



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

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

---

**Wednesday, May 3, 2017**

**6:30 PM**

**Council Chambers**

---

### **Public Hearing & 1st Reading of the Budget**

#### **CALL TO ORDER**

Mayor Tuck called the meeting to order at 6:30 p.m. with all members of the City Council present.

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

#### **DONNIE R. TUCK PRESIDED**

#### **AGENDA**

##### **INVOCATION AND PLEDGE OF ALLEGIANCE - Councilwoman Teresa Schmidt**

Councilwoman Schmidt gave the invocation.

#### **Public Hearings**

City Manager Mary Bunting made the following opening remarks:

In tonight's special meeting the City Council will hold a second public hearing on the FY18 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 2018 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 10th.

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, 2017 (or January 1, 2018 in the case of personal property taxes).

For voting tonight, the budget and tax ordinances are contained in a single consolidated motion to be read by the Clerk. This is very similar to the manner by which you vote on consent agenda items. Accordingly, if there are any budget ordinances that you do not support, please request that they be removed from the motion for a separate vote following the public hearing.

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

1. [17-0143](#) FY 2018 Community Development Block Grant (CDBG) and Home Investment Partnership Program Annual Action Plan

**Attachments:** [FY18 Action Plan Draft 4.26.17 CORRECTED FOR MEETING.pdf](#)  
[FY18 Proposed Budget](#)  
[FY18 Action Plan](#)  
[FY18 Presentation](#)

The Clerk read the title for this item.

Mayor Tuck opened the public hearing. As there were no speakers, Mayor Tuck closed the public hearing and called for the motion.

A motion was made by Vice Mayor Curtis and seconded by Councilmember Moffett, that the FY 2018 Community Development Block Grant (CDBG) and Home Investment Partnership Program Annual Action Plan be approved. The motion carried by the following vote:

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

2. [17-0066](#) Public Hearing to Receive Citizens' Comments Relative to the City Manager's Recommended Budget for Fiscal Year 2018 and Proposed Tax and Fee Changes

The Clerk read the title for this item.

Mayor Tuck opened the public hearing.

Mr. Ronald Letzelter greeted those on the dais and made the following statement: I have lived in the City of Hampton since 1959. I've worked hard for 60 of my 80 years of age. I've raised seven children. I've worked hard and saved my money so that someday I could afford a decent retirement. Two years ago, I purchased a small diesel motor home for \$118,000, a low value of which now is \$80,000 which means if I have to pay your proposed Recreational Vehicle (RV) tax on my RV, it will cost me an additional \$1,200 per year. You already tax my home for over \$5,500 per year. Had I known about this future RV tax two years ago, I certainly would not have made this purchase. In contrast to this RV tax, a Hampton boat fee is only \$150 for a million dollar yacht. I don't really see where this is fair. You spend money on things like dredging out the entrance to Salt Ponds and do not charge the Salt Pond owners for this dredging. Should I have to pay for this and not the people who live there? I am on a very fixed income and cannot afford this new proposed tax. You give money to grants, neighborhood festivals and all other things that I don't even remember. I do have a nice home on Mill Creek, but I don't ask you to dredge Mill Creek or to fix anything that is caused by hurricanes or storms. Please be fair about this proposed tax and do not drive 80 year old retired people like myself from Hampton. Why not cut some of your non-essential spending which you have plenty of? Thank you.

Mr. Douglas Perry greeted those on the dais and made the following statement: I'm a retired employee of the City of Hampton. I've even served on the City Budget Committee in the past. I'm well aware of the revenue and spending issues of our City government. Since moving back to Hampton in 1989, I have never been critical of our tax levels or issues. A former Budget Director in the City of Hampton was sometimes known to use the phrase "low-hanging fruit". Some of you may recall that. I assure you that RV owners do not wish to be considered low-hanging fruit. We do not consider ourselves and we don't want you to consider us as low-hanging fruit. Some 15 years ago, the City decided to effectively eliminate property tax on boats to stimulate marina development by encouraging the relocation of boats from

