



City of Hampton

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

Council Approved Minutes - Final City Council Work 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, September 14, 2022

1:00 PM

Council Chambers

CALL TO ORDER

Mayor Tuck called the meeting to order at 1 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

DONNIE R. TUCK PRESIDED

AGENDA

1. [22-0251](#) Update on Hampton Roads Transit (HRT) Transit Strategic Plan

Attachments: [Presentation](#)

City Manager Mary Bunting introduced Chief Planning and Development Officer for Hampton Roads Transit (HRT), Ray Amoruso, to share the draft ten-year Service and Implementation Plan (TSP) highlighting the regional improvements and the ways in which those improvements will benefit Hampton residents.

Ms. Bunting noted that HRT's President, William Harrell, was unable to attend the meeting.

Mr. Amoruso greeted those on the dais and noted that in addition to reviewing the ten-year plan, he would also speak about the progress being made on the Hampton Roads Regional Transportation funds approved by the General Assembly; the

FY2023 Service Plan; and route recommendations in the TSP update.

Mr. Amoruso began the presentation by reviewing a slide which recapped HRT's current service. He emphasized that HRT's ability to restore service is contingent upon operator availability. HRT requires approximately 428 operators for its current services and has about 395 operators. In summary, HRT is still facing some challenges, but services continue to improve.

The next portion of the presentation highlighted the components of the FY2023 Service Plan and provided information about the routes associated with each component. The three components include: October 2022 (FY2023) 757 Express Group A Implementation (Routes 101, 112, 403 and 405); May 2023 (FY2023) Plans (Routes 101 and 114); and the plan for service restoration in FY2023 (Routes 103 and 104).

Mr. Amoruso re-emphasized that the operator retention rate is of great concern as HRT loses a fair number of operators (after one year of service) to explore other job opportunities.

Mr. Amoruso provided information about the TSP Ten-Year Plan recommended service changes. FY2024 service changes include changes to route 115; the elimination of routes 117 and 120; and the introduction of Route 962 (as part of the Norfolk redesign). FY2025 service changes include changes to routes 104, 105, 109, 110, 111 and 115 which will be realigned with a span of services and/or headway improvements; and the elimination of underperforming routes 102 and 118 which will be covered by other routes. FY2026 service changes include changes to routes 101, 112, 114, 105, 110 and 115 and incorporating the remainder of 757 Express Group A services that were not previously implemented.

Mr. Amoruso briefly reviewed the final slide of this portion of the presentation which summarized service changes to various routes during years FY2027 through FY2033. He also shared that, through this plan, HRT strives to have uniform service hours on weekdays and weekends. It has also worked with Hampton City staff to ensure that in any one year, it does not put a heavy financial burden on the City's budget process.

Mr. Amoruso concluded the presentation with some information about Microtransit services. He shared that HRT received a state grant for two six-month demonstration pilots in the cities of Newport News and Virginia Beach to demonstrate the effectiveness of demand responsive service for areas that either are not able to have fixed guideway service because of the geographical layout of the street or because they have historic underperforming routes. These pilots will end in January, 2023.

An evaluation process will take place to determine if it would be beneficial to deploy something similar in other cities such as Hampton.

In response to Mayor Tuck, Mr. Amoruso restated some of the statistics related to the pilot program in Virginia Beach. Approximately 63 trips take place on an average weekday in Virginia Beach, while Newport News saw approximately 97-103 trips in the first three months of the pilot program. Mr. Amoruso noted that data for the month of September has not been calculated; shared a few additional statistics related to the pilot program; and reiterated the importance of retaining operators at HRT.

Mr. Amoruso opened the floor for questions.

Councilwoman Brown commended HRT for the new bus stops and amenities around Hampton. She also asked if there has been an uptick in ridership since things have begun to return to normal.

Mr. Amoruso shared that while today's presentation focused on service, amenities are also a significant part of the 757 Express Program which envisions hundreds of additional passenger amenities including shelters and benches. With regard to ridership, routes connecting to jobs have increased while other routes have decreased due to more people working from home. Mr. Amoruso shared a few additional statistics related to ridership in Hampton and neighboring communities.

Councilman Brown commented positively on the Transit Center reopening and ribbon cutting and then asked a series of questions about HRT's intention to ensure that all riders arrive to their destinations on time and retention bonuses for bus operators.

