ROANOKE CITY COUNCIL
REGULAR SESSION

JUNE 2, 2003
9:00 A.M.

CITY COUNCIL CHAMBER

AGENDA

1. Call to Order--Roll Call.

A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended. P 11

A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss a special award, being the Shining Star Award, pursuant to Section 2.2-3711 (A)(10), Code of Virginia (1950), as amended. P 12

THE COUNCIL MEETING WILL BE DECLARED IN RECESS TO BE IMMEDIATELY RECONVENED IN THE EMERGENCY OPERATIONS CENTER CONFERENCE ROOM, ROOM 159.

COUNCIL WORK SESSION

JUNE 2, 2003
9:00 A.M.

ROOM 159

AGENDA

2. Items listed on the 2:00 p.m. Council docket requiring discussion/ clarification; and additions/deletions to the 2:00 p.m. docket. (25 minutes)

3. Topics for discussion by the Mayor and Members of Council. (15 minutes)

4. Briefings by City Staff:

   - Fair Housing Ordinance - (15 minutes)
   - Zoning Update - (20 minutes)
   - City Market Handbook and Ordinance - (15 minutes)
   - Refinancing Section 108 Loan - (5 minutes)

THE COUNCIL MEETING WILL BE DECLARED IN RECESS TO BE RECONVENED AT 2:00 P.M. IN THE COUNCIL CHAMBER.

ROANOKE CITY COUNCIL
REGULAR SESSION

JUNE 2, 2003
2:00 P.M.

CITY COUNCIL CHAMBER

AGENDA

1. Call to Order--Roll Call.

The Invocation will be delivered by The Reverend Dean Nastos, Pastor, Holy Trinity Greek Orthodox Church.

The Pledge of Allegiance to the Flag of the United States of America will be led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTV Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, June 5, 2003, at 7:00 p.m., and Saturday, June 7, 2003, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGMENTS:

Request of the Southeast Rural Community Assistance Project, Inc., to present an award to the City of Roanoke for providing safe drinking water to City residents. Mary Terry, Executive Director, Spokesperson. P 13

3. CONSENT AGENDA

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

C-1 Minutes of the regular meetings of Council held on Monday, December 4, 2000; Monday, April 21, 2003; the Leadership Summit held on Friday, April 11, 2003; and the City Council Personnel Committee held on Monday, April 21, 2003. P 14; P 47; P 106; P 113

RECOMMENDED ACTION: Dispense with the reading of the minutes, and approve as recorded.

C-2 A communication from the City Manager requesting that Council schedule a public hearing for Monday, June 16, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to proposed conveyance of property rights and encroachments into public right-of-way on Hamilton Terrace, S. E. P 115

RECOMMENDED ACTION: Concur in the request.

C-3 A communication from the City Manager requesting that Council schedule a public hearing for Monday, June 16, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of Lutheran Nursing Homes of Virginia, LLC, for tax exempt status of real property located at 3837 Brandon Avenue, S. W. P 116

RECOMMENDED ACTION: Concur in the request.

C-4 A communication from the City Manager requesting that Council schedule a public hearing for Monday, June 16, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of Virginia Lutheran Homes - Brandon Oaks, LLC, for tax exempt status of real property located at 3840 and 3930 Brandon Avenue, S. W. P 117

RECOMMENDED ACTION: Concur in the request.

C-5 A communication from the City Manager requesting that Council schedule a public hearing for Monday, June 16, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of the Presbyterian Community Center, Inc., and PCC Land Company, LLC, for tax exempt status of certain real property. P 118

RECOMMENDED ACTION: Concur in the request.

C-6 A communication from the City Manager requesting that Council schedule a public hearing for Monday, June 16, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of the Blue Ridge Small Business Development Center, Inc., d/b/a the New Century Venture Center for tax exempt status of real property located at 1354 Eighth Street, S. W. P 119

RECOMMENDED ACTION: Concur in the request.

C-7 Qualification of Beverly T. Fitzpatrick, Jr., as a Member of the Council of the City of Roanoke, Virginia, to fill the unexpired term of William H. Carder, resigned, ending June 30, 2004.

RECOMMENDED ACTION: Receive and file.

REGULAR AGENDA

4. PUBLIC HEARINGS: NONE.

5. PETITIONS AND COMMUNICATIONS:

a. A communication from Council Member William D. Bestpitch recommending reconstitution of the Roanoke Neighborhood Partnership Steering Committee as the Roanoke Neighborhood Advocates. P 120; R 122

b. A joint communication from Council Members William D. Bestpitch and M. Rupert Cutler recommending that Council support rail alternatives to complement planned improvements to I-81. P 125; R 126

c. A communication from the Honorable Arthur B. Crush, III, Clerk of Circuit Court, recommending acceptance of a Virginia Circuit Court Records Preservation Program grant from the Library of Virginia, in the amount of $17,162.00; and a communication from the City Manager concurring in the recommendation. P 128; B/O 132; R 133

d. A communication from the Honorable Arthur B. Crush, III, Clerk of Circuit Court, recommending acceptance of funds from the Compensation Board Technology Trust Fund; and a communication from the City Manager concurring in the recommendation. P 134; B/O 137; R 138

6. REPORTS OF OFFICERS:

a. CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

1. Transfer of $322,482.00 from the Roanoke Arts Commission Agency Funding Advisory Committee, in connection with 2003-04 agency funding requests and allocations. P 139; B/O 143

2. Acceptance of Land and Water Conservation funds for development of the Brown-Robertson Neighborhood Park, in the amount of $81,000.00. P 145; B/O 150; R 152

3. Revision to the City Code in connection with regulation of the use and operation of security alarm systems operated by alarm companies. P 154; O 157

4. Revision to the City Code in connection with false fire alarms. P 164; O 166

5. Appropriation of additional monies for human services. P 172; B/O 174

6. Approval of the 2003-04 Fiscal Year Annual Operating Budget for the Hotel Roanoke Conference Center Commission. P 175; B/O 178; R 179

7. Appropriation of Regional Disability Services Board grant funding to continue staff support of the administration of the Fifth District Regional Disability Services Board. P 180; B/O 184; R 185

8. Execution of a lease agreement for 28,375 square feet of property, identified as Official Tax No. 3070320, in connection with the Stadium-Amphitheatre. P 186; O 201

9. Approval of issuance of up to $50 million in Industrial Development Authority refinancing bonds for Carilion Health Systems for various construction projects. P 203; R 211

b. DIRECTOR OF FINANCE:

1. Financial report for the month of April 2003. P 216

2. Authorization for refunding Series 1994 and 1999 General Obligation Bonds. P 236; R 238

7. REPORTS OF COMMITTEES: NONE.

8. UNFINISHED BUSINESS: NONE.

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

a. Ordinance establishing compensation for the City Manager, City Attorney, Director of Finance, Municipal Auditor and City Clerk for the fiscal year beginning July 1, 2003. P 252

10. MOTIONS AND MISCELLANEOUS BUSINESS:

a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

11. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

12. CITY MANAGER COMMENTS:

CERTIFICATION OF CLOSED SESSION.

MOTION AND CERTIFICATION WITH RESPECT TO CLOSED MEETING

FORM OF MOTION:

I move, with respect to any Closed Meeting just concluded, that each member of City Council in attendance certify to the best of his or her knowledge that (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by the members of Council in attendance.

PLEASE NOTE:

1. The forgoing motion shall be made in open session at the conclusion of each Closed Meeting.

2. Roll call vote included in Council's minutes is required.

3. Any member who believes there was a departure from the requirements of subdivisions (1) and (2) of the motion shall state prior to the vote the substance of the departure that, in his or her judgement, has taken place. The statement shall be recorded in the minutes of City Council.

CITY OF ROANOKE
OFFICE OF THE MAYOR
215 CHURCH AVENUE, S.W., ROOM 452
ROANOKE, VIRGINIA 24011-1594
TELEPHONE: (540) 853-2444
FAX: (540) 853-1145

RALPH K. SMITH
Mayor

June 2, 2003

The Honorable Vice-Mayor and
Members of the Roanoke City Council
Roanoke, Virginia

Dear Members of Council:

I wish to request a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

Sincerely,

Ralph K. Smith
Mayor

RKS:sm

N:\cksm1\Agenda.03\Closed Session on Vacancies.wpd

CITY OF ROANOKE
OFFICE OF THE MAYOR
215 CHURCH AVENUE, S.W., ROOM 452
ROANOKE, VIRGINIA 24011-1594
TELEPHONE: (540) 853-2444
FAX: (540) 853-1145

RALPH K. SMITH
Mayor

June 2, 2003

The Honorable Vice-Mayor and Members
of the Roanoke City Council
Roanoke, Virginia

Dear Members of Council:

This is to request a Closed Meeting to discuss a special award, being the Shining Star Award, pursuant to Section 2.2-3711 (A)(10), Code of Virginia (1950), as amended.

