



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 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, August 8, 2018

6:30 PM

Council Chambers

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 with the exception of Councilwoman Curtis who is on vacation.

Present: 6 - Councilmember Eleanor Weston Brown, Councilmember Steven L. Brown, Vice Mayor Jimmy Gray, Councilmember Billy Hobbs, Councilmember Chris Snead and Mayor Donnie R. Tuck

Excused: 1 - Councilmember Linda D. Curtis

INVOCATION - Councilmember Eleanor Weston Brown

Councilwoman Brown gave the invocation.

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

Mayor Tuck recognized the 50th anniversary of Bluewater Yacht Sales and presented Chris Hall and his son, Chris Hall, Jr., with a commemorative placque.

He also recognized Venezia Arielle Jimenez, a Special Olympian, who was accompanied by Phyllis Porter. Ms. Jimenez represented Virginia in the Special Olympic games in Seattle, Washington where she received a Silver Medal for the Mini Javelin Throw among other recognitions.

CONSENT AGENDA

Items #8 and 10 were pulled from the consent agenda for separate discussion. Information was provided by Wanda Rogers, Director of Human Services.

8. [18-0273](#) Resolution Approving the City Hampton, Virginia's Participation in and Appropriation of the 2017 Continuum of Care (CoC) Housing Crisis Hotline Grant through the U. S. Department of Housing and Urban Development (HUD)

Items #8 and 10 were voted on together. A motion was made by Vice Mayor Jimmy Gray and seconded by Councilmember Steven Brown, that this Resolution-Budget be approved. The motion carried by the following vote:

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

10. [18-0276](#) Resolution to Accept and Appropriate 2019 Virginia Homeless Solutions Program Grant through the Virginia Department of Housing and Community Development

Items #8 and 10 were voted on together. A motion was made by Vice Mayor Jimmy Gray and seconded by Councilmember Steven Brown, that this Resolution-Budget be approved. The motion carried by the following vote:

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

Approval of the Consent Agenda

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

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

1. [18-0157](#) Resolution to Amend the Fiscal Year 2019 Council Approved Budget and Accept and Appropriate the 2018-2019 Comprehensive Community Corrections Act and Pretrial Services Act Grant Awarded through the Hampton-Newport News Criminal Justice Agency Awarded by the Virginia Department of Criminal Justice Services
Item approved.
Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck
2. [18-0176](#) Resolution to Accept the 2018-2019 Victim Witness Program Grant from the Virginia Department of Criminal Justice Services and Appropriate Those Funds for Use by the Hampton Victim Witness Assistance Program
Item approved.
Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck
3. [18-0226](#) Resolution Adopting the Revised City of Hampton Emergency Operations Plan (EOP) 2018
Item approved.
Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck
4. [18-0253](#) Resolution to Accept and Appropriate State Fiscal Year 2019 Part C of IDEA Grant Funding Awarded by the Department of Behavioral Health and Developmental Services Early Intervention Services for Infants and Toddlers with Disabilities and Their Families
Item approved.

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

5. [18-0261](#) Resolution Approving the City of Hampton, Virginia's Participation In and Appropriation of the FY2017 Local Edward Byrne Memorial Justice Assistance Grant (JAG) Program through the Bureau of Justice Assistance (BJA).

Item approved.

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

6. [18-0268](#) Resolution Authorizing the Grant of an Encroachment, Pursuant to §§ 34-90 to 34-92 of the City Code, to Celco Partnership d/b/a Verizon Wireless, Inc. of an Aerial Area Totaling 13.25 Cubic Feet, More or Less, to Install an Antenna, a Utility Meter, and an Equipment Cabinet on a Dominion Energy Power Pole in the Public Right-of-Way Near 1972 Power Plant Parkway

Item approved.

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

7. [18-0272](#) Resolution to Accept from the Commonwealth of Virginia, Department of Fire Programs and Appropriate to the Division of Fire & Rescue FY19 "Fire Programs Aid to Localities Funds" in the Amount of \$475,707.00

Item approved.

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

9. [18-0274](#) Resolution Requesting Endorsement, Department of Conservation and Recreation (DCR) Programming, and City Manager Project Agreement Execution Authorizing the Waterwalk Trail Project under the Recreational Trails Program

Item approved.

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

11. [18-0280](#) Resolution to Accept Fiscal Year 2019 Grant Funding for the Virginia Drug Treatment Court Grant Program Awarded by the Virginia Supreme Court, Office of the Executive Secretary to Continue the Hampton Drug Treatment Court Program for the Eighth Judicial Circuit Court of Virginia

Item approved.

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

12. [18-0232](#) Approval of the minutes from the legislative session of February 14, 2018, the work session of February 28, 2018, the legislative session of March 28, 2018, the legislative session of June 13, 2018, the special session of June 27, 2018, the special session (retreat) of July 6, 2018; and the special, work, and legislative sessions of July 11, 2018.

Item approved.

