



# 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 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*

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**Wednesday, November 14, 2018**

**6:30 PM**

**Council Chambers**

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### CALL TO ORDER/ROLL CALL

Mayor Tuck called the meeting to order at 6:30 p.m. All members of the City Council were present except for Vice Mayor Gray who was expected to arrive later in the evening.

**Present:** 6 - Councilmember Eleanor Weston Brown, Councilmember Steven L. Brown, Councilmember Linda D. Curtis, Councilmember Billy Hobbs, Councilmember Chris Snead and Mayor Donnie R. Tuck

**Excused:** 1 - Vice Mayor Jimmy Gray

### DONNIE R. TUCK PRESIDED

### INVOCATION - Councilmember Snead

The invocation was given by Councilwoman Snead.

### PLEDGE OF ALLEGIANCE TO FLAG

Mayor Tuck and Councilman Hobbs welcomed Cub Scout Pack 13 to lead the Chambers in the Pledge of Allegiance. Mr. Chris Bartlome, Den Leader, introduced each of the Scouts and announced that this would be their last year as Cub Scouts, as each would be moving on to Boy Scouts.

### MAYOR'S COMMENTS

Mayor Tuck introduced Santa Claus and his helpers. Santa invited everyone to the Phoebus Illumination being held on December 7th from 5pm to 9pm. The tree lighting will be at 8pm.

Mayor Tuck announced that Vice Mayor Gray is currently caught in traffic on the Hampton Roads Bridge Tunnel.

Mayor Tuck introduced Ms. Tammy Lee, Deputy Clerk of Council, who is filling in for Ms. Katherine K. Glass, Clerk of Council.

Vice Mayor Gray arrived at 6:40 p.m.

**Present:** 7 - Councilmember Eleanor Weston Brown, Councilmember Steven L. Brown, Councilmember Linda D. Curtis, Vice Mayor Jimmy Gray, Councilmember Billy Hobbs, Councilmember Chris Snead and Mayor Donnie R. Tuck

## CONSENT AGENDA

Ms. Lee read the protocol for the Consent Agenda and a summary of the items contained therein.

### Approval of the Consent Agenda

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

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

1. [18-0290](#) Resolution Approving a 5' Wide Gas Easement (Totaling 1,897 Square Feet) and a 15' Wide Temporary Construction Easement (Totaling 5,503 Square Feet), Both Areas More or Less, to Virginia Natural Gas, Inc. ("VNG") on City Properties Located at 35 and 47 Water Street (LRSNs 12001133 and 12001132, Respectively) to Install and Maintain One Line of Underground Pipe or Conduit for Gas Transportation or Distribution to Replace the Existing Above-Ground Gas Pipeline Enclosed in a Steel Conduit and Mounted on the E. Mellen Street Bridge and Granting an Easement to CoxCom, LLC to Utilize the Conduit Abandoned by VNG

**Attachments:** [TCE Easement](#)  
[Virginia Natural Gas Easement](#)  
[Cox Easement](#)  
[Aerial Photo](#)

Item approved.

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

2. [18-0306](#) Resolution Determining ProQuest LLC to be the Only Source Practicably Available from which to Procure Access to Propriety Owned Databases and Newspapers and Research Collections in Microform and Authorizing the Negotiation and Execution of a Purchase Contract with ProQuest LLC as "Sole Source"

**Attachments:** [Memo](#)  
[Letter](#)

Item approved.

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

3. [18-0344](#) Resolution Authorizing the Appropriation of \$47,500.00 From the Economic Development Fund Assigned Fund Balance to the Economic Development Authority to Finance a Portion of the Cost of the Installation of Street Lighting Along a Portion of Exploration Way and North Campus Parkway in Hampton Roads Center North Campus

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

Item approved.

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

4. [18-0356](#) Appointment of Brian DeProfio, Assistant City Manager, as the City's Manager's Designee on the H2O Community Development Authority

Item approved.

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

5. [18-0359](#) Resolution to Amend the Approved Fiscal Year 2019 Council Approved Budget by Accepting and Appropriating the Fiscal Year 2018 Local Emergency Management Performance (“LEMP”) Grant as Awarded by the Virginia Department of Emergency Management to the City of Hampton, Virginia (“City”)

**Attachments:** [Application](#)  
[Subaward Agreement](#)  
[Grant Proposal Overview](#)

Item approved.

