edmonds was also present.

Mayor Tuck stated that, using the reports, he shows eight homicides and asked if three of them were justifiable.

Captain Price explained that there have been eight death investigations since the beginning of 2021. Five have been determined as homicides, two have been justified homicides, and one is pending a medical examiners report.

Mayor Tuck asked Assistant Chief Ferguson if he counts people under 18.

Assistant Chief Ferguson replied yes.

Councilman Steve Brown asked if there is a breakdown between violent crimes and property crimes.

Assistant Chief Ferguson replied yes.

Mayor Tuck asked Chief Gallop how will some of the new legislation in respect to traffic engagement/stops effect Operation Safe Hampton.

Chief Gallop replied that the smell of marijuana that we have done in the past the Hampton Police will not be doing since the legislation change as well as K-9's will not be used to sniff for marijuana and we are working mainly on moving violations.

Mayor Tuck asked if police are still able to set up and perform license checks in different areas stating that it may discourage an individual to go into that area that may not have good intentions.

Chief Gallop replied that this particular operation is more mobile to be able to engage in different types of things.

Mayor Tuck asked how many weeks/ months will Operation Safe Hampton hold.

Chief Gallop replied that the plan for this to do two things and what we do now will bring benefits later.

Councilman Chris Bowman asked how long Operation Safe Hampton has been in effect.

Chief Gallop replied that it has been in effect as of today.

Councilman Chris Bowman asked if he could come back in some time in the future and present the data.

Chief Gallop replied yes.

Councilman Steve Brown stated he knew that as a police officer you cannot lay out a lot of your strategies for the public but, as much as you can tell us, what messaging is there for citizens to know now that Hampton is intentional about making sure citizens are safe. Have you intertwined any of the community groups with the Operation Safe Hampton?

Councilwoman Snead asked if someone is stopped for the use of a cell phone and you smell marijuana, could the police do something.

Chief Gallop replied that the primary reason for the stop would be the cell phone only.

Vice Mayor Gray stated that traffic stops occur for a lot of other reasons other than the smell of marijuana: tail lights are out, expired tags and inspection stickers and other violations. Are they still primary violations?

Chief Gallop replied that, since the change in legislation, they are now considered secondary stops.

Councilwoman Eleanor Brown asked if you can stop for moving violations, as someone failed to stop at a stop sign.

Chief Gallop replied yes and those have not changed.

Mayor Tuck asked if existing patrol officers would be used or officers from another areas of the police department. Are additional individuals needed for this operation?

Chief Gallop replied that some individuals were taken from different parts of divisions

and combined with the teams but made sure it did not affect operational readiness. Councilman Steve Brown asked if there was any consideration for working with another locality.

Chief Gallop replied that they do have good cooperation with Newport News and working with some other agencies is in the long term planning.

Councilman Chris Bowman asked citywide what percentage does the Real Time Information Center (RTIC) cover and what is the plan to increase coverage.

Lt. Felder replied it is increasing at a regular pace. Another camera was just set up yesterday in the Grandview area that will give real-time information on maritime traffic and flooding in that area.

Councilman Chris Bowman stated that a few have been set up on King Street.

Lt. Felder replied that some of this is traffic engineering and they have been a huge help with their technical knowledge.

Councilman Bowman asked if RTIC is tied into the cameras at the traffic lights or is there a plan to do that.

Lt. Felder replied that, if it is the globe cameras, they are either HPD or traffic engineering. There are some others that are for the Fire Department to switch the lights over as they approach and then you have the ones that are high up on the pole that are traffic-sensing cameras to get the lights to switch.

Mayor Tuck stated that, strategically, we may not want to tell how much of the City has cameras.

Councilwoman Eleanor Brown stated she knew we had a briefing on the collaboration with some of the businesses and those businesses hooking into the RTIC and there would be a blue light to tell the public there was filming going on. Is that still be coordinated?

Lt. Felder replied yes and they are still working on the Memorandum of Understanding (MOU) with a couple of places and going through the legal review.

Assistant Chief Ferguson stated that Hampton is safe and is still among the lowest in the region in terms of violent crime. We are constantly training and learning. Police cannot do it by themselves we need citizens support, if you see something - say something.

Mayor Tuck told Assistant Chief Ferguson he thought he had been thorough and is appreciated. He hopes that those viewing from home understand that we are doing a number of things and trying to be proactive to reduce the number of violent crime in our city. As I wrote someone today, it is not unique to Hampton, and the region, that as every locality experiencing upticks in crime and we are doing the best we can to resolve it and he still believes we are a safe city. Most individuals that are involved, whether the victim or the perpetrator, are usually known to one another and unfortunately, in many occasions, the victims do not cooperate to help in solving the crime.

City Manager Mary Bunting stated that a selection of the new Police Chief would be towards the end of April and will be involving members of the community. Ms. Bunting thanked interim Chief Ferguson for being willing to step up to the plate and Chief Sult for his tenure.

MISCELLANEOUS NEW BUSINESS

Councilman Chris Bowman commended City Manager Mary Bunting and her staff for the toe devices on the elevators and hallways to help protect our citizens and staff.

Ms. Bunting replied that it was the great work of Public Works.

