



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 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, April 11, 2018

6:30 PM

Council Chambers

CALL TO ORDER/ROLL CALL

Vice Mayor Curtis convened the meeting at 6 p.m. All members of the City Council were present with the exception of Mayor Tuck.

Present: 6 - Vice Mayor Linda D. Curtis, Councilmember Jimmy Gray, Councilmember Billy Hobbs, Councilmember Chris Snead, Councilmember Will Moffett and Councilmember Teresa V. Schmidt

Excused: 1 - Mayor Donnie R. Tuck

LINDA CURTIS PRESIDED

Vice Mayor Curtis announced that Mayor Tuck is hosting the South African Ambassador to the United States, Mninwa Johannes Mahlangu. She noted that the Ambassador was interested in visiting Hampton because we have a Sister City within South Africa, Pietermaritzburg.

INVOCATION - Councilmember Teresa Schmidt

Councilwoman Schmidt gave the invocation.

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

Vice Mayor Curtis recognized the more than 400 volunteers for the City of Hampton who provided a total of 23,589 service hours for 2017. She stated that they are extremely important to the social fabric of Hampton. She asked Mr. Steven Dennis,

Human Resources Employee Relations Manager, and the volunteers present to come forward to receive a proclamation proclaiming April 15-21 as National Volunteer Week and the month of April as Volunteer Appreciation Month in the City of Hampton. Mr. Dennis presented Council with a check for \$569,438.46. Vice Mayor Curtis noted that this is half a penny on the tax rate that has been saved by volunteers.

CONSENT AGENDA

Vice Mayor Curtis dispensed with reading the protocol for the Consent Agenda as there was only one item.

1. [18-0135](#) Approval of the minutes from the work session of March 14, 2018, and the special session of March 28, 2018.

A motion was made by Councilmember Hobbs and seconded by Councilmember Moffett, that these Minutes be approved. The motion carried by the following vote:

Aye: 6 - Vice Mayor Curtis, Councilmember Gray, Councilmember Hobbs, Councilmember Snead, Councilmember Moffett and Councilmember Schmidt

PRESENTATIONS, PROCLAMATIONS, AWARDS

PUBLIC HEARINGS

Ms. Katherine K. Glass, Clerk of Council, read the protocol for Public Hearings.

Ordinances

2. [17-0388](#) Ordinance Amending Non-Coded Ordinance Number 1026 as Amended by Non-Coded Ordinance Number 1043 Entitled "Ordinance Establishing a Special Assessment for the Peninsula Town Center Community Development Authority and Authorizing an Amended and Restated Collection Agreement with the Community Development Authority"

Attachments: [Presentation](#)

This item was presented in conjunction with 17-0387 and a joint Public Hearing was held.

City Manager Mary Bunting noted that these items have been deferred on numerous occasions. These represent an opportunity to refund notes on the Community Development Authority (CDA). She stated that some people confuse the CDA notes

and the private notes. The CDA was created for the purposes of putting in public infrastructure, which serves the whole community. A refunding is effectively a refinancing to take advantage of better interest rate opportunities. Although these are not the City's notes, the CDA requires approval from Council to move forward with this opportunity. She thanked staff for putting so much effort into this endeavor.

Ms. Bunting recognized the legal team from the CDA and Mr. Zaffar Tabani, President and CEO of the Tabani Group, and his team. She introduced Assistant City Manager Pete Peterson who presented on this item to Council. Mr. Peterson introduced Ms. Emily Metzler of MuniCap, the financial advisors overseeing this deal, and Mr. Natham Betnun of Stifel, the underwriting company, who provided additional information.

Mr. Peterson summarized the history of the Peninsula Town Center (PTC) bonds and the project as a whole. Ms. Metzler provided information on the refunding and restructuring of the bonds and what this can mean for the property. Ms. Patricia Melochick, Senior Deputy City Attorney, reviewed the actions taken by the CDA that morning, and what was being requested of Council this evening, emphasizing that this debt, although public, was not the responsibility of the City. The CDA is a separate entity under the Commonwealth of Virginia. Mr. Betnun provided the expected next steps following Council's vote.

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

Councilman Moffett thanked Mr. Tabani, City staff, the CDA, and all others involved in reaching this conclusion.

Information was presented by Assistant City Manager James A. "Pete" Peterson. Additional information was provided by Emily Metzler of Muncap; Patricia Melochick, Senior Deputy City Attorney; and Nate Betnun of Stifel, the Underwriter. A joint public hearing was held on items 17-0388 and 17-0387 and there were no individuals signed up to speak on either item.

