



City of Hampton

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

Council Approved Minutes - Final City Council Special Session

Mayor Donnie R. Tuck
Vice Mayor Jimmy Gray
Councilmember Eleanor Weston Brown
Councilmember Steven L. Brown
Councilmember Linda D. Curtis
Councilmember W.H. "Billy" Hobbs
Councilmember Chris Snead

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

Wednesday, May 1, 2019

6:30 PM

Council Chambers

Public Hearing & First Reading of the Budget

CALL TO ORDER

Vice Mayor Gray called the meeting to order at 6:30 p.m.

Present 6 - Councilmember Eleanor Weston Brown, Councilmember Steven L. Brown, Councilmember Linda D. Curtis, Vice Mayor Jimmy Gray, Councilmember Billy Hobbs, and Councilmember Chris Snead

Excused 1 - Mayor Donnie R. Tuck

JIMMY GRAY PRESIDED

AGENDA

INVOCATION AND PLEDGE OF ALLEGIANCE - Councilwoman Chris Snead

Councilwoman Snead gave the invocation.

Presentations

Vice Mayor Gray announced that Mayor Tuck is under the weather and would not be at tonight's meeting.

Vice Mayor Gray asked City Manager Mary Bunting to give brief remarks regarding the evening meeting. Ms. Bunting made the following remarks:

"In tonight's special meeting the City Council will hold a second public hearing on

the FY20 Annual Action Plan (Community Development Block Grant and Home Grant Programs), to be followed by a vote. The second public hearing will be on the City budget and tax rates. Council will also conduct an initial vote on the City's FY 2020 budget and appropriation ordinances that require two readings (ordinances that, by City Code, cannot be passed on the same day of their introduction.) These ordinances include those appropriating money exceeding the sum of five million dollars (\$5,000,000.00) and those imposing taxes. The budget ordinances that require only one reading for adoption are on the agenda tonight for public hearing as advertised), but only for public hearing. They will be on your agenda for vote at a later meeting along with the appropriation and tax ordinances that require a second reading. Thus, the final vote on the entire budget will take place on Wednesday, May 8th."

"By tradition and practice, even when we anticipate subsequent changes to the budget, we approve all budget ordinances as presented for first reading to move things along and to give Council and staff a second full opportunity to hear from the public. We incorporate desired changes after first reading by amending individual ordinances as necessary on second reading when they are approved. Please note that the budget ordinances, even when finally approved, will not be effective until July 1, 2019 (or January 1, 2020 in the case of personal property taxes). For voting tonight, each budget and tax ordinances will be voted on separately."

"Also, tonight, the City Council will receive a report from the City's Finance Committee. Each year the City's Finance Committee is asked to review the recommended real estate tax rate against the City's Guideline for Real Estate Tax Rate Adjustment and report their recommendation to City Council. Tonight, Mr. Will Andrews is here representing the Finance Committee to present the Committee's report and recommendation."

1. [19-0157](#) Finance Committee's Recommendation on the Revenue Guideline for Real Estate Tax Rate Adjustment

Attachments: [Presentation](#)

City Manager Mary Bunting introduced Finance Committee Member William C. Andrews, IV who gave a presentation.

Presented by William C. Andrews, IV, a member of the City's Finance Committee.

Public Hearings

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

2. [19-0143](#) FY 2020 Community Development Block Grant (CDBG) and Home Investment Partnership Program Annual Action Plan

Attachments: [FY20 Draft Action Plan](#)
[FY20 Proposed Budget](#)
[OLD - Presentation](#)
[OLD - Presentation PDF](#)
[CORRECTED - Presentation](#)
[CORRECTED - Presentation PDF](#)

City Manager Mary Bunting stated that there would be no presentation.

As there were no speakers, Vice Mayor Gray opened and closed the Public Hearing.

Following the public hearing, a motion was made by Councilmember Linda Curtis and seconded by Councilmember Eleanor Weston Brown, that this item be approved. The motion carried by the following vote:

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs and Councilmember Snead

3. [19-0005](#) Public Hearing to Receive Citizens' Comments Regarding the City Manager's Recommended Budget for Fiscal Year 2020

City Manager Mary Bunting stated that there would be no presentation. Vice Mayor Gray opened the public hearing.

