



# City of Hampton

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

## Notice of Action 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*

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**Wednesday, May 9, 2018**

**6:30 PM**

**Council Chambers**

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### **Second Reading & Final Approval / Legislative Session**

#### **CALL TO ORDER/ROLL CALL**

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 Chris Snead, Councilmember Will Moffett, Councilmember Teresa V. Schmidt and Mayor Donnie R. Tuck

#### **INVOCATION - Councilmember Jimmy Gray**

Councilman Gray gave the invocation.

#### **PLEDGE OF ALLEGIANCE TO FLAG**

#### **MAYOR'S COMMENTS**

Mayor Tuck made a brief statement concerning the Boys and Girls Club building on Shell Road. He clarified that the facility is owned by the Virginia Peninsula Boys and Girls Club and not by the City of Hampton. The Boys and Girls Club decided to close the facility and place it for sale. Hampton has a need for a newer and more centrally located fire station to serve Wythe and that is why the City is considering the purchase of the Boys and Girls Club property on Shell Road.

#### **CONSENT AGENDA**

**Approval of the Consent Agenda**

Motion made by Vice Mayor Curtis, seconded by Councilmember Schmidt, to approve the Consent Agenda. The motion carried by the following vote:

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

1. [18-0148](#) Resolution to Approve Guidelines for the Public-Private Education Facilities and Infrastructure Act of 2002 ("PPEA") for Use in the Acquisition of Construction Services for Certain Public Infrastructure and Facilities

item approved.

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

2. [18-0156](#) Resolution Determining the Peninsula Community Foundation, Inc. to be the Only Source Practicably Available from which to Procure Professional Planning and Design Services for the Olde Hampton Neighborhood and the Proposed Mary Jackson Neighborhood Center and Authorizing the Negotiation and Execution of a Purchase Contract with the Peninsula Community Foundation as "Sole Source"

Item approved.

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

3. [18-0102](#) Approval of the minutes from the work session of April 11, 2018, and the work, ceremonial, and legislative sessions of April 25, 2018.

Item approved.

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

**PRESENTATIONS, PROCLAMATIONS, AWARDS**

**PUBLIC HEARINGS**

**18-0168** Motion to move agenda item #4 18-0161 to following the ordinances adopting the budget.

A motion was made by Vice Mayor Curtis and seconded by Councilmember Snead, that this Motion be approved. The motion carried by the following vote:

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

**Ordinances**

5. [18-0151](#) Use Permit Application No. 18-00002 by Alisha Thomas to Permit the Operation of a Private School at 66 W. Mercury Boulevard (LRSN 8005697)

Presented by Ana Elezovic, City Planner. Following a public hearing with no speakers, a motion was made by Vice Mayor Curtis and seconded by Councilmember Gray, that this Use Permits be approved with seven (7) conditions. The motion carried by the following vote:

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

6. [18-0152](#) Use Permit Application No. 18-00004 by Sandra Mitcham to Permit a Commercial Day Care 2 at 1184 and 1186 Big Bethel Road (LRSN: 4002763)

Presented by Ana Elezovic, City Planner. Following a public hearing with no speakers, a motion was made by Vice Mayor Curtis seconded by Councilmember Schmidt, that this Use Permits be approved with ten (10) conditions. The motion carried by the following vote:

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

7. [18-0153](#) Ordinance To Amend And Re-Enact The Zoning Ordinance Of The City Of Hampton, Virginia by Amending Section 1-18 Entitled "Fence and Wall regulations" Pertaining to Fence Height Regulations in Residential, Multi-family, and Residential-Transition Districts and Certain Use Exclusions Presented by Lucy Stoll, City Planner. Following a public hearing with no speakers, a, a motion was made by Vice Mayor Curtis seconded by Councilmember Gray, that this Zoning Ordinance - Text be approved. The motion carried by the following vote:

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

## PUBLIC COMMENT

One individual (William Spence) had signed up to speak but Mayor Tuck shared that he had spoken with him before the meeting and the individual was meeting with staff to address his area of concern.

## GENERAL ITEMS

### Ordinances

- 18-0169** Motion to approve the City Manager's plan for reallocation of certain departmental resources to increase staffing in the Fire and Rescue Division back to 297 permanent full-time employees and to make workforce development a full time effort as opposed to splitting resources allocated in the City Manager's Recommended Budget with other services.