Mr. Amoruso spoke more about the 757 Express Program funded by the General assembly which calls for some proposed routes to be implemented in the fall and some deferred until next year. He also spoke a bit about challenges associated with retaining operators including work schedule selection, operator work/life balance challenges, rider agitation and societal issues.

Councilman Bowman commended HRT for the progress it has made with 15 minute routes. Mr. Amoruso gave credit to the General Assembly for approving the program dedicated to funding these projects.

Vice Mayor Gray asked Mr. Amoruso to speak about additional positive things like mobile ticketing and the electric buses pilot program.

Mr. Amoruso shared information about additional potential uses for the funding provided by the General Assembly, some of which include digital services; investments in technology; capital infrastructure; retrofitting buses with fairbox technology; real time information via cell phones; trip schedule displays; and the conversion to alternative fuel sources such as battery/electric buses.

2. [22-0243](#) Briefing on Food Truck Ordinance Updates

Attachments: [Presentation - Revised](#)

Ms. Bunting introduced the item.

Deputy City Attorney and Deputy Director of Community Development, Bonnie Brown, began the presentation by sharing the existing regulatory framework for food trucks and the entities that regulate them including the Health Department, the Commissioner of the Revenue, the Hampton Fire Division and the City's Community Development Department.

Ms. Brown spoke about previous outreach efforts with community stakeholders and the feedback received as a result of the outreach. The analysis showed that stakeholders would like food trucks to be allowed in additional areas identified by the stakeholders under appropriate conditions; food trucks to be allowed on public streets in additional areas identified by stakeholders; to explore designated zones where no food trucks would be allowed to operate except through a special event permit; and the permitting process to be streamlined including proposing the elimination of the \$25 peddler's permit each time a food truck goes to a new location.

Ms. Brown reviewed the next group of slides which described the proposed food truck policy framework. An internal team was assembled to identify the next steps. Key objectives include focusing on the streamlining process, maintaining safe conditions for citizens and businesses, and ensuring enforcement capabilities. The proposed framework addresses four main processes: how food trucks are allowed to operate within Hampton; how properties are allowed to host food trucks; rapid notification for approved food trucks to pick approved sites; and enforcement methods.

Ms. Brown turned the floor over to Community Development Director Terry O'Neill who elaborated on the four components of the proposed regulatory framework for food trucks.

Mr. O'Neill summarized the pre-approval process. Businesses wishing to operate a food truck in Hampton will be able to apply for authorization on-line, creating easy access to application information for the regulatory entities including the

Commissioner of the Revenue and the Hampton Fire Department. In addition, renewal processes will be required. Initial registration may take up to two weeks and the process for existing food trucks will likely be quicker.

Mr. O'Neill shared that staff held several conversations with food truck operators and stakeholders about locations for food truck operation. It was determined that food trucks should be located in zoning districts where they are allowed and that property owners will decide how and where permission is granted for the location of food trucks.

Mr. O'Neill summarized site pre-approval and site reservation processes. Property owners wishing to host food trucks will apply for authorization. The site will be reviewed for regulations (zoning and fire code guidelines). An online map of approved sites with property owner contact information will be available to food truck operators. Authorized food trucks will be able to use the map to reserve an approved location 48 hours in advance. The Hampton Fire Division will be able to spot check as warranted and the Commissioner of the Revenue will receive monthly reports on what food trucks were where for tax purposes.

Mr. O'Neill summarized how the proposed framework will be enforced. Zoning will ensure that food trucks are in the proper zoning category at a registered site and that they meet the required setbacks. The Hampton Fire Division will oversee safety issues and ensure that food trucks have been inspected and have up-to-date stickers. The Hampton Police Division will also assist with sticker enforcement and other safety concerns. The Commissioner of the Revenue will have a running ledger indicating where the trucks are and the length of time they remained at a location as this information will assist with the collection of revenues.

Mr. O'Neill emphasized that special events will be handled separately and that food trucks will be allowed to operate under certain circumstances with a special events permit. He clarified that they are not allowed by-right in an attempt to be consistent with other brick and mortar restaurant guidelines.

Mr. O'Neill concluded the presentation and recapped the feedback received on the proposed regularly framework. The Downtown Hampton and Phoebus Business Districts had no objections to the proposal. Some Coliseum Central businesses were in favor of the proposal and some were opposed to it. This segment of the presentation also recapped the feedback received as a result of the outreach as previously outlined in the minutes.