Mr. John Krulis addressed Council and made the following comment. I came out of retirement just for this, just for the Aquatics Center and I have no illusions about how things will proceed. It was obvious when it was first announced the way it would proceed and I will quote Ms. Kennedy who once said to me way back when, when I questioned a project. "When the City decides to do something it's like dancing with a bear, Mr. Krulis. Once the music starts you know what the result is." It is inevitable, and it's been put together so that there is not any way your vote individually will make any difference, will it? The Aquatics Center will be approved

because the establishment says so and individual responsibility will not be there for your vote, yes or no. So I am here to say, because I have no illusions about anything I will say will change any of that, responsibility must be taken. This was brought to you by at least two individuals, Ms. Bunting and Mr. O'Neill. So their names need to be assigned to this as the people who brought you this, brought to you by the City Manager. I think she is more than happy to do so but both of them will be gone and in retirement happily reaping their rewards when the sharks appear in the pool. The consequences of your action now will not be seen for many years, but they will be there. If any of you read the article in the Daily Press, Mr. Murphy's article, exquisite. It laid it all out on the line, where this going to head down the line. It will be a disaster. I even renewed my subscription to the paper, he disappeared immediately after his article. You are going to add one more dollar, eight dollars plus to the lodging that will probably make us the number one for the region for tax rate. Who is going to beat it? Unless someone else brings it up that's going to be the highest. You all know these numbers but most people in the City do not know how much comes in on the lodging tax. 3.9 million already, two goes to the Convention Center another two is going to go for this. What kind of math explains that? There is no way to explain that. The Teen Center and the Buckroe Water Park are the two models for what you are adding, I have no illusions for how it is going to go down but somebody needs to be made responsible to take account for what will be down the road.

Mr. Hugh Bassette addressed Council as a representative of the Hampton Citizens Coalition and made the following comment. Like Mr. Krulis, the problem with this budget is not what is going to happen today but what is going to happen down the road. If you keep on putting these projects in that do not pay for themselves, eventually you have to pay the piper. Right now, you are just dancing to the music. Like he said, you probably will be retired by then and our children and grandchildren will be stuck with this albatross around our necks. You talk about a 25 million dollar pool, there is no need to argue about that, that train has left the station. You got the four votes for that and have had them so there is no arguing if I say I don't approve it. Just to make sure you know what you are doing, in a Daily Press article on October 17 it laid out the consultant that you hired to look at and he came out and said that the annual revenue for the pool would be 1.3 million but the operating cost would be 2.2 million. So you are going in the hole. The City of Hampton staff said it would be 1.8 million annual revenue, operating cost 2.1 million and James City County, which has a much smaller pool, had an annual revenue of \$689,000 and operating cost of 1.1 million. So everything shows that this pool is not going to pay for itself. So the only way it's going to get paid for is with the increase in taxes down the road. Now you are saying that the pool is going to bring people here for the

hotel and the revenue from the hotel. You said Boo Williams - the same thing - revenue from the hotel would pay for Boo Williams. That is in this budget twice and of course the Convention Center \$11 million every year, \$11 million. How long can this budget sustain those kind of increases; and the old courthouse which we told you was going to happen, now \$850,000 for that, and that is probably going to be annually for those costs because the operating cost to operate that old thing that is going to be falling down is going to increase as time goes by. You also have to look at your credit that you keep on - anyway, right now the budget shows that you got a \$20 - \$30 million increase in the debt service and 2023 that is going to go up to - also going to go up. That is going to be more reason - this is projects that you have already passed -not just you but the other City Council also. December 2016 the newspaper said that over 100 residents objected to this pool. So I am telling you that - and when we voted on it in our meeting, not one person in our meeting approved the pool. You know our members tend to lean to the left a little bit so I am not surprised that they did not support it. We supported what you did Mr. Gray when you tried to be able to vote on these things separate so you would not have to vote all at once, we support that. One more thing real quickly, there is nothing in this budget for Old Northampton, there is something in it for Buckroe, Phoebus and Wythe and we would ask you to put one item out of the King Street Master Plan for Old Northampton.

Vice Mayor Gray closed the public hearing.

Tax (Non-Coded) Ordinances Requiring Two Readings

4. [19-0046](#) Ordinance to Adopt the Tax Rate Applicable to Real Estate and Improvements Thereon in the City of Hampton, Virginia for the Fiscal Year Beginning July 1, 2019 and Ending June 30, 2020

Clerk of Council Katherine Glass to read the motion required with respect to agenda items 4 through 6 and 10 through 19 which require a first reading vote from Council and second vote on May 8.

