



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 Chris L. Bowman
Councilmember Eleanor Weston Brown
Councilmember Steven L. Brown
Councilmember Michelle T. Ferebee
Councilmember Billy Hobbs

STAFF: Mary Bunting, City Manager
Cheran Cordell Ivery, City Attorney
Katherine K. Glass, CMC, Clerk of Council

Wednesday, November 9, 2022

6:30 PM

Council Chambers

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.

Present: 7 - Councilmember Chris L. Bowman, Councilmember Eleanor Weston Brown, Councilmember Steven L. Brown, Councilmember Michelle T. Ferebee, Vice Mayor Jimmy Gray, Councilmember Billy Hobbs and Mayor Donnie R. Tuck

INVOCATION - Councilwoman Eleanor Weston Brown

Councilwoman Brown gave the invocation.

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

Mayor Tuck recognized Gwen Pointer, a city employee, who is the recipient of the 2022 Distinguished Service Award by the Virginia Floodplain Managers Association.

Mayor Tuck also congratulated Vice Mayor Gray and Councilman Brown on their re-election to City Council and Hope Harper and Martha Mugler on their election to City Council. He also congratulated Richard Mason, Joe Kilgore and Jason Samuels on their re-election to the Hampton School Board.

CONSENT AGENDA

Approval of the Consent Agenda

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

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

1. [22-0303](#) Resolution to Amend the Fiscal Year 2023 Council Approved Budget to Accept and Appropriate the Fiscal Year 2023 Public Safety Answering Point (PSAP) Education Program Grant Awarded by Virginia Department of Emergency Management (VDEM), Virginia 911 Services Board
Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

2. [22-0304](#) Resolution to Amend the Fiscal Year 2023 Council Approved Budget to Accept and Appropriate the Fiscal Year 2022 Edward Byrne Memorial Justice Assistance Grant Awarded by United States Department of Justice.
Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

3. [22-0305](#) Resolution to Amend the Fiscal Year 2023 Council Approved Budget to Accept and Appropriate the Fiscal Year 2022 Port Security Grant Awarded by United States Department of Homeland Security (USDHS).
Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

4. [22-0314](#) Resolution to Amend the Fiscal Year 2023 Council Approved Budget to Accept and Appropriate the Maternal, Infant and Early Childhood Home Visiting Program American Rescue Plan Funding Awarded by the Commonwealth of Virginia's Department of Health to the City of Hampton, Virginia (Youth, Education, and Family Services Department, also known as Healthy Families)
Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

5. [22-0315](#) Resolution to Amend the Fiscal Year 2023 Council Approved Budget to Accept and Appropriate the FY 2022 COPS Hiring Program Grant Awarded by United State Department of Justice (USDOJ), Office of Community Oriented Policing Services (COPS)
Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

6. [22-0319](#) Resolution to Amend the Fiscal Year 2023 Council Approved Budget to Accept and Appropriate the 2023 Victim Witness Program Grant awarded by the Virginia Department of Criminal Justice Services
Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

7. [22-0312](#) Approval of the minutes from the legislative session of October 12, 2022, and the work, ceremonial and legislative sessions of October 26, 2022.
Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

PRESENTATIONS, PROCLAMATIONS, AWARDS

22-0324 Motion to amend the agenda to take item #12 22-0317 out of order

Mayor Tuck requested that item #12 be taken out of order to allow the citizen speaking sign up to conclude before beginning public hearings.

A motion was made by Councilmember Billy Hobbs seconded by Councilmember Steven Brown, that item #12 22-0317 be taken out of order. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

12. [22-0317](#) Approval of the City of Hampton 2023 General Assembly Legislative Priorities

The City Manager, Mary Bunting, introduced the item and provided background information.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Steven Brown, that this Motion be approved. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

PUBLIC HEARINGS

8. [22-0289](#) Resolution Authorizing the Execution of a Lease for a 3,160 sq. ft. Portion of Land Over City Owned Property Located at 1590 Briarfield Road, LRSN: 1000275 to Crown Communication LLC, for a Power Equipment Compound and Cell Tower

The City Manager introduced the item. The Mayor opened the

public hearing. There were no speakers and he closed the Public Hearing.