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

PRESENTATIONS, PROCLAMATIONS, AWARDS

PUBLIC HEARINGS

13. [18-0267](#) Rezoning Application No. 18-00002 by Peninsula Plaza Partners LLC to rezone a 9.53+ acre portion of an 11.84+ acre parcel at 1815 W. Mercury Blvd [LRSN: 13004430] from Limited Commercial [C-2] District to Multiple Dwelling (MD-4) District with Proffered Conditions

Presented by Donald Whipple, Chief Planner. At the public hearing there was one speaker, Akhil Jain, the applicant. He also made a presentation. The public hearing was then closed.

A motion was made by Councilmember Chris Snead and seconded by Councilmember Steve Brown that this Zoning Ordinance - Map be approved with ten (10) conditions. The motion carried by the following vote:

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

14. [18-0266](#) Resolution Authorizing the Execution of a Lease for 1,600 sq. ft. of City-owned Land Located at 300 Butler Farm Road to New Cingular Wireless, PCS, LLC for a Power Equipment Compound

There were no speakers at the public hearing. A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Chris Snead that this Resolution be approved. The motion carried by the following vote:

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

15. [18-0270](#) Resolution Authorizing the Execution of an In-Building Radio Agreement Between the City of Hampton and T-Mobile Northeast LLC for the Purpose of Installing and Operating a Wireless Distributed Radio System with Service Node(s), Radio Nodes, and any Necessary LAN Equipment at the Hampton Roads Convention Center

A motion was made by Councilmember Chris Snead and seconded by Councilmember Billy Hobbs that this Resolution be deferred to the City Council Legislative Session, due back on 9/12/2018. The motion carried by the following vote:

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

Mayor Tuck took a moment to explain that Councilwoman Curtis was travelling and that is why her absence from the Council meeting was excused.

He also introduced Hampton's new City Attorney, Cheran Cordell Ivery, who said that she was excited to join Team Hampton.

PUBLIC COMMENT

Ruth Roman spoke on the condition of some roadways and requested consideration of repaving certain roads.

Speaking on the topic of crime and safety in the Olde Wythe were Beverly Stammler, Rob Stammler, John Barker, Sue Kressen, Lydia Gieczys-Brubaker, and Cat Smith.

Virginia Kabongo spoke on a personal property issue involving a car dealership which was constructed close to her home.

Mayor Tuck provided some responsive comments and shared that he is having a town forum on September 27th at St. Mary's Star of the Sea. He invited citizens to communicate with him by phone. The City Manager also provided responsive remarks.

GENERAL ITEMS

Ordinances

16. [18-0275](#) Ordinance to Amend and Reenact the City Code of the City of Hampton, Virginia by Amending Chapter 24, Offenses, Article II, Pertaining to the Definitions Relating to Criminal Blight and Options Available for Corrective Action with Respect to Criminal Blight to Remain Consistent with Recently Amended State Code Authority

Presented by Kendall Bynum, Assistant City Attorney. A motion was made by Councilmember Hobbs and seconded by Councilmember Steven Brown that this Ordinance-Coded be approved. The motion carried by the following vote:

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

Appointments

17. [18-0177](#) Consideration of appointments of Council Liaisons to various Boards, Commissions and Committees
- A motion was made by Councilmember Billy Hobbs that Council take no action on the Cultural Alliance of Greater Hampton Roads which has been dissolved, appoint Councilwoman Linda Curtis to the Hampton Roads Regional Jail Authority and Councilwoman Chris Snead as the alternate, on the Hampton Roads Community Action Program (HRCAP), designate Hope Harper as Vice Mayor Gray’s representative, Diana Hughes Moody as Councilwoman Snead’s representative, and Jill Davis as Mayor Tuck’s representative. The motion carried by the following vote:
- Aye:** 6 - Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck
18. [18-0195](#) Consideration of appointments to Finance Committee
- A motion was made by Councilmember Billy Hobbs that Council appoint Michael Graves and Will Andrews to first terms both of which will conclude on June 30, 2020, and appoint Brian DeProfio in the place of James “Pete” Peterson. The motion carried by the following vote:
- Aye:** 6 - Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck
19. [18-0209](#) Consideration of appointments to Virginia Air & Space Center
- A motion was made by Councilmember Billy Hobbs that Council reappoint James Chisman and John Smith to second terms expiring on June 30, 2022, and appoint Brian DeProfio to a first term until June 30, 2022.. The motion carried by the following vote:
- Aye:** 6 - Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck
20. [18-0278](#) Consideration of appointments to the Citizens' Unity Commission

A motion was made by Councilmember Billy Hobbs that Council appoint Treavor Hudson in the place of Nolan Dazevedo until June 30, 2019, with Anne Andrews remaining in place until June 30, 2019. The motion carried by the following vote:

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

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

Mary Bunting, City Manager, provided some comments on how roadway repaving is decided upon and also noted that the citizen with the car dealership problem was already discussing her situation with a staff person.

MISCELLANEOUS NEW BUSINESS

There was no new business.

ADJOURNMENT

The meeting adjourned at 8:04 p.m.

Contact Info:
Clerk of Council, 757-727-6315, council@hampton.gov