other localities. Soon thereafter, in its wisdom, Council decided to recognize a taxing equivalent between boats and RV's. Recently, City staff has sought to discard this equivalence and raise additional revenue through a new tax on RV's. I submit that in fairness to RV owners, boats and RV's should continue to enjoy the same level of taxation. It's been stated that citizens have pushed for a tax on RV's, but you know that it costs nothing for someone to advocate a tax on something that somebody else owns. RV owners have not pushed for this tax. While a level of taxation sought is not the highest on the Peninsula, it falls disproportionately on a few people who happen to have purchased new RV's in the recent past. I am one of those. In an earlier meeting, Ms. Schmidt cited an RV owner whose taxation would go up \$3,600 a year (that's a pretty big jump). In my case, the bill could increase by up to \$1,400. I've reminded staff and Council that we already pay about the highest real estate tax on the Peninsula. It's been said in response, yes, our rate is high, but our valuations are lower. To that, I say - when you try to sell your house, you will only realize that lower value; indeed, houses recently for sale in the immediate area around my house have been heavily discounted from the original asking. Several were offered or sold for less than the amount invested. The reason they are valued less is that they are now worth less. I ask you in fairness, to continue an RV taxing equivalent on a par with million dollar power boats docked by non-residents in Sunset Creek. If you are not persuaded to hold off on an RV tax, please feather in the rate over time and make it no higher than the lowest in our area. Thank you.

Mr. Henry Beimler III greeted those on the dais and made the following statement: I've been a Hampton resident all my life. I own a RV. This RV tax is not right. Boat owners pay little or nothing for what they have. If you are going to do this, make it equal. Make them pay the same or make us pay what they pay. It is not right to me (like the other gentleman said) to save up enough money to buy one and then I have to pay taxes to use it. When I go camping, it costs enough to go camping without having to pay a tax on top of it. You do stuff for boat owners like dredging the Salt Ponds; a lot of them don't even live in Hampton. If you are going to charge taxes, make it equal. Thank you.

Mr. Jack Lundy greeted those on the dais and made the following statement: Since I think it is likely that this is probably going to go through, I would ask you to consider the following: since many RV owners are senior citizens and many of us are on fixed incomes, perhaps you should consider some relief for senior citizens by reducing the rate entirely or reducing it on values over \$75,000 to lower the impact of the tax on individuals. Lots of us, despite Ms. Bunting's numbers about \$15,000 average/median for a motor home, motor homes have become very expensive and when you get a motor home, they are much more than \$15,000 by a bunch, so you get yourself in a position where you are going to be paying \$2,000,

\$3,000, and \$4,000 a year in taxes. That is a burden on someone who has a fixed income. So, if you are going to go ahead and do this, at least keep in mind you don't want to crush the seniors and force them to have to sell their motorized vehicles because they can't deal with the tax. Thank you.

Mr. Stephen King greeted those on the dais and made the following statement: I have a 21 year old motor home. Mine cost \$15,000, so I'm only going to pay about \$225. I am kind of wondering what I am gaining from this tax I am paying for my motor home. I can understand a tax on a motor home if my motor home costs the City something and I am paying for a service that the City is giving me. I don't think my motor home does that. I can see my car - using it a lot on the road, it degrades things and other things that need to be covered. That doesn't happen with a motor home, at least mine. Mine sits for six months in my back yard. So, I agree with everyone here that this seems to be very unequal in how you are taxing us compared to the boats and other people. I hear also that you are looking at - someone mentioned raising only \$135,000. If you spread it over everyone in the City, that is probably a much lower fee for every single person than taking \$4,000 from someone and \$14,000 from someone else. A small group of people. I know its trailers and horse trailers and other stuff, but the motor homes are more expensive, so it really falls on the motor home community, not much me. So, I'm not going to be hurt by the fee, but I still think it's very unfair. Thank you very much.

Mayor Tuck closed the public hearing and indicated that no action is required.

### **Tax Non-Coded Ordinances Requiring Two Readings**

Mayor Tuck asked the Clerk of Council to read the motion required with respect to agenda items 3 through 5 and 8 through 17 but asked if any member of Council wanted to remove any of those items for separate vote. Councilwoman Schmidt indicated that she desired an opportunity to vote separately on item #4.