Sincerely,

Ralph K. Smith
Mayor

RKS:sm

N:\cksm1\Agenda.03\Closed Session Shining Star Award.wpd

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

June 2, 2003

The Honorable Mayor
and Members of City Council
Roanoke, Virginia

Dear Mayor and Members of Council:

I would like to sponsor a request from Mary Terry, Executive Director of Southeast Rural Community Assistance Project, Inc., in which she will be presenting an award to City Council in appreciation of all the work that has been done to provide safe drinking water to the city's residents at the regular meeting of City Council on Monday, June 2, 2003.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:sm

c: City Attorney
Director of Finance
City Clerk

REGULAR WEEKLY SESSION-----ROANOKE CITY COUNCIL

December 4, 2000

12:15 p.m.

The Council of the City of Roanoke met in regular session on Monday, December 4, 2000, at 12:15 p.m., the regular meeting hour, in the Emergency Operations Center Conference Room, Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended.

CITY COUNCIL MEMBERS PRESENT: C. Nelson Harris, W. Alvin Hudson, Jr., William White, Sr., William D. Bestpitch, William H. Carder and Mayor Ralph K. Smith----------6.

CITY COUNCIL MEMBERS ABSENT: Linda F. Wyatt----------1.

ROANOKE CITY SCHOOL BOARD MEMBERS PRESENT: Charles W. Day, Marsha W. Ellison, Sherman P. Lea, Ruth C. Willson and Chairperson Melinda J. Payne----------5.

ROANOKE CITY SCHOOL BOARD MEMBERS ABSENT: Gloria P. Manns and Brian J. Wishneff----------2.

LEGISLATORS PRESENT: Senator John S. Edwards, Delegate A. Victor Thomas and Delegate Clifton A. Woodrum, III.

OTHERS PRESENT: Representing the City of Roanoke: Darlene L. Burcham, City Manager; James D. Ritchie, Deputy City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Deputy Director of Finance; Mary F. Parker, City Clerk; Willard N. Claytor, Director, Real Estate Valuation; Robert H. Bird, Municipal Auditor; George C. Snead, Jr., Assistant City Manager for Community Development; Chris L. Slone, Public Information Officer; Representing the Roanoke City Public Schools: Dr. E. Wayne Harris, Superintendent; Richard E. Kelley, Assistant Superintendent for Operations; and Cindy R. Lee, Clerk of the Board.

OTHERS PRESENT: Clara Crouch, Legislative Aid to Delegate Woodrum; Brian Shepherd, Legislative Aid to Delegate Thomas; and Thomas A. Dick, Roanoke City Legislative Liaison.

Sherman P. Lea, Vice-Chair, Roanoke City School Board, presented highlights of the Schools 2000-02 Legislative Program:

Legislative Outcomes

State Lottery Funds
State Incentive Funds
Preschool classes
SOL Remediation and In-Service
Teacher Salary Improvement
Maintenance of Local Control

Roanoke City Outcomes

Increased Teacher Salaries
Enhanced Principal Recruitment
Small Class Size
Increased Teaching Positions
Additional Preschool Classes
Renovation and Improvements to Middle and Elementary Schools
State Funding Incentives

$10.8 million for incentive programs received during the past four years.
Construction funds used for debt service payment, which have increased by $2.25 million in the past five years.

Legislative Priorities

Improve State Funding
Provide Recruitment Incentives
Maintain Local Governance
Support Non-Punitive Consequences
Address Student Safety and Discipline
Enhance Capital Outlay

Funding Priorities

Teacher Salaries - $6.35 million
School Staffing Ratios - $1.5 million
Preschool Programs - $275,000.00
Truancy Programs - $350,000.00
Alternative Education - $1.1 million
School Resource Officers - $255,000.00
School Security Equipment – $10.00 per pupil
Recruitment Incentives – scholarships, internships, financial incentives

Standard Of Quality Funding Shortfalls

Roanoke's actual average teacher salary is $5,800.00 more than the State Standard of Quality average;

Class size ratios State standard 25 to one versus Roanoke City's 18 to one; and

Support costs based on prevailing statewide costs not actual local costs, i.e.: school nurses 12.5 full-time employees in Roanoke City, but the State only pays for 3.5 full-time employees;

Legislative Outcomes

Standard of Quality recognizes actual cost to locality for average teacher salary;

Standard of Quality support costs based on more realistic costs of urban school districts;

State share improved for preschool, alternative education, truancy, school safety personnel and equipment;

State developed and funded recruitment incentives;

State support of technology operating and replacement cost; and

State established trust fund for capital outlay needs.

Thomas A. Dick, Legislative Liaison for the City of Roanoke, reviewed past achievement efforts of the City's representatives to the General Assembly during the year 2000 Session:

The Meals Tax Legislation kept the City from losing approximately $800,000.00 annually by avoiding certain elements of a definitional change from a preceding year;

Legislation affecting emergency communication services was intended to bring the 911 service calls to some of the rural areas;

The 599 funding was restored in 1999 and has continued at an appropriate level that generates approximately $4 million each year for the City;

The Roanoke Higher Education Center needed an additional $1 million which was included in the Governor's proposed budget last year; and

The TransDominion Express, rail service from Bristol to Richmond and to Washington, D. C. through Roanoke, received over $9 million in new capital funding.

Funding was restored for numerous cultural organizations, at approximately $3 million in fiscal year 2001.

Mr. Dick highlighted the following major elements of the City's 2001 Legislative Program:

<u>Legislative Priorities of the City</u>

City Charter Revisions in order to update the Charter and to modernize powers of the City; the City Charter has not been comprehensively updated since 1952;

Education Funding – Roanoke City is spending $25 million more than is "required" to meet the State Standards of Quality (SOQ's); the State should fully fund the cost of education as needed to meet the SOQs and to provide a permanent funding source for school capital construction;

Redevelopment Initiatives – Roanoke City opposes efforts, such as House Bill 1145, continued from the 2000 Session, to limit redevelopment initiatives of housing authorities by placing certain time restrictions on properties to be acquired within redevelopment areas; the City also opposes further restrictions on the eminent domain powers of State and local governments;

Aircraft Taxation and Incentives – Roanoke City supports tax incentives that would provide encouragement for aircraft to be located at Virginia airports; the State Code should be amended to reduce the States tax on the sale of aircraft in the Commonwealth; any resulting reduction in revenues should be replaced with State general fund dollars;

Blight Remedy – Weed and Grass Removal Notice – Roanoke City requests an amendment to the State Code to require only one notice during the growing season prior to entering a property to cut weeds and grass and placing a lien on the property;

Support for Virginia First Cities Coalition – as a member of the Virginia First Cities, a group of 13 of the State's older cities, Roanoke City supports the broad legislative objectives of the Coalition, including:

> **Return of a percentage of the State income tax to local governments using a formula based upon wage location, residence and a uniform base amount, with wage location as the primary factor;**
>
> **Return funding responsibility to the State for the following services: jails, sheriff, health, social services, courts, CSA, mass transit and Constitutional Officers;**
>
> **Correct disparities in the composite index to more accurately reflect local ability to fund education; and**
>
> **Increase State support for the physical revitalization of older cities through better allocation of resources and development of an urban policy.**

First Cities Legislative Initiatives – Roanoke City supports legislation to:

> **Update the Enterprise Zone authorization beyond the current sunset date, give priority for new zone creation to urban areas with revitalization needs and raise the cap on tax credits for rehabilitation from $125,000.00 to $250,000.00;**
>
> **Provide funding ($10 million each) for housing revitalization zones and for the Urban Public-Private Redevelopment Fund;**
>
> **Create a JLARC study for the local fiscal impact of financing the State court system;**
>
> **Support increased urban transportation funding that would correct inequities in the urban street maintenance formula and amend the mass transit funding formula to reflect the same percentage of State funding as highways.**

Mr. Dick expressed appreciation to Senator Edwards and to Delegates Thomas and Woodrum and to their respective staffs for their assistance.