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

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

Use Permits

9. [22-0291](#) Use Permit Application by MCG VA Sears, LLC, to Permit a Storage Facility 2 at 5112 West Mercury Blvd [LRSN:3002532] Presented by Olivia Askew, City Planner. At the conclusion of Ms. Askew's presentation, R. J. Nutter, attorney for the applicant, briefly spoke. The Mayor opened and closed the public hearing as there were no speakers on this item.

A motion was made by Councilmember Billy Hobbs seconded by Councilmember Steven Brown, that this Use Permits be approved with eight (8) conditions. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Weston Brown, Councilmember Brown, Councilmember Ferebee, Vice Mayor Gray, Councilmember Hobbs and Mayor Tuck

Rezoning

The Clerk explained that items #10 and #11 are related to the same project and the staff report would address both items. Item #10 requires a public hearing but separate votes will be taken after the close of the public hearing.

10. [22-0290](#) Rezoning Application by Marc Gloyeske, Representing NP Hampton Commerce Center, LLC, to Rezone +63.43 Acres Located at 700 and 750 Shell Road [LRSN: 1004270,13004501] , Commonly Known as the Former Site of the Virginia School for

the Deaf, Blind, and Multi-Disabled, which Closed in 2008, and Including a Proposed Vacated Portion (+1.45 acres) of Pine Avenue, from One Family Residential (R-13) District to Light Manufacturing (M-2) District with Twelve (12) Proffered Conditions

Presented by Bonnie Brown, Deputy City Attorney, and Mike Hayes, Planning & Zoning Administration Manager. Following the staff presentation, Marc Gloyeske spoke on behalf of the applicant and asked to reserve the three minute rebuttal time. There was a brief discussion about possibly amending a proffer to restrict construction traffic from Shell Road and limit it to only Aberdeen Road.

Mayor Tuck opened the public hearing. The following individuals spoke during the public hearing: Dominique Carter, Seko Varner, Jeff Wassmer, Rick Bagley, Greg Garrett, Travis Adams, Ernest Mawus, Rev. John Kenny, Angela Shelton Holloway, Renard Miller, Aaron Clark, Douglas Smith, Richard Edwards, Christina Brooks, Logan Beck, Nancy Williams, Robert Smith, Steve Kast, and John Ishon.

There was a 10 minutes recess from 8:12 until 8:22 p.m.

Additional speakers were: Ursula Barkers, Deborah Coppedge-Breland, Karen Campblin, Gaylene Kanoyton, Robert McKenna, Lang Williams, Jeffrey Moore, Howard Kershaw, John Finn, Jay Joseph, Faith Caldwell, Colita Fairfax, Sandra Timmons, Ali Afonja, Dariel Tillery, Carlton Campbell, Nikia Miller, Michelle Wa, Travis Hall, Ed Ashley, Raymond Johnson (called but not present), Stephanie Green, Cathie Vick, William (Dave) France, Diana Bryant, Deon Thompson (called but not present), Aaron Weaver, Joan Weaver, Tyla Matteson, Michael Kee, Devin Turner, and James Eley.

The Mayor closed the public hearing.

Mr. Gloyeske spoke in rebuttal and indicated that a revised

proffer has been drafted.

The Mayor requested a motion and second and then opened discussion. The members of Council gave brief remarks prior to the vote.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Chris Bowman, that this Rezoning be approved with twelve (12) proffered conditions to include one of the proffers being amended with language as read by the City Manager. The motion carried by the following vote:

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

Nay: 1 - Councilmember Brown

Resolutions

11. [22-0316](#) Resolution Approving A Vacation Agreement Between Phenix Industrial, LLC, NP Hampton Commerce Center, LLC, and the City of Hampton, Virginia Pertaining to Vacation of a 71,960± Square Foot Portion of a Public Right of Way Known As Pine Avenue Adjacent to 700 Shell Road

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

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

Nay: 1 - Councilmember Brown

Mayor Tuck called a brief recess before the public comment period.

PUBLIC COMMENT

The following individuals spoke under public comment: Travis

Adams, Augustin Antomattei, Chris Mathews, Danny Calhoun, Vince Gatti, James Eley, and Kane Allah. The City Manager responded.

GENERAL ITEMS

Item #12 was taken out of order earlier in the meeting.

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

There were no reports.

MISCELLANEOUS NEW BUSINESS

There were no items of new business.

ADJOURNMENT

The meeting adjourned at 10:46 p.m.

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