3. [17-0070](#) Ordinance to set the Real Estate Tax Rate in the City of Hampton, Virginia for Fiscal Year 2018 beginning July 1, 2017 and ending June 30, 2018

After items 3, 5, and 8 through 17 were read by the Clerk, a motion was made by Councilmember Schmidt and seconded by

Councilmember Gray, that this item be approved on first reading.  
The motion carried by the following vote:

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

4. [17-0071](#) Ordinance to set the Tax Rate on Vehicles Without Motive Power (Manufactured Homes); Motor Vehicles Specially Equipped to Provide Transportation for Physically Handicapped Individuals; Machinery and Tools; Machinery and Tools Used Directly in the Manufacture of Precision Investment Castings; Privately Owned Pleasure Boats and Watercraft, 18 Feet and Over, Used for Recreational Purposes Only; Privately Owned Pleasure Boats and Watercraft, Motorized and Nonmotorized and Under 18 Feet, Used for Recreational Purposes Only; Boats or Watercraft Weighing Five Tons or More, Used for Business Purposes Only; Boats or Watercraft Weighing Less Than Five Tons, Used for Business Purposes Only; Privately Owned Camping Trailers Used for Recreational Purposes Only, Privately Owned Travel Trailers Used for Recreational Purposes Only, Certain Privately Owned Trailers Used for the Transportation of Horses; Privately Owned Motor Homes Used For Recreational Purposes Only; One (1) Motor Vehicle Owned and Regularly Used by a Disabled Veteran; and All Other Personal Property in the City of Hampton, Virginia for the Calendar Year beginning January 1, 2018 and ending December 31, 2018

After item 4 was read by the Clerk, a motion was made by Vice Mayor Curtis and seconded by Councilmember Snead, that this item be approved on first reading. The motion carried by the vote reflected below.

Councilwoman Schmidt and Councilman Gray both expressed that they had no opposition to the components of the proposed ordinance with the exception of the proposed recreational vehicle (RV) tax. Because there was not unanimous support of this ordinance by the City Council, staff will work on substitute ordinances which separate the RV portion of the ordinance from

the other portions before Council considers this on second reading on May 10, 2017.

**Aye:** 5 - Vice Mayor Curtis, Councilmember Hobbs, Councilmember Moffett, Councilmember Snead and Mayor Tuck

**Nay:** 2 - Councilmember Gray and Councilmember Schmidt

#### Tax Coded Ordinances Requiring Two Readings

5. [17-0152](#) Ordinance to Amend and Reenact the City Code of the City of Hampton, Virginia by Amending Chapter 37, Article VIII, Entitled Transient Lodging Tax and Hotel Fee By Amending Sec. 37-251 Pertaining to the Definition of the Term "Transient" Effective and Applied to Consecutive Lodging Nights the First of Which Occurs on or After July 1, 2017

Attachments: [Transient Lodging Definition 4.13](#)

After items 3, 5, and 8 through 17 were read by the Clerk, a motion was made by Councilmember Schmidt and seconded by Councilmember Gray, that this item be approved on first reading. The motion carried by the following vote:

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

#### Fees Non-Coded Resolution Requiring One Reading

6. [17-0163](#) FY 2018 Service Fees for Emergency Ambulance Transport Billing Policy Change Resolution
- Items 6, 7, and 18 through 23 were read by the Clerk for the record only and did not require a vote by the Council. This item will be considered on May 10, 2016.

#### Fees Coded Ordinances Requiring One Reading

7. [17-0148](#) Ordinance to Amend and Reenact the City Code of the City of Hampton, Virginia by Amending Chapter 32.1, Article II, Entitled

Collections by the City By Amending Sec. 32.1-41 Pertaining to the Solid Waste Rate to be Applied to Bills Issued On and After July 1, 2017

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

Items 6, 7, and 18 through 23 were read by the Clerk for the record only and did not require a vote by the Council. This item will be considered on May 10, 2016.