Senator Edwards advised that there is fiscal distress on localities, not just cities but counties as well throughout the Commonwealth of Virginia; and urged the City to continue to work with the Virginia First Cities Coalition to deal with the matter. He noted that the General Assembly is moving forward with rail passenger transportation; a truck to train study is ongoing and will require Federal, State and private investment to upgrade the railroad track from Bristol to Winchester. With regard to education, he stated that the General Assembly should work on salaries for teachers, increase its support for the SOQ formulas and support teacher salaries which would help relieve some of the stress on localities. He further stated that one way to relieve the stress is for the State to take more responsibility regarding education, because education is one of the largest portions of the budget for any locality.

Senator Edwards commended the City on its continuing efforts to push for a trust fund for a permanent revenue stream for localities to bond against in order to build schools, which is something that legislators have been working on for the last several years. He noted that the lottery amendment was passed last fall by the

citizens to dedicate all lottery funds to public education, and the next step is to have all lottery funds dedicated to a trust fund to go back to localities under the formula, so that localities will have a permanent revenue stream to borrow against.

Delegate Thomas advised that there are several issues that need to be addressed by the General Assembly, and expressed concern with regard to the car tax which is 47 per cent of the State's budget for the second year. He complimented the City on the proposed legislative program and stated that the items would be addressed if the funds are there; and some issues will need to be addressed even if funding is not available, such as education. He stated that interest should be focused on higher education, since emphasis has been placed on education for K -12 for the past ten years. He expressed appreciation to Mr. Dick for keeping legislators informed on issues that affect the City of Roanoke, and encouraged him to continue to notify legislators on those issues that could be detrimental to the City of Roanoke and its citizens.

Delegate Woodrum advised that he has received the City's Charter revisions, pre-filed a bill with regard to weed and grass removal, and he will ask Delegate Thomas or Senator Edwards to co-sponsor the bill. He further advised that legislators are aware of the needs of the school system and the General Assembly over the past five sessions has made an effort to send money back to the City of Roanoke. He called attention to the pupil/teacher ratio, particularly Kindergarten through third grade, and congratulated the City and its school system on an admirable, unbelievable job. He encouraged the City and the school system to contact him whenever he might be of assistance.

At 1:35 p.m., the Mayor declared the meeting in recess, to be reconvened at 2:00 p.m., in the Governor's School Lecture Hall, Patrick Henry High School Campus, 2102 Grandin Road, S. W., City of Roanoke, Virginia.

At 2:00 p.m., the Council Meeting reconvened in the Governor's School Conference Room at Patrick Henry High School with the following Council Members in attendance, Mayor Smith presiding.

PRESENT: Council Members W. Alvin Hudson, Jr., William White, Sr., (Linda F. Wyatt arrived at 2:10 p.m., during the Closed Session), William D. Bestpitch, William H. Carder, C. Nelson Harris and Mayor Ralph K. Smith----------7.

ABSENT: None----------0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; James D. Ritchie, Sr., Deputy City Manager, William M. Hackworth, City Attorney, Jesse A. Hall, Deputy Director of Finance; and Mary F. Parker, City Clerk.

CITY ATTORNEY-COUNCIL: A report of the City Attorney requesting that Council convene in a Closed Meeting to consult with legal counsel on a matter of probable litigation, pursuant to Section 2.1-344 (A)(7), Code of Virginia (1950), as amended, was before the body.

Mr. Harris moved that Council concur in the request of the City Attorney to convene in a Closed Meeting to consult with legal counsel on a matter of probable litigation, pursuant to Section 2.1-344 (A)(7), Code of Virginia (1950), as amended. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Hudson, White, Bestpitch, Carder, Harris and Mayor Smith----------6.

(Council Member Wyatt had not arrived when the vote was recorded.)

NAYS: None----------0.

ECONOMIC DEVELOPMENT-COUNCIL: A report of the City Manager requesting that Council convene in a Closed Meeting to discuss a matter with regard to a prospective business where no previous announcement of interest of the business in locating its facility in the City has been made, pursuant to Section 2.1-344 (A)(5), Code of Virginia (1950), as amended, was before the body.

Mr. Harris moved that Council concur in the request of the City Manager to convene in a Closed Meeting to discuss a matter with regard to a prospective business where no previous announcement of interest of the business in locating its facility in the City has been made, pursuant to Section 2.1-344 (A)(5), Code of Virginia (1950), as amended. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Hudson, White, Bestpitch, Carder, Harris and Mayor Smith----------6.

(Council Member Wyatt had not arrived when the vote was recorded.)

NAYS: None----------0.

At 2:05 p.m., the Mayor declared the meeting in recess for two closed sessions.

At 2:50 p.m., the meeting reconvened in the Governor's School Lecture Hall, with Mayor Smith presiding, and all Members of the Council in attendance, with the exception of Council Member Wyatt.

COUNCIL: With respect to the Closed Meeting just concluded, Mr. Carder moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris and Mayor Smith----------7.

NAYS: None----------0.

At 2:50 p.m., the Mayor declared the meeting in recess to be reconvened at 3:00 p.m., in the Governor's School Lecture Hall.

At 3:00 p.m., on Monday, December 4, 2000, the regular meeting of City Council reconvened in the Governor's School Lecture Hall, Patrick Henry High School Campus, 2102 Grandin Road, S. W., City of Roanoke, Virginia, with the following Council Members in attendance, Mayor Smith presiding.

PRESENT: Council Members W. Alvin Hudson, Jr., William White, Sr., Linda F. Wyatt, William D. Bestpitch, William H. Carder, C. Nelson Harris and Mayor Ralph K. Smith----------7.

ABSENT: None----------0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; James D. Ritchie, Sr., Deputy City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Deputy Director of Finance; and Mary F. Parker, City Clerk.

The reconvened meeting was opened with a prayer by The Reverend Allie McNider, Minister to Students, First Baptist Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

PRESENTATIONS:

PROCLAMATIONS: The Mayor presented a Proclamation declaring Monday, December 4, 2000, as Kristel Michelle Jenkins Day.

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, that item would be removed from the Consent Agenda and considered separately. He called specific attention to one request for a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council.

COMMITTEES-COUNCIL: A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended, was before the body.

Mr. Harris moved that Council concur in the request of the Mayor to convene in a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by the Council, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris and Mayor Smith----------7.

NAYS: None----------0.

PURCHASE/SALE OF PROPERTY-CITY PROPERTY-CABLE TELEVISION-WATER RESOURCES-STREET AND ALLEYS: A report of the Water Resources Committee recommending that a public hearing be advertised and, lacking any comments to the contrary, execution of a document to grant an easement across City-owned property located at 5th Street and Luck Avenue, S. W., to Cox Communications, Inc., to install, operate and maintain a concrete pad and electronics cabinet, was before Council.

Mr. Harris moved that Council concur in the request to advertise a public hearing. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris and Mayor Smith----------7.

NAYS: None----------0.

SEWERS AND STORM DRAINS-CITY PROPERTY-UTILITIES-SCHOOLS-WATER RESOURCES: A report of the Water Resources Committee recommending that a public hearing by advertised and, lacking any comments to the contrary, execution of a document to grant a 15-foot easement across City-owned property to Verizon for installation of underground facilities to upgrade telephone service to Lincoln Terrace Elementary School, was before Council.

Mr. Harris moved that Council concur in the request to schedule a public hearing. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris and Mayor Smith----------7.

NAYS: None----------0.

LICENSES-WATER RESOURCES-STREETS AND ALLEYS: A report of the Water Resources Committee recommending that a public hearing be advertised and, lacking any comments to the contrary, execution of a document to grant a revocable license to property owners at 1313 Peters Creek Road, N. W., to allow construction of a parking area encroaching approximately 25 feet into the right-of-way of Peters Creek Road, N. W., was before Council.

Mr. Harris moved that Council concur in the request to schedule a public hearing. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris and Mayor Smith----------7.

NAYS: None----------0.

LEASES-WATER RESOURCES: A report of the Water Resources Committee recommending that a public hearing by advertised and, lacking any comments to the contrary, execution of a document to lease property located in the Back Creek area in Roanoke County, identified as Official Tax No. 089.00-03-36.00-0000 for agricultural purposes to Ms. Sandra Rouse, for a term of five years, was before Council.

Mr. Harris moved that Council concur in the request to schedule a public hearing. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris and Mayor Smith----------7.

NAYS: None----------0.

OATHS OF OFFICE-COMMITTEES-ROANOKE ARTS COMMISSION: A communication from Mark C. McConnel, Chair, Roanoke Arts Commission, advising of the resignation of Sherlie Doherty as a member of the Roanoke Arts Commission, was before Council.

Mr. Harris moved that the communication be received and filed, and that the resignation be accepted. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris and Mayor Smith----------7.

NAYS: None----------0.