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

6. [18-0368](#) Approval of the minutes from the ceremonial and legislative sessions of October 24, 2018.

Item approved.

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

## PRESENTATIONS, PROCLAMATIONS, AWARDS

## PUBLIC HEARINGS

Ms. Lee read the protocol for Public Hearings.

7. [18-0351](#) Rezoning Application No. 18-00005 by Freedom Life Church to Amend The Proffered Conditions On a 2.63± Acre Parcel at 2220 Coliseum Drive [LRSN: 7001695]

**Attachments:** [Application](#)  
[Appointment of Trustees](#)  
[Narrative Statement](#)  
[Plat](#)  
[Proffer Statement](#)  
[Title Certificate](#)  
[Site Plan](#)  
[Rezoning 899 Proffers](#)  
[Staff Report](#)  
[Planning Commission Resolution](#)  
[Presentation](#)

City Manager Mary Bunting introduced Ms. Ana Elezovic, City Planner, who provided a presentation to Council.

Mayor Tuck asked if there was a reason behind the five-foot height requirement of the landscaping. Ms. Elezovic stated that there is no reason that she knows of. Ms. Bunting stated that the property had this condition previously. In the time since the fence was requested, the hedge line had grown and created what was effectively a fence, so they wanted to see if the landscaping could fulfill that requirement. The landscaping is providing the buffering requested by the neighborhood.

Councilman Hobbs asked if Freedom Church would still be using the front of the property for youth sports practice. Pastor Chuck Marci stated that they plan to continue allowing youth football practice on the property, and this rezoning will provide closer parking spaces to that practice area.

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

Presented by Ana Elezovic, City Planner. A public hearing took place and there were no speakers on this item.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Steven Brown, that this Zoning Ordinance - Map be approved with eight conditions. The motion carried by the following vote:

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

8. [18-0358](#) Rezoning Application No. 18-00001 by B&B Contracting LLC, to rezone approximately 0.8± acres of land located at 6 Windsor Drive

**Attachments:** [Application](#)  
[Narrative Statement](#)  
[Survey](#)  
[Concept Plan](#)  
[Elevations](#)  
[Proffer Agreement](#)  
[Title Certificate](#)  
[Staff Report](#)  
[Planning Commission Resolution](#)  
[Presentation](#)

Ms. Bunting introduced Ms. Tolu Ibikunle, Senior City Planner, who provided a presentation to Council. Ms. Bunting noted that there had been inquiries about the historic value of the house. Mr. Ron Jackson, Director of Hampton Redevelopment and Housing Authority, has done research on the house and discovered that there is a file with the Virginia Department of Historic Resources (VDHR) that shows that while the house survived the Civil War and dates back to 1848, it is not designated as historical, nor is it registered. VDHR has determined that the house has been heavily altered over the years and as such does not possess adequate architectural significance, nor does it have any association with a particularly significant event or person in history that would warrant it being labeled as a historic structure to be protected by VDHR rules.

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

Presented by Tolu Ibikunle, City Planner. A public hearing took place and there were no speakers on this item.

A motion was made by Councilmember Steven Brown and seconded by Vice Mayor Jimmy Gray, that this Zoning Ordinance - Map be approved with six conditions. The motion carried by the following vote:

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

9. [18-0364](#) Resolution Approving A Vacation Agreement Between Gregory E. Gore, Frances E. Gore, and the City of Hampton, Virginia Pertaining to Vacation of a 11,144± Square Foot Portion of a Public Right of Way Known As Hampton Drive Adjacent to the Former George Wythe Elementary School

Attachments: [Vacation Agreement](#)  
[Exhibit A](#)  
[Presentation](#)

This item was presented in conjunction with 18-0363, 18-0352, 18-0353, and 18-0362. Ms. Bunting stated that this is a somewhat complicated deal that has been put together, but it is important to the community. It represents an opportunity to redevelop the former Wythe Elementary School building and park with a very high-quality historic preservation developer. This parcel will be divided into an historical preservation redevelopment site and a public park site. This is something the City and the neighborhood have all wanted to see. She introduced Ms. Lucy Stoll, Senior City Planner, who provided a presentation to Council. Ms. Stoll introduced Ms. Bonnie Brown, Senior Assistant City Attorney, who assisted with the presentation.