A motion was made by Vice Mayor Curtis and seconded by Councilmember Snead, to approve the City Manager's plan for the reallocation of certain departmental resources as read by the Clerk. The motion carried by the following vote:

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

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

8. [18-0018](#) 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, 2018 and Ending June 30, 2019
- A motion was made by Councilmember Gray and seconded by Councilmember Hobbs, that this Ordinance-Budget-Non-Coded be approved on second and final reading. The motion carried by the following vote:

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

9. [18-0019](#) 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, 2019
- A motion was made by Councilmember Schmidt and seconded by Vice Mayor Curtis, that this Ordinance-Budget-Non-Coded be approved on second and final reading. The motion carried by the following vote:

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

**Appropriation Non-Coded Ordinances Requiring Two Readings**

10. [18-0020](#) Ordinance to Adopt a Budget and Appropriate Monies for the General Fund of the City of Hampton (City and School Operations) for Fiscal Year 2019 beginning July 1, 2018 and ending June 30, 2019
- A motion was made by Councilmember Hobbs and seconded by Vice Mayor Curtis, that this Ordinance-Budget-Non-Coded be amended. The motion carried by the following vote:

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

A motion was made by Councilmember Hobbs and seconded by Vice Mayor Curtis, that this Ordinance-Budget-Non-Coded be approved on second and final reading, as amended. The motion carried by the following vote:

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

11. [18-0021](#) Ordinance to Adopt a Budget and Appropriate Monies for the Capital Improvement Fund (Capital Budget) of the City of Hampton for Fiscal Year 2019 beginning July 1, 2018 and ending June 30, 2019

A motion was made by Vice Mayor Curtis and seconded by Councilmember Snead, that this Ordinance-Budget-Non-Coded be approved on second and final reading. The motion carried by the following vote:

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

12. [18-0023](#) Ordinance to Adopt a Budget and Appropriate Monies for the Hampton Roads Convention Center Fund of the City of Hampton for Fiscal Year 2019 beginning July 1, 2018 and ending June 30, 2019

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

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

13. [18-0022](#) Ordinance to Adopt a Budget and Appropriate Monies for the Hampton Coliseum and Hampton Arts Commission Fund of the

City of Hampton for Fiscal Year 2019 beginning July 1, 2018 and ending June 30, 2019

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

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

14. [18-0027](#) Ordinance to Adopt a Budget and Appropriate Monies for the Fleet Services Fund of the City of Hampton for Fiscal Year 2019 beginning July 1, 2018 and ending June 30, 2019

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

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

15. [18-0029](#) Ordinance to Adopt a Budget and Appropriate Monies for the Risk Management Fund of the City of Hampton (City and Schools) for Fiscal Year 2019 beginning July 1, 2018 and ending June 30, 2019

A motion was made by Councilmember Schmidt and seconded by Councilmember Gray, that this Ordinance-Budget-Non-Coded be approved on second and final reading. The motion carried by the following vote:

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

16. [18-0030](#) Ordinance to Adopt a Budget and Appropriate Monies for the Solid Waste Management Fund of the City of Hampton for Fiscal Year 2019 beginning July 1, 2018 and ending June 30, 2019

A motion was made by Councilmember Hobbs and seconded by

Vice Mayor Curtis, that this Ordinance-Budget-Non-Coded be approved on second and final reading. The motion carried by the following vote:

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

17. [18-0031](#) Ordinance to Adopt a Budget and Appropriate Monies for the Steam Plant Fund of the City of Hampton for Fiscal Year 2019 beginning July 1, 2018 and ending June 30, 2019

A motion was made by Vice Mayor Curtis and seconded by Councilmember Snead, that this Ordinance-Budget-Non-Coded be approved on second and final reading. The motion carried by the following vote:

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

18. [18-0032](#) Ordinance to Adopt a Budget and Appropriate Monies for the Stormwater Management Fund of the City of Hampton for Fiscal Year 2019 beginning July 1, 2018 and ending June 30, 2019

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

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

19. [18-0033](#) Ordinance to Adopt a Budget and Appropriate Monies for the Wastewater Management Fund of the City of Hampton for Fiscal Year 2019 beginning July 1, 2018 and ending June 30, 2019