POLICE DEPARTMENT-TRAFFIC-YOUTH-ROANOKE ARTS COMMISSION-FIFTH PLANNING DISTRICT COMMISSION: The following reports of qualification were before Council:

Charles R. Brown and William F. Clark for terms ending June 30, 2001;

Christine Proffitt and Robert R. Young for terms ending June 30, 2002; and

Ronald L. Wade and Mrs. Clovis Rogers for terms ending June 30, 2003, as members of the Towing Advisory Board;

F. B. Webster Day as a member of the Youth Services Citizen Board for a term ending May 31, 2003;

Charles E. Jordan and Kathleen W. Lunsford as members of the Roanoke Arts Commission for terms ending June 30, 2003; and

William D. Bestpitch as a member of the Roanoke Valley Area Metropolitan Planning Organization to fill the unexpired term of Evelyn S. Lander, resigned, ending September 24, 2002.

Mr. Harris moved that the reports of qualification be received and filed. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris and Mayor Smith----------7.

NAYS: None----------0.

REGULAR AGENDA

HEARING OF CITIZENS UPON PUBLIC MATTERS:

YOUTH-TRUST: Colleen Carroll, representing the Roanoke Valley Trouble Center (TRUST), presented remarks in connection with services provided by (TRUST) which has been in existence for approximately 30 years. She advised that the TRUST shelter recently provided emergency service for the homeless and has opened a second shelter; TRUST is collaborating with the City's Homeless Assistance Team which is housed in its facility; and TRUST also works with individuals from detox units to reestablish themselves in their efforts to become successful citizens.

Ms. Carroll expressed appreciation to the volunteers and persons in the community for their support and assistance.

Without objection by Council, the Mayor advised that the remarks of Ms. Carroll would be received and filed.

ANNUAL REPORTS-DOWNTOWN ROANOKE, INCORPORATED: Maryellen F. Goodlatte, Chair, Downtown Roanoke, Inc. (DRI), advised that for over 40 years, Downtown Roanoke Inc., has seen many changes, both in downtown Roanoke and in its own focus; DRI was originally created as a downtown merchants association; it became a partner with the City, downtown businesses and business leaders in the late 1970's; and with the citizen-based planning of Design '79 and an investment by the City, a new vision for downtown Roanoke began to emerge.

Ms. Goodlatte further advised that DRI is pleased with its role in the development of the Higher Education Center, the GOB South Apartments, and the Passenger Station Regional Visitor's Center; and in addition to long range planning, safety and cleanliness in the downtown area has been an important component of DRI's agenda during the past year.

In summary, Ms. Goodlatte advised of the commitment of DRI to downtown Roanoke, and expressed appreciation to the Council and to the City Administration for its continued support.

Without objection by Council, the Mayor advised that the remarks of Ms. Goodlatte would be received and filed.

PETITIONS AND COMMUNICATIONS:

PARKS AND RECREATION-ARMORY/STADIUM-SCHOOLS: Council Member Harris advised that the Council and the community has studied and discussed Victory Stadium for many years, and Council needs to move toward a resolution regarding the future of Victory Stadium; whereupon, he read the following joint communication:

"Dear Mayor and Members of Council:

Given that City Council at its planning retreat in July placed making a decision about Victory Stadium as a short-term top priority, we wish to include this letter under 'Petitions and Communications' section of the City Council agenda for Monday, December 4. We recommend that Council take the following actions:

Request that the City administration bring forward a recommendation regarding Victory Stadium based upon Council discussions and various studies and design

options presented by numerous studies conducted over recent years. If this cannot occur at the meeting on December 4, we request that a recommendation be submitted to Council in no more than 30 days.

As a part of any recommendation or subsequent action, we respectfully request that a process for public input and participation be developed whereby the design of a stadium/civic facility might be refined in detail to meet the athletic and civic needs of the community. Specifically, we recommend that Roanoke's high school athletic community be considered a primary stakeholder in such a process.

Recommend setting aside an additional $300,000.00 in next fiscal year's budget to expand the City's capacity to adequately service anticipated financing of a stadium/civic facility. In keeping with proper practice, we request that this matter be referred to 2001-02 budget study.

Given that the City's high school football teams will play at least an additional season at Victory Stadium, we request that the City administration bring forward a report regarding turf management and maintenance issues related to the quality of the playing field. The desire is to have a field that is well-prepared for athletic play.

If you have any questions or need clarification regarding the above matters, please do not hesitate to call us. Otherwise, we ask for your consideration of our communication.

Respectfully,

S/C. Nelson Harris S/William "Bill" Carder

Vice-Mayor Carder reviewed the chronology of events in connection with renovation of Victory Stadium:

In 1996, the City completed a feasibility study for the renovation of Victory Stadium under various scenarios, the minimum basic scenario was $6,500,000.00, which would merely bring the Stadium into ADA compliance. The basic overall renovation cost is $14,625,000.00, not including the track;

In June, 1999, another analysis was presented offering a lower playing field with a raised berm for flood protection, but with no dollar amount.

The Parks and Recreation Master Plan, and a Council-Appointed Committee recommended that the Stadium be raised and a new facility be constructed.

In September, 1999, variations to the study returned the berm stadium to the existing site.

In April, 2000, another analysis of the Stadium recommended that Victory Stadium be demolished and a duel facility be built on property located across Orange Avenue, N. W.

In August, 2000, a completed analysis was received, being a renovation of Victory Stadium, at $17,793,000.00.

Mr. Carder advised that renovation cost for Victory Stadium would be approximately $18 million; City Council also studied, over a period of one to two months in a series of closed meetings, not only the above mentioned option but other options, viz: tearing down half of Victory Stadium to build an amphitheater and keeping a portion of Victory Stadium, which was roughly $16 million; and the other option is to demolish the existing stadium and build a new facility in the amount of $17 million. Mr. Carder stated that the cost to maintain the Stadium is about $250,000.00 a year, and if the Stadium is renovated for a one dimensional use, a cost would be attached to the facility.

Mr. Harris moved that the requests as set forth in the joint communication be approved by Council. The motion was seconded by Mr. Carder.

Council Member White agreed with the four points outlined in the joint communication, but advised that he did not think it would be appropriate for the City Manager to make a recommendation today. He stated that his interpretation of previous meetings was that the City Manager would report to Council with a recommendation on the various options, i.e., a new stadium, or renovations to the Stadium; and the City Manager should be given the opportunity to report back to Council at public meeting.

Council Member Bestpitch advised that Council should hear citizen comments, receive the recommendation of the City Manager, and thereafter proceed with plans for Victory Stadium.

Mr. W. G. Ammen, 4938 Greenlee Road, S. W., urged Council to renovate Victory Stadium instead of constructing a new Stadium with an amphitheater.

Mr. Stuart Barbour, 727 Riverland Road, S. E., spoke in support of renovating Victory Stadium, and suggested that the purpose of its use should be prompted in order to increase public awareness.

Ms. Estelle McCadden, 2138 Mercer Avenue, N. W., spoke in support of renovating Victory Stadium, and urged Council to not consider building a smaller stadium.

Mr. Anthony Exposito, 1110 Deaton Road, S. E., advised that Victory Stadium has always been a part of his life; and the facility has been used for concerts that were successful. He urged Council to consider renovating the Stadium due to its many attributes.

Mr. Francher Turner, 3218 Avenham Avenue, S. W., spoke in support of renovating Victory Stadium.

Mr. Jim Fields, 17 Ridgefield Road, Hardy, Virginia, spoke in support of renovating Victory Stadium, and presented a small donation toward repairs at the Stadium; whereupon, the Mayor advised that the donation be forwarded to the City Manager for appropriate handling.

Mr. Scott Shackelford, 2929 Wycliffe Avenue, S. W., advised that the track is one of the City's most underrated recreational facilities; however, there is a need for an upgraded track for use by high school track teams. He stated that there is also a need for the present track, or a similar track, that would be available to the public at large.

Mr. Ron Cronise, 4001 Lake Drive, S. W., advised that as a representative of the Patrick Henry Booster Club, he supports the recommendations outlined in the joint communication from Vice-Mayor Carder and Council Member Harris, and urged Council to consider the needs of the children and to provide a quality facility for sporting events.

Mr. Zack Leonard, 1302 Brighton Road, S. W., spoke in support of renovating Victory Stadium, and that the facility not be replaced with a smaller stadium.

Mr. David K. Lisk, 909 Carrington Avenue, S. W., advised that Victory Stadium can be a success if the facility is properly utilized.

Mr. W. J. Blane, 1917 Langdon Road, S. W., advised that the cost of renovating Victory Stadium is primarily cosmetic in nature, and urged that the stadium be renovated.