Mayor Donnie Tuck stated that there are a lot of things out there on social media that people are grabbing at and running with. This is so unfortunate because you have a Council who tries to be receptive to individuals when you have questions about things going on in our City. Yet the rumor mill is running wild and along the path of these rumors you are sabotaging people's reputations. He stated he makes \$25,000 a year as Mayor and my fellow council members make \$22,500 and yet there are individuals who are inclined to believe that we would make a decision on an issue before us based on either what we have got as a campaign contribution or some kickback. We are not that kind of city. We are not that kind of Council. I have also received some emails where I have been accused of lying about a statement in an email in response to a question. There is no need for me to lie. I will tell you what I can tell you and I will be factual about it. If I cannot tell you I will tell you I cannot tell you, but I will not lie. There are other issues that we have plans to now sell this boat ramp and build a new boat ramp and start charging people to launch boats. That is not true. That is not something that has been discussed by Council and if we are talking about charging for this one new ramp if we build it then we would have to charge all across the City and that would be a change in our policy and the City Manager and her staff would not do this without consulting with Council. Another, Hampton has created a special tax on a hybrid vehicles and fuel saving vehicles just because we want to pile it onto our taxpayers. That is a law that was put into place by the 2020 General Assembly that went into effect earlier this year, and is a way to capture some of the funds from people who have gas saving vehicles. It is a way of capturing the cost from the sales tax that they are not paying. It is disappointing that we would be subjected to innuendos, rumors, and untruths. We are human beings and we have feelings. You can consult with us and we do not mind taking the time to respond to your emails or answer phone calls. Most of us are very visible publically, so we are not untouchable or unreachable. If you really have a concern about how Council is doing something you can always come to our meetings and speak for three minutes. People stop me in stop me in stores and you can have a

conversation with me, and all our phone numbers are published and there is nothing secret about what we do. We are very transparent and one of most transparent Councils that I can recall. It is hurtful because you are circulating rumors amongst yourselves, not all of you but enough of you to keep things going, that really hamper the things that Council is trying to do.

Vice Mayor Jimmy Gray stated he was glad Mayor Tuck decided to open the floor up for that discussion because he has seen the posts, and one of the points made which is true is that people don't have to rely on what is circulating on social media to get factual information. We are all very assessable. My cell phone number is on the website and on my business card. If you want to know why we are demolishing the hotel at Coliseum and Mercury Blvd., just call and ask me. There is no need to get on social media and make a lot of assumptions about it and people giving input on why it is being done that is just not true. If you really want to know why we are doing it, call and ask us or, as the Mayor suggested, come down here and talk with Council. Vice Mayor Gray agreed that it does get disheartening about some of the things that go around when you read it, and unfortunately it is difficult to respond to everything you see on Next Door, Facebook or some other social media platform. He stated he feels the same way but unfortunately cannot respond to all of it. If people would just call or reach out to us, we will try and share anything we might know. One of the things he wished people would post on Facebook is about our young people dying on the street. We had our Police Department give a report today about where we are with crime but the problem with trying to solve crime problems is not that Council does not want anything to do with it or provide any leadership around the issue or we don't want to do anything about crime because we don't have any backbone. That is exactly what I saw in a post. What really needs to happen is people need to talk and share and report what they see to police. I can tell you I am reading about a young man, a senior in high school, who was killed on Bethel Avenue. It really tore me up because I know that young man does not have a future and his family is devastated. I do not know what happened or why it happened but it did happen. I do not have to have three to four shootings or homicides on the weekend for me to be concerned about it. I am concerned every time someone is killed in our City. I take it personal that it happens and I cannot do anything about it, but I know our Police Department is working as hard as they can to try and solve those crimes. The community has to give us help. People know who are carrying guns in our community are, and there are a lot of weapons out there. We are trying to get those weapons off the street. People have to share the information and report what they know and, as Chief Ferguson stated, if you see something, you say something. We need help in trying to solve this problem. I see nothing posted on Facebook about this young man who died in our City or someone else who died but will post about things that are not true. Regarding the report we

have and the Mayor's comments, we do care but we need your help and we need to start talking about those problems. There are serious problems in our community. We need to start talking about them on Facebook and stop pointing fingers but rather talk about how to work together to solve the problems.

Councilwoman Eleanor Brown thanked Mayor Tuck for raising these comments who would echo what Mayor Tuck and Vice Mayor Gray. She would say that this Council, in her experience, is a committed, passionate group of very honorable folks who are working very hard and love the City of Hampton and want it to be the best it can be. We always say we want Hampton to be the best Hampton it can be. For those who question that, we are desirous of your input and your participation. Come and join us. The Police Department needs help, our youth need help, and we would love for you to come and help us, and volunteer your time to make your community better. Don't just accept what you see on social media as the truth. Question for yourself, get involved, and get to know Council and your neighbors. You will then know what I know - that Hampton is a place full of amazing, wonderful people. Look at those people we honored today who have been volunteering in our Police Department. We have extraordinary citizens with amazing talents and gifts. Those that serve on this Council take the public trust very seriously and work very hard in the public interest. There have also been comments about our staff and would like to offer that the staff also works very hard and are very smart, well educated, well-intended persons and are trying very hard to make Hampton the best Hampton it can be. It is painful to be criticized in an unfounded manner by folks who do not have the facts straight. I would like to defend the hardworking employees of the City of Hampton from this kind of attack. She thanked Mayor Tuck for allowing Council to speak on this subject, and, for those in the public who have sent their voices of support, we thank you for all the encouragement.

ADJOURNMENT

The meeting adjourned at 9:15 p.m.

Donnie R. Tuck
Mayor

Katherine K. Glass, CMC
Clerk of Council

Date approved by Council _____