In regards to the vacation of Hampton Drive, Mayor Tuck asked how the easement will work. He asked if the homeowners would have to drive into the parking lot to get to their driveway. Ms. Brown confirmed this and indicated that the easement will be wide enough for the homeowners to still access their driveway.

Mr. John Garland, the proposed developer of the property, stated that this has been a long time in coming, and he is excited to begin working on the school, as it is a beautiful project.

Following the votes, Mayor Tuck stated that he believes citizens will be awestruck by the quality of Mr. Garland's restoration projects.

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

Presented by Lucy Stoll, City Planner and Bonnie Brown, Deputy City Attorney. A joint public hearing took place on items 18-0364, 18-0363, 18-0352, 18-0353, and 18-0362. No speakers were present for this public hearing.

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

be approved. The motion carried by the following vote:

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

10. [18-0363](#) Ordinance Vacating Any and All City of Hampton Interest In A Certain Alley Approximately 17' Wide And Containing 5,545± Square Feet Bounded On The North By Parcels Collectively Addressed As 1300 Kecoughtan Road (LRSN 1004555) And On The South By Parcels Collectively Addressed 230 Catalpa Avenue (LRSN 1004554) And 200 Claremont Avenue (LRSN 1005036) Between Catalpa Avenue And Claremont Avenue

**Attachments:** [Exhibit A - Alley Vacation Presentation](#)

This item was presented in conjunction with 18-0364, 18-0352, 18-0353, and 18-0362.

Presented by Lucy Stoll, City Planner and Bonnie Brown, Deputy City Attorney. A joint public hearing took place on items 18-0364, 18-0363, 18-0352, 18-0353, and 18-0362. No speakers were present for this public hearing.

A motion was made by Councilmember Linda Curtis and seconded by Councilmember Chris Snead, that this Ordinance-Non-coded be approved. The motion carried by the following vote:

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

11. [18-0352](#) Rezoning Application No. 18-00004 by Wythe Elementary School, LLC to rezone property at 200 Claremont Avenue [Portions of LRSNs: 1005036 1004555, and 1004553] from One-Family Residence (R-11) to Multiple Dwelling (MD-4) District with Proffered Conditions



Attachments: [Application p1](#)  
[Application p2](#)  
[Narrative](#)  
[Survey](#)  
[Preliminary Plat](#)  
[Floor Plan p1](#)  
[Floor Plan p2](#)  
[Floor Plan p3](#)  
[Proffers](#)  
[Conceptual Site Plan](#)  
[Staff Report](#)  
[Resolution](#)  
[Presentation](#)

This item was presented in conjunction with 18-0364, 18-0363, 18-0353, and 18-0362.

Presented by Lucy Stoll, City Planner and Bonnie Brown, Deputy City Attorney. A joint public hearing took place on items 18-0364, 18-0363, 18-0352, 18-0353, and 18-0362. No speakers were present for this public hearing.

A motion was made by Councilmember Chris Snead and seconded by Councilmember Steven Brown, that this Zoning Ordinance - Map be approved. The motion carried by the following vote:

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

Cheran Ivery, City Attorney requested a second vote on this item to ensure that the proper item number was in the record.

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

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

12. [18-0353](#) Rezoning Application No. 18-00007 by the City of Hampton to rezone 1300 Kecoughtan Road [LRSN 1004555 formerly designated 1004553] and a portion of 200 Claremont Avenue [LRSN 1005036] from One-Family Residence (R-11) to Parks and Open Space General (PO-1) district

**Attachments:** [Application Page 1](#)  
[Application Page 2](#)  
[Boundary Line Adjustment Plat](#)  
[Staff Report](#)  
[Resolution](#)  
[Presentation](#)

This item was presented in conjunction with 18-0364, 18-0363, 18-0352, and 18-0362.