Mr. O'Neill shared the next steps in the process. If City Council concurs with the proposed framework, staff will prepare the necessary code and ordinance

amendments; implement the software required to do the online features; and produce materials such as applications, forms and educational materials to be used during the process.

Mr. O'Neill made a few closing remarks, after which, Mayor Tuck opened the floor for questions and comments.

Vice Mayor Gray commended the Community Development Department for considering the input of small businesses in the community and then asked a series of questions related to charges for Fire Department inspections; overall cost of operating a food truck; and the Health Department's ability to view online applications.

Mr. O'Neill shared that there is a small fee for the sticker; however, to his knowledge, there is not a fee for the inspection. He also noted that six month inspections may be augmented by spot inspections. Ms. Bunting added that there is a charge for commercial inspections of kitchens, and there may be something similar for food trucks. She also clarified, for the benefit of the public, that the Health Department is a state agency. Mr. O'Neill clarified that the Health Department inspection process is a separate permitting process.

Councilman Brown commended the Community Development Department on the project and said this appears to be a win-win for all as the feedback he received from vendors is that their concerns are being addressed with this proposed document. He asked a series of questions about the implementation time and the impact on food vendors until the ordinance is passed; and enforcement and penalties for vendors who violate ordinances.

Mr. O'Neill confirmed that the City is working with the vendors through the process. Ms. Brown shared that the penalty for a violation will depend on the offense, for example, zoning violations will be enforced criminally; business license violations will be handled via the Commissioner of the Revenue; fire violations will be handled criminally; and the Police Division will also enforce some violations.

Ms. Brown noted that a survey was taken to determine how other jurisdictions handle violations and the results showed that most jurisdictions have a criminal misdemeanor as the general violation for violating City Code on food trucks. This is most likely what Hampton will do for general violations.

In response to Councilman Brown's question about food truck vendors from other localities operating in Hampton, Ms. Brown clarified that under the proposed process, vendors will be required to obtain a Hampton sticker in order to operate in

Hampton.

Councilman Bowman shared the positive experiences he had at special event food trucks in Hampton this summer which were well-managed and had a good variety of food. He added that if his experience this summer is an indication of how this new process will work, then in his opinion, it will be wonderful.

Mr. O'Neill thanked Councilman Bowman for the positive feedback and assured everyone that staff will continue to tweak the process in an attempt to make special events for neighborhood organizations as simple as possible.

Ms. Bunting commented that since it appears that Council is comfortable with staff proceeding with what has been outlined, staff will move forward with the software contract so that the software will be functional by the time the ordinance is approved by Council.

REGIONAL ISSUES

There were no regional issues to report on.

NEW BUSINESS

Mayor Tuck reminded those in attendance of the following events:

Saturday, September 17th from 11 a.m. until 3 p.m. - Ribbon Cutting and Dedication of the Mary W. Jackson Neighborhood Center

Friday, September 16th at 6 p.m. - Documentary on the history of Aberdeen at the American Theatre

Saturday and Sunday, September 17th and 18th - Hampton Cup Regatta

CLOSED SESSION

3. [22-0252](#) Closed session pursuant to Virginia Code Sections 2.2-3711.A (.1), (.3), and (.8) to consider appointments as listed on the agenda; to discuss the acquisition and/or disposition of publicly-held real property in the Downtown, Phoebus, and Greater Wythe areas where discussion in an open meeting would adversely affect the bargaining or negotiating strategy of

the City; and to consult with legal counsel employed or retained by the city regarding the regulation of short-term rental properties and the dredging of waterways which require the provision of legal advice by such counsel.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Chris Bowman, that this Closed Session - 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

- 4. [22-0217](#) Consideration of Appointments to the Grievance Board
- 5. [22-0248](#) Designation of Hampton's Voting Delegate and Alternate Voting Delegate for the Virginia Municipal League (VML) Annual Business Meeting

Attachments: [VML Request Letter](#)

CERTIFICATION

- 6. [22-0254](#) Resolution Certifying Closed Session
A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Chris Bowman, that this Closed Session - Certification 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

ADJOURNMENT

The meeting adjourned at 4:50 p.m.

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

Donnie R. Tuck
Mayor

Katherine K. Glass, CMC
Clerk of Council

Date approved by Council _____