A motion was made by Councilmember Eleanor Weston Brown and seconded by Councilmember Steven Brown, that this Ordinance-Budget-Non-Coded be approved on first reading. The motion carried by the following vote:

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs and Councilmember Snead

5. [19-0047](#) Ordinance to Adopt Tax Rates Applicable to All Classifications of Tangible Personal Property Liable for Such Levy in the City of Hampton, Virginia for the Calendar Year Beginning January 1, 2020

Clerk of Council Katherine Glass to read the motion required with respect to agenda items 4 through 6 and 10 through 19 which require a first reading vote from Council and second vote on May 8.

A motion was made by Councilmember Steven Brown and seconded by Councilmember Billy Hobbs, that this Ordinance-Budget-Non-Coded be approved on first reading. The motion carried by the following vote:

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs and Councilmember Snead

Tax (Coded) Ordinances Requiring Two Readings

6. [19-0152](#) Ordinance to Amend and Reenact the City Code of the City of Hampton, Virginia by Amending Chapter 37, Titled "Taxation," Article VIII, Titled "Transient Lodging Tax and Hotel Fee," Section 37-251, Titled "Definitions" and Section 37-252, Titled "Levied; Amount"

Attachments: [Redline](#)

Clerk of Council Katherine Glass to read the motion required with respect to agenda items 4 through 6 and 10 through 19 which require a first reading vote from Council and second vote on May 8.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Steven Brown, that this Ordinance-Coded be approved on first reading. The motion carried by the following vote:

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs and Councilmember Snead

Fees and Fines (Coded) Ordinances Requiring One Reading

7. [19-0048](#) Ordinance to Amend and Reenact the City Code of the City of Hampton, Virginia by Amending Certain Sections of Chapter 21, Titled "Motor Vehicles and Traffic," Article V, Titled "Stopping, Standing and Parking," Division I, Titled "Generally"

Attachments: [Redline](#)

Vice Mayor Gray asked the Clerk of Council Katherine Glass to read the agenda items 7 through 9 and 20 through 26. These items were read solely for the record as they do not require a vote until the next reading of the budget on May 8

8. [19-0049](#) Ordinance to Amend and Reenact the City Code of the City of Hampton, Virginia by Amending Chapter 32.1, Titled "Solid Waste," Article II, Titled "Collection by the City," Section 32.1-41, Titled "Solid Waste Rate Determination"

Attachments: [Redline](#)

Vice Mayor Gray asked the Clerk of Council Katherine Glass to read the agenda items 7 through 9 and 20 through 26. These items were read solely for the record as they do not require a vote until the next reading of the budget on May 8

9. [19-0050](#) Ordinance to Amend and Reenact the City Code of the City of Hampton, Virginia by Amending Chapter 33.2, Titled "Stormwater Management," Article IV, Titled "Service Charges and Revenues," Section 33.2-35, Titled "Same-Billing, Payment, Interest, Fee and Lien"

Attachments: [Redline](#)

Vice Mayor Gray asked the Clerk of Council Katherine Glass to read the agenda items 7 through 9 and 20 through 26. These items were read solely for the record as they do not require a vote until the next reading of the budget on May 8

Appropriation (Non-Coded) Ordinances Requiring Two Readings

10. [19-0051](#) Ordinance to Adopt a Budget and Appropriate Monies for the General Fund of the City of Hampton (City and School

Operations) for Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020

Attachments: [Ordinance - General Fund \(original submission\)](#)
[General Fund Ordinance - FINAL](#)

Clerk of Council Katherine Glass to read the motion required with respect to agenda items 4 through 6 and 10 through 19 which require a first reading vote from Council and second vote on May 8.

A motion was made by Councilmember Chris Snead and seconded by Councilmember Billy Hobbs, that this Ordinance-Budget-Non-Coded be . The motion carried by the following vote:

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs and Councilmember Snead

11. [19-0052](#) Ordinance to Adopt a Budget and Appropriate Monies for the Capital Improvement Fund (Capital Budget) of the City of Hampton for Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020

Attachments: [Ordinance - Capital Improvement Fund \(Capital Budget\)](#)

Clerk of Council Katherine Glass to read the motion required with respect to agenda items 4 through 6 and 10 through 19 which require a first reading vote from Council and second vote on May 8.