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



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

**Appropriation Non-Coded Ordinances Requiring One Reading**

20. [18-0024](#) Ordinance to Adopt a Budget and Appropriate Monies for the Hamptons Golf Course Fund of the City of Hampton for Fiscal Year 2019 beginning July 1, 2018 and ending June 30, 2019  
A motion was made by Councilmember Gray and seconded by Councilmember Hobbs, that this Ordinance-Budget-Non-Coded be approved. The motion carried by the following vote:  
**Aye:** 7 - Vice Mayor Curtis, Councilmember Gray, Councilmember Hobbs, Councilmember Snead, Councilmember Moffett, Councilmember Schmidt and Mayor Tuck
21. [18-0025](#) Ordinance to Adopt a Budget and Appropriate Monies for the Woodlands Golf Course Fund of the City of Hampton for Fiscal Year 2019 beginning July 1, 2018 and ending June 30, 2019  
A motion was made by Councilmember Schmidt and seconded by Councilmember Gray, that this Ordinance-Budget-Non-Coded be approved. The motion carried by the following vote:  
**Aye:** 7 - Vice Mayor Curtis, Councilmember Gray, Councilmember Hobbs, Councilmember Snead, Councilmember Moffett, Councilmember Schmidt and Mayor Tuck
22. [18-0026](#) Ordinance to Adopt a Budget and Appropriate Monies for the Fleet Services Equipment Replacement Fund of the City of Hampton for Fiscal Year 2019 beginning July 1, 2018 and ending June 30, 2019  
A motion was made by Councilmember Hobbs and seconded by Vice Mayor Curtis, that this Ordinance-Budget-Non-Coded be approved. The motion carried by the following vote:  
**Aye:** 7 - Vice Mayor Curtis, Councilmember Gray, Councilmember Hobbs, Councilmember Snead, Councilmember Moffett, Councilmember Schmidt and Mayor Tuck

23. [18-0028](#) Ordinance to Adopt a Budget and Appropriate Monies for the Information Technology Fund of the City of Hampton for Fiscal Year 2019 beginning July 1, 2018 and ending June 30, 2019  
A motion was made by Vice Mayor Curtis and seconded by Councilmember Hobbs, that this Ordinance-Budget-Non-Coded be approved. The motion carried by the following vote:  
**Aye:** 7 - Vice Mayor Curtis, Councilmember Gray, Councilmember Hobbs, Councilmember Snead, Councilmember Moffett, Councilmember Schmidt and Mayor Tuck
24. [18-0034](#) 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 2019 beginning July 1, 2018 and ending June 30, 2019  
A motion was made by Councilmember Moffett and seconded by Councilmember Snead, that this Ordinance-Budget-Non-Coded be approved. The motion carried by the following vote:  
**Aye:** 7 - Vice Mayor Curtis, Councilmember Gray, Councilmember Hobbs, Councilmember Snead, Councilmember Moffett, Councilmember Schmidt and Mayor Tuck
25. [18-0035](#) Ordinance to Adopt a Budget and Appropriate Monies for the Economic Development Fund of the City of Hampton for Fiscal Year 2019 beginning July 1, 2018 and ending June 30, 2019  
A motion was made by Councilmember Snead and seconded by Councilmember Moffett, that this Ordinance-Budget-Non-Coded be approved. The motion carried by the following vote:  
**Aye:** 7 - Vice Mayor Curtis, Councilmember Gray, Councilmember Hobbs, Councilmember Snead, Councilmember Moffett, Councilmember Schmidt and Mayor Tuck
26. [18-0036](#) Ordinance to Adopt a Budget and Appropriate Monies for the Grant Fund of the City of Hampton for Fiscal Year 2019 beginning July 1, 2018 and ending June 30, 2019  
A motion was made by Vice Mayor Curtis and seconded by Councilmember Gray, that this Resolution be approved. The motion carried by the following vote:

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

#### Bond Resolution

4. [18-0161](#) Resolution of The City of Hampton, Virginia Authorizing The Issuance of General Obligation Public Improvement And Refunding Bonds of The City of Hampton in The Maximum Principal Amount Not to Exceed \$65,515,000 to Finance Certain Capital Improvement Projects And to Refund The City's General Obligation Bond Anticipation Note Series 2017, And Providing for The Form, Details And Payment of Such Bonds

Following a public hearing with no individuals signed up to speak, a motion was made by Vice Mayor Curtis and seconded by Councilmember Hobbs, that this Resolution be approved. The motion carried by the following vote:

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

#### Resolutions

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

There were no reports but the City Manager shared that last week a breakfast was hosted by Mary Fugere, Hampton's Director of Conventions and Tourism to highlight Hampton's tourism partners. A video was then shown highlighting Hampton's tourism industry.

Vice Mayor Curtis shared that this Saturday at 10 a.m. will be the official opening of the water walk at Central Park.

#### MISCELLANEOUS NEW BUSINESS

#### ADJOURNMENT

The meeting adjourned at 7:16 p.m.

**Contact Info:  
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