Mr. Jeff Johnson, 1044 Jeanette Avenue, Vinton, Virginia, suggested that the City consider the benefit of an all weather track, not only for athletes to train and compete on, but to host track meets as well.

Mr. Raymond Kesler, 3540 Hartland Road, S. W., suggested that Council Members offer their opinions, request another cost estimate by City staff, and include citizens in the decision making process.

Mr. Burch Sweeney, 3605 Heritage Road, S. W., encouraged Council to support the recommendations as set forth in the joint communication from Vice-Mayor Carder and Council Member Harris.

Mr. George Miller, 3349 Kershaw Road, N. W., advised that student athletes should have an opportunity to participate in sporting events at facilities that are considerably in better condition than Victory Stadium. He encouraged the City to use Victory Stadium for parking through the use of a shuttle bus system.

Mr. Rudy Dillard, 4132 Guernsey Lane, N. W., representing all middle school and high school track athletes who currently practice on asphalt, advised that the City needs an all weather track, whether it be a new facility or a renovated facility.

Mr. Stuart Rivercomb, 2408 Stanley Avenue, S. E., spoke in support of renovating Victory Stadium, and encouraged public input prior to finalizing any decision.

The Reverend Thomas Pleasant, 1526 Grayson Avenue, N. W., spoke in support of renovating Victory Stadium. He advised that if renovated, Victory Stadium could be one of the nicest facilities in this part of the United States.

Following discussion of the matter, the motion was adopted, and the City Manager was requested to submit a recommendation regarding Victory Stadium at the regular meeting of Council on Monday, December 18, 2000, at 3:00 p.m., with a schedule for public participation/input.

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS: None.

ITEMS RECOMMENDED FOR ACTION:

PURCHASE/SALE OF PROPERTY-HOUSING AUTHORITY-GRANTS-HABITAT FOR HUMANITY: The City Manager submitted a written report advising that historically, the Blue Ridge Housing Development Corporation (BRHDC) has received Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) funds from the City of Roanoke to develop affordable housing; the original agreement for BRHDC "Loudon-Melrose Community Rebuilding" project was executed on November 2, 1998, and provided $175,000.00 in CDBG and HOME funds; and Amendment No. 1 to the agreement executed July 1, 1999, increased CDBG and HOME funds by $66,500.00.

It was further advised that funding for additional housing units was authorized by Council, pursuant to Resolution No. 34798-050900, which approved submission of the City's 2000-05 Consolidated Plan to the U. S. Department of Housing and Urban Development; and 2000-01 CDBG funds were accepted by Council, pursuant to Ordinance No. 34880-061900 and Resolution No. 34881-061900, and 2000-01 HOME funds were accepted by Council, pursuant to Ordinance No. 34882-061900 and Resolution No. 34883-061900.

It was stated that in order for BRHDC to provide affordable housing development activities approved in the Consolidated Plan, authorization by Council is needed to execute an amendment to the "Loudon-Melrose Community Rebuilding" agreement; and a total of $85,920.00 in CDBG and HOME funds will be added to the agreement, of which $77,920.00 will be used for land acquisition and construction, with the remaining $8,000.00 to be used for BRHDC operating costs.

The City Manager recommended that Council authorize execution of Amendment No. 2 to the "Loudon Melrose Community Rebuilding" Agreement with Blue Ridge Housing Development Corporation, to be approved as to form by the City Attorney.

Mr. Harris offered the following resolution:

(#35155-120400) A RESOLUTION authorizing execution of Amendment No. 2 to a Subgrant Agreement between the City and the Blue Ridge Housing Development Corporation, dated November 2, 1998, for funding to conduct additional affordable housing development projects in the City.

(For full text of Resolution, see Resolution Book No. 64, page 35.)

Mr. Harris moved the adoption of Resolution No. 35155-120400. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris and Mayor Smith----------7.

NAYS: None----------0.

VIRGINIA MUNICIPAL LEAGUE-BUDGET-UTILITIES: The City Manager submitted a written report advising that Roanoke has historically joined with other cities, towns and counties that are served by American Electric Power (AEP) to negotiate, as a block unit, through the Virginia Municipal League (VML) and Virginia Association of Counties (VACO); local governments have benefitted over the past 25 years from working jointly in procuring electric service; since 1993, local governments in the AEP service area collectively have saved $13.7 million over the rates AEP otherwise proposed charging; working collectively promises to be meaningful and advantageous as electric customers move toward "customer choice"; government electric rates have been established through contract negotiations since 1974; current contract rates for purchasing electricity for schools, pumping (water and sewage) and general government were recently approved from July 1, 2000, through June 30, 2002; and local governments should begin to prepare for the next contract period by exploring all possible options for purchasing electricity in a restructured electric industry which will have the potential for higher electric rates.

It was further advised that the VML/VACO Electrical Rate Steering Committee met on October 6, 2000, to discuss various activities that should be acted upon prior to expiration of the AEP Agreement on June 30, 2002; while it is difficult to estimate the amount of legal and consulting assistance that will be needed over the next few years, the Steering Committee believes that it may cost as much as $500,000.00; accordingly, because of the urgent need to begin on this important project, the Steering Committee voted to seek assessments totaling $200,000.00 immediately from each local government and authority in the AEP service area and further

increments of $200,000.00 on July 1, 2001, and $100,000.00 on July 1, 2002, with the latter two amounts to be adjusted upward or downward in the future if warranted; and VML has received an assessment for legal and consulting assistance, in the amount of $35,442.00 reflecting the City's proportionate share of the initial $200,000.00.

The City Manager recommended that Council authorize payment of $35,442.00 to the VML EPR Fund as the City's pro rata share of expenses for legal and consulting assistance, and transfer $35,442.00 from General Fund Contingency, Account No. 001-300-9410-2199, to Purchasing Fees for Professional Services, Account No. 001-440-1237-2010.

Mr. Hudson offered the following emergency budget ordinance:

(#35156-120400) AN ORDINANCE to amend and reordain certain sections of the 2000-01 General Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64, page 36.)

Mr. Hudson moved the adoption of Ordinance No. 35156-120400. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris and Mayor Smith----------7.

NAYS: None----------0.

BUDGET-GRANTS-POLICE DEPARTMENT-TRAFFIC: The City Manager submitted a written report advising that the Virginia Department of Motor Vehicles (DMV) is the administering agency for pass through funds provided by the United States Department of Transportation for highway safety projects in Virginia; DMV offers said funds in the form of grants to successful applicants for activities which improve highway safety in Virginia; on September 29, 2000, DMV awarded funds in the amount of $15,000.00 to the Roanoke City Police Department to conduct selective enforcement activities that target Driving Under the Influence, speeding, and motor vehicle occupant safety; and in the past four years, the program has funded 1,823 extra/overtime hours of police patrol, accounting for 1,113 traffic charges and 79 arrests for DUI.

It was further advised that there is a statistically proven proportional correlation between levels of motor vehicle law enforcement and traffic accidents in the City of Roanoke; historically, speed and alcohol are factors in approximately 17 per cent of motor vehicle accidents in the City; and the program allows officers to concentrate on alcohol impaired drivers and speeders when such violations are most likely to occur -- times when the motoring public is most at risk.

The City Manager recommended that Council appropriate $15,000.00 to grant fund accounts to be established by the Director of Finance in the following amounts:

Police Overtime	$13,934.00
FICA	$ 1,066.00
	$15,000.00

Increase revenue estimates in an account to be established by the Director of Finance.

Mr. White offered the following emergency budget ordinance:

(#35157-120400) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Grant Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64, page 37.)

Mr. White moved the adoption of Ordinance No. 35157-120400. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris and Mayor Smith----------7.

NAYS: None----------0.

Mr. White offered the following resolution:

(#35158-120400) A RESOLUTION authorizing acceptance of a certain Highway Safety Grant from the Virginia Department of Motor Vehicles, sponsored by the United States Department of Transportation, and authorizing execution of any required documentation on behalf of the City.

(For full text of Resolution, see Resolution Book No. 64, page 38.)

Mr. White moved the adoption of Resolution No. 35158-120400. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris and Mayor Smith----------7.

NAYS: None----------0.

BUDGET-FIRE DEPARTMENT-HUMAN DEVELOPMENT: The City Manager submitted a written report advising that the "Get Alarmed, Virginia!" grant which was created in 1988 by the Virginia Department of Fire Programs and the Virginia Department of Health, is a statewide program designed to assist in lowering fire deaths in the Commonwealth of Virginia via identification of at-risk homes, installation of smoke detectors, and delivery of public fire and life safety education; administered at the State level, the program is implemented at the local level by local fire departments; and each year, localities are identified by the State and selected for program implementation based on a number of criteria, i.e.: the community's economy, housing, number of elderly citizens and children under five years of age, the community's overall fire history, and the jurisdiction's ability to deliver the program.