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

Aye: 6 - Vice Mayor Curtis, Councilmember Gray, Councilmember Hobbs, Councilmember Snead, Councilmember Moffett and Councilmember Schmidt

3. [17-0387](#) Resolution (i) Authorizing the Execution of an Amended and Restated Memorandum of Understanding by and Among the Peninsula Town Center Community Development Authority and T Peninsula Axis VA, LLC, T Peninsula Hotel VA, LLC, and Peninsula Parking Lot VA, LLC and an Amended and Restated Collection Agreement With the Peninsula Town Center Community Development Authority and the Successors and Assigns of Hampton Mall Associates, J. C. Penney Properties, Inc., and Target Corporation in Connection With the Issuance of Special Obligation Refunding Bonds, Series 2018, and (ii) Approving the Issuance of the Series 2018 Bonds by the Community Development Authority

Attachments: [Presentation](#)

This item was presented in conjunction with 17-0388 and a joint Public Hearing was held.

Information was presented by Assistant City Manager James A. "Pete" Peterson. Additional information was provided by Emily Metzler of Muncip; Patricia Melochick, Senior Deputy City Attorney; and Nate Betnun of Stifel, the Underwriter. A joint public hearing was held on items 17-0388 and 17-0387 and there were no individuals signed up to speak on either item.

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

Aye: 6 - Vice Mayor Curtis, Councilmember Gray, Councilmember Hobbs, Councilmember Snead, Councilmember Moffett and Councilmember Schmidt

PUBLIC COMMENT

Ms. Glass read the protocol for Public Comment.

Ms. Mary Johnson greeted those on the dais and made the following statement: I am here as the 2018 Chairman of the Hampton-Newport News Historic Garden Week Tour. This year we're really pleased that the home and garden tour is back in Hampton. Two years ago it was at Fort Monroe, and we're thrilled to be back in our wonderful City. This year, the tour will be held on Wednesday, April 25th from 10-5. Members of the Hampton Roads and the Huntington Garden Club work year round to

put on the tour and create flower arrangements that are displayed in the homes on the day of the tour. Two thousand eighteen is the 85th anniversary of Historic Garden Week in Virginia. Just as a note, we're the only State in the country to hold a statewide garden tour - home and garden tour. Several cities have home and garden tours, but no other states, so that's kind of unique, and we've been doing it for 85 years. Proceeds of the tour go to the Garden Club of Virginia to refurbish historic gardens and landscapes throughout Virginia, a grant/research fellowship, and our five-year centennial project with Virginia State Parks. You should have one of our local brochures in front of you that gives you some details of our local tour. We're excited that we have five homes on the tour this year in Hampton, with two homes on the Chesapeake Avenue area, Alyssa & T.C. Jones and Cary & Peggy Patrick. In the Sunset Creek area, we have Bill & Eleanor Brown and Forrest & Molly Ward. We are thrilled to have Hampton University as part of our tour this year, as they celebrate their 150th Anniversary and the 40th Anniversary of Dr. (William R.) Harvey's presidency. Dr. & Mrs. Harvey have graciously decided to open their home for the tour, and it's the first time their home has been open to the public for a tour, so we're very excited about that, and it is generating a lot of interest from media outlets and people around the State. In addition to their home, the Hampton University Museum, the chapel, and the Emancipation Oak are also on the tour. Our headquarters is at First Presbyterian Church in Downtown Hampton. We also have a marketplace there, and speakers, and lunch provided by the Grey Goose. Economically speaking, over the past 45 years, Historic Garden Week has generated \$425 million for the State. Locally, in Hampton, we know that our guests eat in our restaurants, they shop in our stores, they purchase gas for their cars, and they stay in our local hotels. Average spending is \$1,207 on a tour trip. We couldn't do this without the help of the City, and I'd like to take the time to thank Ms. Bunting and her staff, the Hampton Police Department, particularly Corporal Gallishaw, the Hampton Convention and Visitors' Bureau has been fantastic, Bruce Newton, Ryan Downey, Mary Fugere, and then Robin McCormick and her staff, who are wonderful and allowed us to come speak at Round Robin. We hope that you will take time if you can and join us.

Mr. John Krulis greeted those on the dais and made the following statement: Same thing. I want the names of the people who vote for the aquatics center to be on the center. I'm deadly serious about it. I guess we could - she wasn't here last time - but I want to reserve the Wibit or whatever for Ms. Bunting. That's yours alone. Whoever votes for it, it's still - she earned it. But the aquatics center. I've had the opportunity to ask the two members of Council who are running for reelection, and so I know where they stand, and I appreciate that, and then, not so much. But, for those who respond to it, who would be at forums and answering people's questions about how they will be voting, I'm sure there are other things that people are interested in, but I want to know what people are going to vote for. I mean, I don't - there's a lot of