Presented by Lucy Stoll, City Planner and Bonnie Brown, Deputy City Attorney. A joint public hearing took place on items 18-0364, 18-0363, 18-0352, 18-0353, and 18-0362. No speakers were present for this public hearing.

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

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

13. [18-0362](#) Resolution Approving The Wythe Elementary School Development Agreement By And Among The City Of Hampton, Virginia, The Hampton Redevelopment And Housing Authority, And Wythe Elementary School, LLC Pertaining to Redevelopment of the Former George Wythe Elementary School

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

This item was presented in conjunction with 18-0364, 18-0363, 18-0352, and 18-0353.

Presented by Lucy Stoll, City Planner and Bonnie Brown, Deputy City Attorney. A joint public hearing took place on items

18-0364, 18-0363, 18-0352, 18-0353, and 18-0362. No speakers were present for this public hearing.

A motion was made by Councilmember Chris Snead and seconded by Councilmember Billy Hobbs, that this Resolution be approved. The motion carried by the following vote:

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

## **PUBLIC COMMENT**

Ms. Lee read the protocol for Public Comment.

Mr. Collin Ransom approached the dais and made the following statement: I talked to you before you all started the meeting. I wanted everybody to see this. I'm in violation of the twelve inches, but when I called to try to get Pamela Drive - been there 37 years at a dead end - when I called to try to get Pamela Drive new asphalt and stuff, didn't have the money. But, you can send a policeman, they can send a policeman around at 1:22 in the morning, 1:22 in the morning plus, to write this ticket. Plus, right now, I can take each one of your - there's two cars parked in the middle of the street right now. Didn't get no ticket. When I called 311 and told them things back, and they told me it was in the Police Department's things. There are cars, all you have to do is put an antique license tag on it. They're all over. There's one man got cars in the backyard and the side. They haven't written a thing. So I'm not asking you - when you ask me - I'm not asking you - I'm going to pay the \$20. But for 37 years, and the reason I don't want to get - I pay my detailing. Costs me \$45 for each one of my cars. If you park up under the thing on the curb, when I came that night - the birds. I had to, every day I had to wash the bird feces off. But, like I said, you didn't have the money, not even to blacktop, but a man can come at 1:22 in the morning. Does he need a job to see you're twelve inches from the curb? That's what I want - I'm not asking you all to give me nothing. I'll pay the \$20. But, it's not fair. You told me, Mr. Tuck, that somebody else had trouble. I'm not denying. There's one driveway down in the middle of the street because the man got a hoop for his son to play hoops. Why didn't the same man that wrote this ticket - it's seven - I took my tape, it's seven feet six inches to the first car, and to the next car it's fourteen. Is that fair? I'm going to ask you, is that fair? No, it's not fair. And like I said, he could go through there all day long, the cars that do not have up-to-date inspection stickers on it. The little decal on them. So you know - that's what I - I'm not asking nobody to give me nothing.

Mayor Tuck stated that he fully understands.

Ms. Bunting asked Assistant City Manager Steve Bond to meet with Mr. Ransom to get his information to follow up with the Hampton Police Division.