It was further advised that the award consists of a one-year, part-time staff position, supplies, and 2,500 smoke detectors which are valued at $22.00 each; the grant has been awarded valued at $74,510.00, with no matching funds from the City; the Fire-EMS Department has received 2,500 smoke detectors valued at $55,000.00; and the remainder of grant funds is $19,510.00, with a balance of $19,510.00 as follows:

Personal Services – Salaries and FICA	$18,000.00
Project Supplies	$ 1,510.00

The City Manager recommended that Council accept the "Get Alarmed, Virginia!" grant from the Virginia Department of Fire Programs and the Virginia Department of Health, valued at $74,510.00, and authorize the Director of Finance to establish revenue estimates and appropriation accounts for procurement of materials, equipment and personal services costs for installation.

Mr. Harris offered the following emergency budget ordinance:

(#35159-120400) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Grant Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64, page 39.)

Mr. Harris moved the adoption of Ordinance No. 35159-120400. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris and Mayor Smith----------7.

NAYS: None----------0.

Mr. Harris offered the following resolution:

(#35160-120400) A RESOLUTION accepting and expressing appreciation for the monetary grant from the Virginia Department of Fire Programs and the Virginia Department of Health.

(For full text of Resolution, see Resolution Book No. 64, page 40.)

Mr. Harris moved the adoption of Resolution No. 35160-120400. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris and Mayor Smith----------7.

NAYS: None----------0.

HUMAN DEVELOPMENT-CITY MANAGER-COMMITTEES-FIFTH DISTRICT EMPLOYMENT AND TRAINING CONSORTIUM: The City Manager submitted a written report advising that the Fifth District Employment and Training Consortium (FDETC) administers the Federally funded Workforce Investment Act (WIA) for the region, which encompasses the Cities of Clifton Forge, Covington, Roanoke and Salem, and the Counties of Allegheny, Botetourt, Craig, Franklin and Roanoke; each jurisdiction appoints a representative and alternate to serve on the Regional Policy Board which oversees WIA activities; Council has designated Glenn D. Radcliffe, Director of Human Services, as the City's representative, and James D. Ritchie, Sr., Deputy City Manager, as the City's alternate; Federal legislation governing implementation of the Workforce Investment Act directs that there be a separation in the supervisory or organizational reporting structure between staff serving as support to the Workforce Development Board and personnel providing direct services to clients; and the requirement for separation in the reporting structure is designed to ensure objectivity in the review of performance towards achieving mandated outcomes.

It was further advised that the Executive Director of the Fifth District Employment and Training Consortium is currently serving as staff to the Workforce Development Board; representatives of the U. S. Department of Labor and the State Workforce Investment Act Unit have determined that the individual and direct services staff must report to different supervisors; therefore, it is recommended that representatives designated to the Policy Board of the Fifth District Employment and Training Consortium be temporarily re-assigned, which is expected to occur upon the date of approval by Council and will end on February 28, 2001, by which time the Workforce Development Board will have advertised, interviewed and hired an Executive Director.

The City Manager recommended that Council authorize the temporary re-assignment of the City's representatives to the Policy Board of the Fifth District Employment and Training Consortium, as follows: James D. Ritchie, Sr., as the City's representative to the Policy Board and Glenn D. Radcliffe as the City's alternate representative.

Mr. Harris offered the following resolution:

(#35161-120400) A RESOLUTION authorizing the temporary re-assignment of City Council's representatives to the Policy Board of the Fifth District Employment and Training Consortium, so that the Deputy City Manager serves as the City of Roanoke representative to the Board and the Director of Human Services serves as the alternate.

(For full text of Resolution, see Resolution Book No. 64, page 41.)

Mr. Harris moved the adoption of Resolution No. 35161-120400. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris and Mayor Smith----------7.

NAYS: None----------0.

REFUSE COLLECTION-EQUIPMENT: The City Manager submitted a written report advising that Capital Maintenance and Equipment Replacement Program (CMERP) has identified the need to purchase two side loading, fully automated refuse trucks for the Division of Solid Waste Management, which are needed to accomplish existing requirements for collection of solid waste.

The City Manager recommended that Council accept the following bids and reject all other bids received by the City:

Two new low entry, tilt cab, diesel powered truck cab/chassis to be provided by Peterbilt of Richmond, Inc., at a cost of $83,543.00 per truck.

Two new side loading, fully automated, 24 yard compaction bodies to be mounted on the above cab/chassis, to be provided by McNeilus Truck and Manufacturing Co., at a cost of $53,892.00 per unit.

McNeilus Truck and Manufacturing Co. took exception to the packing cylinder size, but this is determined to be an informality as the packing cylinder to be provided does not affect operation of the units.

Funding for the above stated equipment is available in Fleet Management Account No. 017-440-2642-9015.

Mr. Hudson offered the following resolution:

(#35162-120400) A RESOLUTION accepting bids made to the City for furnishing and delivering trucks and related equipment, upon certain terms and conditions; and rejecting all other bids made to the City.

(For full text of Resolution, see Resolution Book No. 64, page 41.)

Mr. Hudson moved the adoption of Resolution No. 35162-120400. The motion was seconded by Mr. Harris.

Council Member Wyatt inquired as to the total number of automated refuse vehicles in the City's vehicular fleet and the total number of older refuse vehicles currently in service; whereupon, the City Manager advised that she would provide the requested information at a later date.

There being no further discussion, Resolution No. 35162-120400 was adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris and Mayor Smith----------7.

NAYS: None----------0.

DIRECTOR OF FINANCE:

DIRECTOR OF FINANCE-AUDITS/FINANCIAL REPORTS: The Deputy Director of Finance submitted the Financial Report for the City of Roanoke for the month of October, 2000.

Without objection by Council, the Mayor advised that the financial report would be received and filed.

CLAIMS-BUDGET-HOTEL ROANOKE CONFERENCE CENTER: The Deputy Director of Finance submitted a written report of the Director of Finance advising that the Hotel Roanoke Conference Center Commission was created by the Virginia General Assembly, pursuant to Chapter 440, 1991 Acts, Commonwealth of Virginia, for the purpose of constructing, building and maintaining the Conference Center in the City of Roanoke; in January 1998, the Commission filed suit in the Circuit Court of the City of Roanoke to seek damages for alleged workmanship problems in connection with construction of the Conference Center; and on October 2, 2000, Council approved the Commission's FY 2000-01 Capital Budget.

It was further advised that at that time, the Commission expected to borrow $7 million through the issuance of its revenue note, Series 2000, to fund the cost to repair the Conference Center; on November 9, 2000, the Commission voted to accept a settlement of $8 million, which funds were made available on November 30, 2000, thereby negating the need for the Conference Center Commission to issue a revenue note to fund repairs, however, certain budget items have now changed to reflect funding for the repairs.

The Deputy Director of Finance advised that the Hotel Roanoke Conference Center Commission requests that Council transfer funds to reflect the change in events at the Hotel Roanoke Conference Center Commission as abovedescribed; and that Council adopt an $8.0 million revenue estimate for receipt of proceeds from the settlement.

The following is a summary of adjustments to expense budgets:

Fees for Professional Services	$546,218.00
Architectural and Engineering Fees	208,782.00
Capitalized Interest	(755,000.00)

Mr. Harris offered the following emergency budget ordinance:

(#35163-120400) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Hotel Roanoke Conference Center Commission Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64, page 43.)

Mr. Harris moved the adoption of Ordinance No. 35163-120400. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris and Mayor Smith----------7.

NAYS: None----------0.

REPORTS OF COMMITTEES:

BUDGET-PARKS AND RECREATION-EROSION/SEDIMENT CONTROL-GREENWAY SYSTEM: The Bid Committee submitted a written report advising that the plan for the one mile section of Tinker Creek Greenway begins west of the bridge crossing Tinker Creek at Wise Avenue and ends south of Kenwood Boulevard where the railroad crosses Tinker Creek; the trail is a 12-foot wide paved surface with two-foot grass shoulders on each side; parking access is provided at the beginning of the trail at Wise Avenue and at the Dale Avenue crossing; the end of the trail will be connected to the southern end of Kenwood Boulevard by a 12-foot wide access trail; stream bank restoration will take place in Smith Park; and approximately 1,555 plantings composed of various grasses, shrubs and trees will be planted in Smith Park.