things that you really don't have any control over. What the crime in the City or the economic conditions of the Region are way beyond your reach. But the votes that you take here are yours and yours alone, and nobody else's. So how you vote and how people as candidates will tell us how they're going to vote is very important to me. So all of the forums that are upcoming - thank you, Mr. Boone, for the list - ask the questions, folks, as to how the candidates will be voting on the aquatics center. Also about the elections, just so you don't misunderstand where I'm coming from, I personally think our President, and he is our President, we only have one at a time, is one of the most biggest embarrassments in my lifetime. And maybe the most dangerous. However, when he talks about the deep state, or the swamp, etc., I know what he's talking about, because we have one right here. When - following the most recent Mayoral election, I came and said something about one candidate had the endorsements of everybody from here on Council to Newport News to Richmond to Washington, DC. I would get sometimes five phone calls from DC endorsing Mr. Wallace. And Mr. - our dear Mayor - Donnie Tuck, had the endorsement of the Sierra Club. But he won with the overwhelming approval of the people - the people - the people of this City. So when those endorsements come again for anybody on City Council, I will not name names, but if there's an endorsement from every single freaking person who endorsed Mr. Wallace - except Mr. Wallace isn't on those lists of endorsements, isn't that odd? But all the people who fought for Mr. Wallace for election, he's not on board for this endorsement. Thank you all for serving. The presentation on the Town Center, God love you if you knew what was going on. I really appreciate you being up there and not me having to be up there. Thank you very much for serving, and I do mean that. You may not think I mean it, I mean it. Thank you.

Ms. Veronica Davis greeted those on the dais and made the following statement: I'm an author and a historian, and a citizen of Hampton, Virginia. With that being said, I've been in cemetery preservation for over, has to be close to 20 years now, and I wanted to ask tonight that the cemetery advisory board be put back together, but with some minor changes to it. I would also like there to be a subcommittee for the cemetery advisory board that would be made up of the people who are organizing volunteer efforts. The reason why I'm asking for this is to ensure that the fairness of allocations of money is being given to all the cemeteries in Hampton, and that no one is able to use any political connections to ensure that their properties get monies over other historic lands. I did take time to drive up to Richmond and speak to one of our legislators. She has given me the House Bill information on how monies can be allocated. I've also reviewed the PowerPoint that was given to Council, or presented to Council on the limited liability issues. I was assured by the legislators that if the City acts as a fiscal financial agent for those monies from the State, that there is no liability issues that could be brought up. They will simply be acting as providing grant monies as any other agency would to those particular organizations. I also want to

ensure that we're not just hiring our cousins or our brothers to come in and clean up. I want the advisory board to hire people with knowledge of preservation in history. I also want to see that those people play an active role in ensuring, by touring the different cemeteries that are selected for the allocations, that they are being maintained and cleaned up by credible, credible landscapers with licenses, etc. In addition to that, before I end, if you would like to contact me to get further information on people I have selected that would fill the advisory board, I would like to let you know that I have also contacted the top African American historian in the State of Virginia and she has offered her support to the advisory board as well. Thank you so much.

Mr. Edwin Boone greeted those on the dais and made the following statement: This is the month that 50 years ago Dr. Martin Luther King got assassinated, and I have a poem to present to you in his honor.

You Thought You Killed My Brother

Born to die, we all are here.

Afraid of death? I have no fear.

Believe it when I tell you.

His dream shall come true.

A gift from God, his thought provoking life.

Sacrificing his all, he helped to eliminate strife.

Confused and vicious cycle forced upon us.

Dr. Martin Luther King, Jr. showed us his trust.

He trusted that God would make a way.

Guided by God's divine Spirit, he would not let us stray.

So much to be grateful for.

Dr. Martin Luther King, Jr. gave us his purpose, goal, and life so that we cannot ignore.

Taken away from me suddenly.

I miss my brother!

His face was so encouraging in times of trouble.

His feet walked a path that mine shall follow.

His chosen words helped to guide me to righteousness.

You've taken away my flesh and blood.

His body no longer exists,

But,

His spirit lives within me.

You thought you killed my brother.

Mr. Boone submitted additional documents to be entered into the minutes. They are available for viewing in the meeting folder located at City Hall.

GENERAL ITEMS

Appointments

4. [18-0136](#) Consideration of an appointments to the Peninsula Stadium Authority
- A motion was made by Councilmember Hobbs and seconded by Councilmember Moffett, that this Appointment be deferred to the City Council Legislative Session, due back on 6/13/2018. The motion carried by the following vote:
- Aye:** 6 - Vice Mayor Curtis, Councilmember Gray, Councilmember Hobbs, Councilmember Snead, Councilmember Moffett and Councilmember Schmidt

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

There were no reports.

MISCELLANEOUS NEW BUSINESS

Councilwoman Schmidt announced the Walk Hampton Clean campaign, hosted by the Hampton Clean City Commission, will take place from April 21 through April 28. Groups or individuals can sign up to clean up areas of the City.

Councilman Moffett announced that on March 31 the Mary Peake Foundation, under the leadership of Dr. Mary Christian and Dr. Colita Fairfax, sponsored "An Evening to Remember: A Concert of Honor and Tribute." They honored women in leadership and government, and he was pleased that the women on the dais and Ms. Glass were all honored.

ADJOURNMENT

The meeting adjourned at 7:35 p.m.

Donnie R. Tuck
Mayor

Katherine K. Glass, CMC
Clerk of Council

Date approved by Council _____