A motion was made by Councilmember Linda Curtis and seconded by Councilmember Chris Snead, that this Resolution-Budget be approved on first reading. The motion carried by the following vote:

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs and Councilmember Snead

12. [19-0053](#) Ordinance to Adopt a Budget and Appropriate Monies for the Hampton Coliseum - Arts Commission Fund of the City of Hampton for Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020

Attachments: [Ordinance - Hampton Coliseum - Arts Commission Fund](#)

Clerk of Council Katherine Glass to read the motion required with respect to agenda items 4 through 6 and 10 through 19 which require a first reading vote from Council and second vote on May 8.

A motion was made by Councilmember Eleanor Weston Brown and seconded by Councilmember Billy Hobbs, that this Ordinance-Budget-Non-Coded be approved on first reading. The motion carried by the following vote:

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs and Councilmember Snead

13. [19-0054](#) Ordinance to Adopt a Budget and Appropriate Monies for the Hampton Roads Convention Center Fund of the City of Hampton for Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020

Attachments: [Ordinance - Hampton Roads Convention Center Fund](#)

Clerk of Council Katherine Glass to read the motion required with respect to agenda items 4 through 6 and 10 through 19 which require a first reading vote from Council and second vote on May 8.

A motion was made by Councilmember Steven Brown and seconded by Councilmember Chris Snead, that this Ordinance-Budget-Non-Coded be approved on first reading. The motion carried by the following vote:

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs and Councilmember Snead

14. [19-0057](#) Ordinance to Adopt a Budget and Appropriate Monies for the Fleet Services Fund of the City of Hampton for Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020

Attachments: [Ordinance - Fleet Services Fund](#)

Clerk of Council Katherine Glass to read the motion required with respect to agenda items 4 through 6 and 10 through 19 which require a first reading vote from Council

and second vote on May 8.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Linda Curtis, that this Ordinance-Budget-Non-Coded be approved on first reading. The motion carried by the following vote:

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs and Councilmember Snead

15. [19-0060](#) Ordinance to Adopt a Budget and Appropriate Monies for the Risk Management Fund of the City of Hampton (City and Schools) for Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020

Attachments: [Ordinance - Risk Management Fund](#)

Clerk of Council Katherine Glass to read the motion required with respect to agenda items 4 through 6 and 10 through 19 which require a first reading vote from Council and second vote on May 8.

A motion was made by Councilmember Chris Snead and seconded by Councilmember Billy Hobbs, that this Ordinance-Budget-Non-Coded be approved on first reading. The motion carried by the following vote:

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs and Councilmember Snead

16. [19-0061](#) Ordinance to Adopt a Budget and Appropriate Monies for the Solid Waste Management Fund for Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020

Attachments: [Ordinance - Solid Waste Management Fund](#)

Clerk of Council Katherine Glass to read the motion required with respect to agenda items 4 through 6 and 10 through 19 which require a first reading vote from Council and second vote on May 8.

A motion was made by Councilmember Linda Curtis and seconded by Councilmember Chris Snead, that this

Ordinance-Budget-Non-Coded be approved on first reading.
The motion carried by the following vote:

Aye: 6 - Councilmember Weston Brown, Councilmember Brown,
Councilmember Curtis, Vice Mayor Gray, Councilmember
Hobbs and Councilmember Snead

17. [19-0062](#) Ordinance to Adopt a Budget and Appropriate Monies for the
Steam Plant Fund of the City of Hampton for Fiscal Year 2020
beginning July 1, 2019 and ending June 30, 2020

Attachments: [Ordinance - Steam Plant Fund](#)

Clerk of Council Katherine Glass to read the motion required with respect to agenda
items 4 through 6 and 10 through 19 which require a first reading vote from Council
and second vote on May 8.

A motion was made by Councilmember Eleanor Weston Brown
and seconded by Councilmember Chris Snead, that this
Ordinance-Budget-Non-Coded be approved on first reading.
The motion carried by the following vote:

Aye: 6 - Councilmember Weston Brown, Councilmember Brown,
Councilmember Curtis, Vice Mayor Gray, Councilmember
Hobbs and Councilmember Snead

18. [19-0063](#) Ordinance to Adopt a Budget and Appropriate Monies for the
Stormwater Management Fund of the City of Hampton for Fiscal
Year 2020 beginning July 1, 2019 and ending June 30, 2020

Attachments: [Ordinance - Stormwater Management Fund](#)

Clerk of Council Katherine Glass to read the motion required with respect to agenda
items 4 through 6 and 10 through 19 which require a first reading vote from Council
and second vote on May 8.