It was further advised that bids were received for the Tinker Creek Greenway and Smith Park Riparian Plantings with U. S. Construction Co. submitting the lowest bid in the amount of $309,535.00, and funding for the project is available in the following accounts:

Settlement State DEQ Greenway Project for Public Works Service	**008-052-9681-9213**	**$150,000.00**
Stream Bank Restoration for Public Works Service Center	**008-052-9670-9216**	**17,500.00**
Settlement US Government for Public Works Service Center	**008-052-9672-9213**	**100,000.00**

Settlement State DEQ for Stream Bank Restoration for Public Works Service Center	008-052-9681-9216	75,000.00
Total		$342,500.00

The Bid Committee recommended that Council accept the bid of U. S. Construction Co., in the amount of $309,535.00; authorize the City Manager to enter into a contractual agreement for the above stated work to be completed with 180 consecutive calendar days, with a project contingency of $32,965.00, in a form to be approved by the City Attorney; and further authorize the Director of Finance to transfer $250,000.00 from Account Nos. 008-052-9681-9213 ($150,000.00) and 008-052-9672-9213 ($100,000.00) to an account entitled, "Tinker Creek Greenway", and transfer $92,500.00 from Account Nos. 008-052-9670-9216 ($17,500.00) and 008-052-9681-9216 ($75,000.00) to an account entitled, "Stream Bank Restoration - Smith Park Riparian Plantings".

Mr. Harris offered the following emergency budget ordinance:

(#35164-120400) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Capital Projects Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64, page 44.)

Mr. Harris moved the adoption of Ordinance No. 35164-120400. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris and Mayor Smith----------7.

NAYS: None----------0.

Mr. Carder offered the following emergency ordinance:

(#35165-120400) AN ORDINANCE accepting the bid of U. S. Construction Co. for constructing the Tinker Creek Greenway and doing stream bank restoration with the Smith Park Riparian Plantings, upon certain terms and conditions, and awarding a contract therefor; authorizing the proper City officials to execute the requisite contract for such work; rejecting all other bids made to the City for the work; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64, page 46.)

Mr. Carder moved the adoption of Ordinance No. 35165-120400. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris and Mayor Smith----------7.

NAYS: None----------0.

UNFINISHED BUSINESS: None.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

STREETS AND ALLEYS: Ordinance No. 35150, having previously been before the Council for its first reading on Monday, November 20, 2000, read and adopted on its first reading and laid over, was again before the body, Mr. White offering the following for its second reading and final adoption:

(#35150-120400) AN ORDINANCE permanently vacating discontinuing and closing an undeveloped alleyway lying between parcels of land identified as Official Tax Nos. 6090404 and 6090705, and extending north of Willis Street for an approximate distance of 70 feet and a width of approximately ten feet.

(For full text of Ordinance, see Ordinance Book No. 64, page 28.)

Mr. White moved the adoption of Ordinance No. 35150-120400. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris and Mayor Smith----------7.

NAYS: None----------0.

ZONING: Ordinance No. 35151, having previously been before the Council for its first reading on Monday, November 20, 2000, read and adopted on its first reading and laid over, was again before the body, Mr. Harris offering the following for its second reading and final adoption:

(#35151-120400) AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 402, Sectional 1976 Zone Map, City of Roanoke, to rezone a certain tract of land located on the south side of Elm Avenue,

S. E., at its intersection with I-581, identified as Official Tax No. 4020317, from LM, Light Manufacturing District, to C-2, General Commercial District.

(For full text of Ordinance, see Ordinance Book No. 64, page 31.)

Mr. Harris moved the adoption of Ordinance No. 35151-120400. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris and Mayor Smith----------7.

NAYS: None----------0.

ZONING: Ordinance No. 35152, having previously been before the Council for its first reading on Monday, November 20, 2000, read and adopted on its first reading and laid over, was again before the body, Mr. Harris offering the following for its second reading and final adoption:

(#35152-120400) AN ORDINANCE to amend §§36.1-3 and 36.1-4, Code of the City of Roanoke (1979), as amended, and Sheet No. 129, Sectional 1976 Zone Map, City of Roanoke, amending proffered conditions relating to a 23.571-acre portion of Official Tax No. 1290107, and to substitute new proffered conditions upon that certain tract of land containing 23.571-acres, more or less, of those six tracts of land containing 60.53 acres, located between I-581 and Franklin Road, S. W., being a portion of property identified as Official Tax No. 1290107.

(For full text of Ordinance, see Ordinance Book No. 64, page 32.)

Mr. Harris moved the adoption of Ordinance No. 35152-120400. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris and Mayor Smith----------7.

NAYS: None----------0.

AIRPORT-TAXES: Ordinance No. 35153, having previously been before the Council for its first reading on Monday, November 20, 2000, read and adopted on its first reading and laid over, was again before the body, Mr. White offering the following for its second reading and final adoption:

(#35153-120400) AN ORDINANCE amending and reordaining §32-104, Levied; rate, of Article III, Tax on Tangible Personal Property Generally, of Chapter 32, Taxation, of the Code of the City of Roanoke, (1979), as amended, by adding a new subsection (c) to provide for a reduction in the tax rate of the personal property tax as it applies to aircraft, pursuant to the provisions of the foregoing article, upon certain terms and conditions.

(For full text of Ordinance, see Ordinance Book No. 64, page 34.)

Mr. White moved the adoption of Ordinance No. 35153-120400. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris and Mayor Smith----------7.

NAYS: None----------0.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

CITY EMPLOYEES-PERSONNEL DEPARTMENT-AFFIRMATIVE ACTION: Council Member Wyatt requested that Council be provided with the City's annual Affirmative Action report by the first of the calendar year. In view of staff turnover, she also requested that the City Manager identify departmental vacancies, city-wide, and the length of time that positions have been vacant.

ZONING-HOUSING/AUTHORITY: Vice-Mayor Carder renewed a previous request for information which was introduced at the November 6, 2000 Council meeting, with regard to an automobile repair establishment in the vicinity of the Lansdowne Park housing complex which was granted a variance, pursuant to certain proffered conditions for rezoning relating to landscaping; and inquired as to the City's procedure to ensure that proffered conditions are met.

OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY CODE-ANIMALS/INSECTS-COMPLAINTS: Ms. Rhonda Conner, 2193 Wildwood Road, Salem, Virginia, property owner and landlord in the City of Roanoke, referred to the City's lack of enforcement of Chapter 6, Animals and Fowl, Section

6-27, Limitation on keeping. She expressed concern with regard to the number of animals that are allowed to be kept by a tenant in an apartment complex, and requested that the abovereferenced City Code section be amended to further limit the number of animals that may be kept in an apartment building.

It was the consensus of Council that the matter would be referred to the City Manager for appropriate response.

At 5:45 p.m., the Mayor declared the meeting in recess.

At 6:00 p.m., the meeting reconvened in the Governor's School Lecture Hall, with Mayor Smith presiding and all Members of the Council in attendance.

COUNCIL: With respect to the Closed Meeting just concluded, Mr. Bestpitch moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Hudson, White, Wyatt, Bestpitch, Carder, Harris and Mayor Smith----------7.

NAYS: None----------0.

There being no further business, the Mayor declared the meeting adjourned at 6:02 p.m.

APPROVED

ATTEST:

Mary F. Parker
City Clerk

Ralph K. Smith
Mayor

REGULAR WEEKLY SESSION-----ROANOKE CITY COUNCIL

April 21, 2003

2:00 p.m.

The Council of the City of Roanoke met in regular session on Monday, April 21, 2003, at 2:00 p.m., the regular meeting hour, in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended.

PRESENT: Council Members M. Rupert Cutler, Alfred T. Dowe, Jr., C. Nelson Harris, Linda F. Wyatt, William D. Bestpitch, William H. Carder and Mayor Ralph K. Smith----------7.

ABSENT: None----------0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The meeting was opened with a prayer by The Reverend Rod Barnett, Coordinator, Counseling and Follow-up, Billy Graham Evangelistic Association.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

PRESENTATIONS AND ACKNOWLEDGMENTS:

ACTS OF ACKNOWLEDGEMENT: The Mayor welcomed the Honorable Michel Francois, Mayor, Village of Lessy, Province of Lorraine, France.

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, that item would be removed from the Consent Agenda and considered separately. He called specific attention to two requests for a Closed Session.