### Appropriation Non-Coded Ordinances Requiring Two Readings

8. [17-0072](#) Ordinance to Adopt a Budget and Appropriate Monies for the General Fund Expenditures of the City of Hampton (City and School Operations) for Fiscal Year 2018 beginning July 1, 2017 and ending June 30, 2018

**Attachments:** [Revenue Ordinance](#)  
[Expenditure Ordinance](#)

After items 3, 5, and 8 through 17 were read by the Clerk, a motion was made by Councilmember Schmidt and seconded by Councilmember Gray, that this item be approved on first reading. The motion carried by the following vote:

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

9. [17-0073](#) Ordinance to Adopt a Budget and Appropriate Monies for the Capital Budget for the City of Hampton for Fiscal Year 2018 beginning July 1, 2017 and ending June 30, 2018

**Attachments:** [FY18 Capital Budget Ordinance](#)

After items 3, 5, and 8 through 17 were read by the Clerk, a motion was made by Councilmember Schmidt and seconded by Councilmember Gray, that this item be approved on first reading. The motion carried by the following vote:



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

10. [17-0074](#) Ordinance to Adopt a Budget and Appropriate Monies for the General Expenditures of the Fleet Services Fund of the City of Hampton for Fiscal Year 2018 beginning July 1, 2017 and ending June 30, 2018

**Attachments:** [FY18 Fleet Services Fund Ordinance](#)

After items 3, 5, and 8 through 17 were read by the Clerk, a motion was made by Councilmember Schmidt and seconded by Councilmember Gray, that this item be approved on first reading. The motion carried by the following vote:

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

11. [17-0076](#) Ordinance to Adopt a Budget and Appropriate Monies for the General Expenditures of the Risk Management Fund for the City of Hampton (City and Schools) for Fiscal Year 2018 beginning July 1, 2017 and ending June 30, 2018

**Attachments:** [FY18 Risk Mgmt Fund Ordinance](#)

After items 3, 5, and 8 through 17 were read by the Clerk, a motion was made by Councilmember Schmidt and seconded by Councilmember Gray, that this item be approved on first reading. The motion carried by the following vote:

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

12. [17-0077](#) Ordinance to Adopt a Budget and Appropriate Monies for the General Expenditures of the Hampton Coliseum and Hampton Arts Commission Fund of the City of Hampton for Fiscal Year 2018 beginning July 1, 2017 and ending June 30, 2018

**Attachments:** [FY18 Hampton Coliseum - Hampton Arts Commission Ordinance](#)

After items 3, 5, and 8 through 17 were read by the Clerk, a motion was made by Councilmember Schmidt and seconded by Councilmember Gray, that this item be approved on first reading. The motion carried by the following vote:

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

13. [17-0078](#) Ordinance to Adopt a Budget and Appropriate Monies for the General Expenditures of the Hampton Roads Convention Center Fund of the City of Hampton for Fiscal Year 2018 beginning July 1, 2017 and ending June 30, 2018

**Attachments:** [FY18 Hampton Roads Convention Center Fund Ordinance](#)

After items 3, 5, and 8 through 17 were read by the Clerk, a motion was made by Councilmember Schmidt and seconded by Councilmember Gray, that this item be approved on first reading. The motion carried by the following vote:

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

14. [17-0081](#) Ordinance to Adopt a Budget and Appropriate Monies for the General Expenditures of the Solid Waste Management Fund for Fiscal Year 2018 beginning July 1, 2017 and ending June 30, 2018

**Attachments:** [FY18 Solidwaste Fund Ordinance](#)

After items 3, 5, and 8 through 17 were read by the Clerk, a motion was made by Councilmember Schmidt and seconded by Councilmember Gray, that this item be approved on first reading. The motion carried by the following vote:

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

15. [17-0082](#) Ordinance to Adopt a Budget and Appropriate Monies for the General Expenditures of the Steam Plant Fund for Fiscal Year 2018 beginning July 1, 2017 and ending June 30, 2018

**Attachments:** [FY18 Steam Plant Fund Ordinance](#)

After items 3, 5, and 8 through 17 were read by the Clerk, a motion was made by Councilmember Schmidt and seconded by Councilmember Gray, that this item be approved on first reading. The motion carried by the following vote:

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

16. [17-0083](#) Ordinance to Adopt a Budget and Appropriate Monies for the General Expenditures of the Stormwater Management Fund for Fiscal Year 2018 beginning July 1, 2017 and ending June 30, 2018

**Attachments:** [FY18 Stormwater Fund Ordinance](#)

After items 3, 5, and 8 through 17 were read by the Clerk, a motion was made by Councilmember Schmidt and seconded by Councilmember Gray, that this item be approved on first reading. The motion carried by the following vote:

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

17. [17-0084](#) Ordinance to Adopt a Budget and Appropriate Monies for the General Expenditures of the Wastewater Management Fund of the City of Hampton for Fiscal Year 2018 beginning July 1, 2017 and ending June 30, 2018

**Attachments:** [FY18 Wastewater Fund Ordinance](#)

After items 3, 5, and 8 through 17 were read by the Clerk, a motion was made by Councilmember Schmidt and seconded by Councilmember Gray, that this item be approved on first reading. The motion carried by the following vote:

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

### Appropriation Non-Coded Ordinances Requiring One Reading

18. [17-0149](#) Ordinance to Adopt a Budget and Appropriate Monies for the General Expenditures of the Fleet Services Equipment Replacement Fund of the City of Hampton for Fiscal Year 2018 beginning July 1, 2017 and ending June 30, 2018

**Attachments:** [FY18 Fleet Services Equipment Replacement Fund Ordinance](#)

Items 6, 7, and 18 through 23 were read by the Clerk for the record only and did not require a vote by the Council. This item will be considered on May 10, 2016.

19. [17-0075](#) Ordinance to Adopt a Budget and Appropriate Monies for the General Expenditures of the Information Technology Fund for the City of Hampton for Fiscal Year 2018 beginning July 1, 2017 and ending June 30, 2018

**Attachments:** [FY18 Information Technology Fund Ordinance](#)

Items 6, 7, and 18 through 23 were read by the Clerk for the record only and did not require a vote by the Council. This item will be considered on May 10, 2016.

20. [17-0079](#) Ordinance to Adopt a Budget and Appropriate Monies for the General Expenditures of The Hamptons Golf Course Fund for the City of Hampton for Fiscal Year 2018 beginning July 1, 2017 and ending June 30, 2018

**Attachments:** [FY18 Hamptons Golf Course Fund Ordinance](#)

Items 6, 7, and 18 through 23 were read by the Clerk for the record only and did not require a vote by the Council. This item

will be considered on May 10, 2016.

21. [17-0080](#) Ordinance to Adopt a Budget and Appropriate Monies for the General Expenditures of the Woodlands Golf Course Fund of the City of Hampton for Fiscal Year 2018 beginning July 1, 2017 and ending June 30, 2018

Attachments: [FY18 Woodlands Golf Course Ordinance](#)

Items 6, 7, and 18 through 23 were read by the Clerk for the record only and did not require a vote by the Council. This item will be considered on May 10, 2016.

22. [17-0086](#) Ordinance to Adopt a Budget and Appropriate Monies for the General Expenditures of the Economic Development Fund for the City of Hampton for Fiscal Year 2018 beginning July 1, 2017 and ending June 30, 2018

Attachments: [FY18 Economic Development Fund Ordinance](#)

Items 6, 7, and 18 through 23 were read by the Clerk for the record only and did not require a vote by the Council. This item will be considered on May 10, 2016.

23. [17-0085](#) Ordinance to Adopt a Budget and Appropriate Monies for the Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) Fund for the City of Hampton for the Fiscal Year 2018 beginning July 1, 2017 and ending June 30, 2018

Attachments: [FY18 CDBG Ordinance](#)

Items 6, 7, and 18 through 23 were read by the Clerk for the record only and did not require a vote by the Council. This item will be considered on May 10, 2016.

## ADJOURNMENT

The meeting adjourned at 7 p.m.

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

\_\_\_\_\_  
Donnie R. Tuck  
Mayor

\_\_\_\_\_  
Katherine K. Glass, CMC  
Clerk of Council

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