A motion was made by Councilmember Steven Brown and
seconded by Councilmember Billy Hobbs, that this
Ordinance-Budget-Non-Coded be approved on first reading.
The motion carried by the following vote:

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs and Councilmember Snead

19. [19-0064](#) Ordinance to Adopt a Budget and Appropriate Monies for the Wastewater Management Fund of the City of Hampton for Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020

Attachments: [Ordinance - Wastewater Management Fund](#)

Clerk of Council Katherine Glass to read the motion required with respect to agenda items 4 through 6 and 10 through 19 which require a first reading vote from Council and second vote on May 8.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Linda Curtis, that this Ordinance-Budget-Non-Coded be approved on first reading. The motion carried by the following vote:

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Councilmember Curtis, Vice Mayor Gray, Councilmember Hobbs and Councilmember Snead

Appropriation (Non-Coded) Ordinances Requiring One Reading

20. [19-0055](#) Ordinance to Adopt a Budget and Appropriate Monies for the Hamptons Golf Course Fund of the City of Hampton for Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020

Attachments: [Ordinance - The Hamptons Golf Course Fund](#)

Vice Mayor Gray asked the Clerk of Council Katherine Glass to read the agenda items 7 through 9 and 20 through 26. These items were read solely for the record as they do not require a vote until the next reading of the budget on May 8

21. [19-0056](#) Ordinance to Adopt a Budget and Appropriate Monies for the Woodlands Golf Course Fund of the City of Hampton for Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020

Attachments: [Ordinance - Woodlands Golf Course Fund](#)

Vice Mayor Gray asked the Clerk of Council Katherine Glass to read the agenda items 7 through 9 and 20 through 26. These items were read solely for the record as they do not require a vote until the next reading of the budget on May 8

22. [19-0058](#) Ordinance to Adopt a Budget and Appropriate Monies for the Fleet Services - Equipment Replacement Fund of the City of Hampton for Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020

Attachments: [Ordinance - Fleet Services - Equipment Replacement Fund](#)

Vice Mayor Gray asked the Clerk of Council Katherine Glass to read the agenda items 7 through 9 and 20 through 26. These items were read solely for the record as they do not require a vote until the next reading of the budget on May 8

23. [19-0059](#) Ordinance to Adopt a Budget and Appropriate Monies for the Information Technology Fund of the City of Hampton for Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020

Attachments: [Ordinance - Information Technology Fund](#)

Vice Mayor Gray asked the Clerk of Council Katherine Glass to read the agenda items 7 through 9 and 20 through 26. These items were read solely for the record as they do not require a vote until the next reading of the budget on May 8

24. [19-0065](#) Ordinance to Adopt a Budget and Appropriate Monies for the Community Development Block Grant and HOME Investment Partnership Program Fund of the City of Hampton for the Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020

Attachments: [Ordinance - CDBG and HOME Fund](#)

Vice Mayor Gray asked the Clerk of Council Katherine Glass to read the agenda items 7 through 9 and 20 through 26. These items were read solely for the record as they do not require a vote until the next reading of the budget on May 8

25. [19-0066](#) Ordinance to Adopt a Budget and Appropriate Monies for the Economic Development Fund of the City of Hampton for Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020

Attachments: [Ordinance - Economic Development Fund](#)

Vice Mayor Gray asked the Clerk of Council Katherine Glass to read the agenda items 7 through 9 and 20 through 26. These items were read solely for the record as they do not require a vote until the next reading of the budget on May 8

26. [19-0067](#) Ordinance to Adopt a Budget and Appropriate Monies for the Grant Fund of the City of Hampton for Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020

Attachments: [Ordinance - Grant Fund](#)

Vice Mayor Gray asked the Clerk of Council Katherine Glass to read the agenda items 7 through 9 and 20 through 26. These items were read solely for the record as they do not require a vote until the next reading of the budget on May 8

ADJOURNMENT

The meeting adjourned at 7:05 p.m.

Donnie R. Tuck
Mayor

Katherine K. Glass, CMC
Clerk of Council

Date approved by Council _____