Ms. Tequilla Duru greeted those on the dais and made the following statement: I'm pleased to have met some of you in the past and honored to be here; it's my first Council meeting. I'm here representing myself only as a student of the area. As I mentioned earlier, I previously met some of you in my three and half years here in Hampton and I've come to feel this is a diamond in the rough. The City is, I think, wonderful, it's quaint, it's cute. I have family here, I have family members who are Hampton University graduates, including my son. I never knew about Fort Monroe. I never knew about Buckroe Beach. So I was amazed to see my first submarine when I came here while walking Fort Monroe. I had no idea what I was looking at because I thought it was a whale, because I only saw the fin going down, and I just - it's been an education all the way around. I only saw what looked like that fin, and one of my beach buddies - I call them my beach buddies - made me aware of what I was looking at thankfully and graciously, because that's my ignorance. I saw my first school of dolphins escorting the submarines out to sea, and at other times just playing around, that was just a wonderful sight as well. I saw my first battleship, aircraft carrier, heading to the Norfolk Naval Station. That was wonderful. Just exploring Fort Monroe, exploring the Casemate Museum, has afforded me additional knowledge of where I am, and what's here, and what I can share with others. During the recent boat races here, I learned not to stroll down Stillwell without the proper wristband - yes, I got stopped and respectfully rerouted. They were very nice to me, but I know not to do that again. The Hampton History Museum is, I think, is absolutely fascinating. And I find the eclectic behavior in the atmosphere of Phoebus very, very appealing, where eating, drinking, and discovering business pockets and academic learning are just a courtyard apart. I think that's just a marvelous, tasteful part of this Phoebus area. Grocery store, barber shop, more within blocks, everything's convenient, including the Hampton University community. But all of this and more, but only if you know it exists. I am a native of Washington, DC, schooled in Ohio and Denver, Colorado. Lived and worked in Odessa, Midland, Dallas, and San Antonio, Texas, and spent several years in Charlotte before coming here. All of those cities have impressionable footprints, their own culture, and things that visitors remember, that make you want to come back. Admittedly, I seek the special and unique, and my background's in broadcast media, and I'm a Smithsonian brat. I come to you, asking that you give the City of Hampton the attention that you want it to have by giving it the promotion it needs in order to attract the tourists and their dollars. As I said earlier, this is a diamond in the rough. From my lens, and this is just totally my perspective, Hampton has many superlatives that are not readily seen or heard, and I wonder why. Why do I not see your claims to fame in bold signage? That you not just talk about it, but that you brag about. When I

drive into the City limits, let me and others know that Hampton is the oldest English speaking city in America. That Mercury Boulevard is named for the Mercury VII Astronauts. That Langley is the oldest Air Force Base in the world. That that base is where human computers calculated mathematics necessary to enable the launch and landing of the space program for NASA (National Aeronautics and Space Administration), later to become the basis for the best-selling book and movie, *Hidden Figures*. That the ground at Fort Monroe is where the first Africans set foot. I drove for quite some time thinking that Air Power Park was the Air & Space Museum. In 2010, an oral history project was produced about Hampton's history with interviews, but I think it needs to be updated. I think the Hampton History Museum is in the process of doing that now, but only with the focus on World War I. But in nine short months, Hampton will be gaining some very, very major attention that I'd love to see it have. Locally, and perhaps nationally, because of the 1619 Project, which marks the 400-year anniversary of when the first Africans arrived to America. Ladies and gentlemen, time is of the essence, in my opinion. Hampton has all the ingredients for its own special pie. Like your presenter alluded to at the community kick-off last month, let's add some spice to it, let's serve it up, Hampton-style, a unique way, because it's not that hard. And by the way, I hope you have a wonderful Thanksgiving. Thank you for your time.

Mayor acknowledged four Hampton University students and thanked them for coming.

## GENERAL ITEMS

Ms. Lee read the protocol for General Items.

14. [18-0354](#) Approval of the City of Hampton, Virginia's 2019 General Assembly Priorities

**Attachments:** [Legislative Agenda](#)

Ms. Bunting stated that the Council has been previously presented with the proposed 2019 General Assembly Priorities. There was only one change proposed after that presentation. This change added language regarding the need to continue to secure funding for the Stormwater Local Assistance Fund. This is an important fund for all localities that have to deal with stormwater compliance. To date, the City of Hampton has received over \$1.2 million in funding from that fund. While there is currently \$20 million allocated in the FY19 State Budget, the State Budget had no money in the FY20 Budget. Staff recommends formal adoption of the program.

Presented by Mary Bunting, City Manager. A motion was made by Councilmember Linda Curtis seconded by Councilmember Chris Snead, that this Motion be approved. The motion carried

by the following vote:

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

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

**MISCELLANEOUS NEW BUSINESS**

Councilman Brown wished everyone a Happy Thanksgiving.

Ms. Bunting noted that the City had just held the State of the City address. She, Mayor Tuck, and Hampton City Schools Superintendent Dr. Jeffrey Smith provided a summary of this year's highlights. She shared the lip sync video the Council and School Board did for the event.

**ADJOURNMENT**

The meeting adjourned at 7:40 p.m.

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Donnie R. Tuck  
Mayor

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Katherine K. Glass, CMC  
Clerk of Council

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