MINUTES: Minutes of the joint meeting of Roanoke City Council and the Roanoke County Board of Supervisors held on Thursday, February 27, 2003; and the regular meeting of Council held on Monday, March 3, 2003, and recessed until Friday, March 7, 2003, were before the body.

Mr. Dowe moved that the reading of the minutes be dispensed with and that the minutes be approved as recorded. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Harris, Wyatt, Bestpitch, Carder and Mayor Smith----------7.

NAYS: None----------0.

COMMITTEES-CITY COUNCIL: A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended, was before the body.

Mr. Dowe moved that Council concur in the request of the Mayor to convene in a Closed Meeting as above described. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Harris, Wyatt, Bestpitch, Carder and Mayor Smith----------7.

NAYS: None----------0.

OATHS OF OFFICE-COMMITTEES-YOUTH: A communication from Marion Vaughn-Howard, Program Manager, Office on Youth, advising of the resignation of Thomas Winn as a member of the Youth Services Citizen Board, was before Council.

Mr. Dowe moved that the resignation be accepted and that the communication be received and filed. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Harris, Wyatt, Bestpitch, Carder and Mayor Smith----------7.

NAYS: None----------0.

OATHS OF OFFICE-PARKS AND RECREATION-COMMITTEES: A report of qualification of Jim Hale as a member of the Parks and Recreation Advisory Board, for a term ending March 31, 2006, was before Council.

Mr. Dowe moved that the report of qualification be received and filed. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Harris, Wyatt, Bestpitch, Carder and Mayor Smith----------7.

NAYS: None----------0.

BUDGET-COMMITTEES-CITY COUNCIL-CITY GOVERNMENT: A communication from Council Member William D. Bestpitch requesting that Council convene in a Closed Meeting to discuss investing public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected, pursuant to Section 2.2-3711 (A)(6), Code of Virginia (1950), as amended, was before the body.

Mr. Dowe moved that Council concur in the request of Council Member Bestpitch to convene in a Closed Meeting as above described. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Harris, Wyatt, Bestpitch, Carder and Mayor Smith----------7.

NAYS: None----------0.

REGULAR AGENDA

PUBLIC HEARINGS: NONE.

PETITIONS AND COMMUNICATIONS:

BUDGET-CABLE TELEVISION: A communication from Council Member Alfred T. Dowe, Jr., City Council's Representative to the Roanoke Valley Regional Cable Television Committee, advising that the City of Roanoke, the County of Roanoke, and the Town of Vinton jointly operate Roanoke Valley Television (RVTV); initial equipment and facilities for the television station were funded through a $480,000.00 capital grant from Cox Communications; the station is located at the Jefferson Center and currently employs five full-time staff members; and staff produce and cable cast videos and shows for the local governments and school systems, along with government meetings, on Cox Communications' Channel 3, was before the Council.

It was further advised that on June 8, 1992, Council approved the Roanoke Valley Regional Cable Television Agreement, which requires that the RVTV Operating Budget be approved by the governing bodies of the city, county, and town; funding for the Operating Budget is shared by the three governments, based on the annual proportion of Cox subscribers located in each jurisdiction;

the Roanoke Valley Regional Cable Television Committee approved the RVTV Operating Budget for fiscal year 2003-04 at its April meeting, in the amount of $273,614.00, which represents a two per cent increase from the current year budget of $267,885.00.

It was stated that Cox Communications paid a five per cent franchise fee to the local governments in 2001, which amounted to $1,925,146.00; the local governments have traditionally agreed to allocate up to 20 per cent of the franchise fees collected to the RVTV Operating Budget; for the coming year, that amount would be $385,029.00, and RVTV's requested budget of $273,614.00 is $111,415.00 less than the amount; and Cox calculates the percentage of subscribers in each locality (as of December 31, 2001) as follows:

Locality	Subscribers	Percentage (%)
City of Roanoke	32,295	55
Roanoke County	23,724	40
Town of Vinton	2,738	5

It was advised that based on these figures, each locality's contribution to the Operating Budget is as follows:

Locality	Contribution
City of Roanoke	$150,488.00
Roanoke County	$109,446.00
Town of Vinton	$ 13,681.00

On behalf of the City's representatives to the Roanoke Valley Regional Cable Television Committee, and as Council's representative to the Committee, Mr. Dowe recommended that Council approve the proposed RVTV budget for fiscal year 2003-04, in the amount of $273,614.00, with the City's contribution totaling $150,488.00.

Mr. Dowe offered the following resolution:

(#36281-042103) A RESOLUTION approving the recommendation of the Roanoke Valley Regional Cable Television Committee to approve the annual operating budget for Fiscal Year 2003-2004 for the operation of the regional government and educational access station, Roanoke Valley Television (RVTV, Channel 3), and for the City to provide partial funding.

(For full text of Resolution, see Resolution Book No. 67, page 190.)

Mr. Dowe moved the adoption of Resolution No. 36281-042103. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Harris, Wyatt, Bestpitch, Carder and Mayor Smith----------7.

NAYS: None----------0.

CITY PROPERTY-STREETS AND ALLEYS: Steven S. Strauss, representing Structures/Design Build, requested that Council reconsider the matter of vacating right-of-way on Franklin Road, S. W., adjoining Official Tax No. 1300101, which was previously considered by Council at its meeting on Monday, August 19, 2002. He stated that the property has been acquired by Securities Two, L.L.C., a subsidiary of Structures Design/Build and prior to developing the property without abandonment of the right-of-way, it is requested that Council reconsider its August 19 decision to deny the request. He further requested that the matter he heard by the Council at its May 19, 2003 meeting.

There was discussion as to the rationale for reconsidering the matter; whereupon, Mr. Strauss advised that at the August 19 meeting of Council, specific questions were raised as to whether the property would be developed without abandonment of the right-of-way and the value of the property. He stated that if Council authorizes reconsideration of the matter, he will provide more detailed information on proposed improvements, grading of the site, and additional buffers that would be offered as a part of the development plan.

Ms. Wyatt moved that Council reconsider the request of Structures/Design Build. The motion was seconded by Mr. Bestpitch.

There was discussion with regard to presentation of a development plan that would show what the proposed development will look like with and without vacation of the right-of-way; whereupon, Mr. Strauss advised that he would work with City Staff to present two different alternatives for review by Council.

Based on the testimony of Mr. Strauss that he planned to submit significantly new or additional information than that which was presented in August 2002, Mr. Harris called for the question which was unanimously adopted.

The motion to reconsider the request was adopted, Council Members Cutler and Carder voted no.

Mr. Bestpitch moved that the matter be referred to the City Planning Commission for study, report and recommendation to Council. The motion was seconded by Mr. Dowe.

Mr. William Jopitch, 3215 White Oak Road, S. W., advised that the matter was before the Council in August 2002 and denied by the City Planning Commission and the Council. He stated that if developed, the site will look drastically different from Franklin Road; the dry creek referenced by Mr. Strauss

is not a dry creek, but regularly has water flowing through it, where deer congregate. He advised that Mr. Strauss has every right to cut back the slope because it is developable property, but if his request is approved, the City will be giving him the opportunity to develop the property at far less expense to clear the site and allow for parking. He stated that property owners have asked to review the proposed development plans, however, to date no plans have been submitted. He expressed concern with regard to the appearance of the area along Franklin Road in the vicinity of West Motor Sales, potential problems with erosion, and safety issues relative to children in the area.

Mr. Fred Flowers, 3207 White Oak Road, S. W., advised that residents of White Oak Road offered to purchase the land for $90,000.00, which was $5,000.00 more than Mr. Strauss actually paid; at the recommendation of Mr. Strauss residents met with him on two occasions, and offered to purchase the property in order to donate the site to the City, and the asking price then escalated from $85,000.00 to $150,000.00. He stated that property owners would like to review building plans showing the difference between developing the property with the requested right-of-way and without the right-of-way. He advised that nothing has changed that should cause Council to reopen the issue, and expressed ongoing opposition to development of the site and to the City's granting of a right-of-way to enhance development of the property.

The motion to refer the matter to the City Planning Commission was unanimously adopted.

BUDGET-ROANOKE VALLEY RESOURCE AUTHORITY: John R. Hubbard, Chief Executive Officer, Roanoke Valley Resource Authority, advised that the proposed budget totals $8,091,969.00 for fiscal year 2004, representing a 2.2 per cent reduction over the current budget; and the budget includes a $3.00 per ton increase to Roanoke City, Roanoke County and the Town of Vinton, which is a $150,000.00 increase to the City based on tonnage receipts. He stated that approximately $650,000.00 in interest has been lost over the past two years, which was made up with available surplus monies; and two years ago, member jurisdiction tipping fees were reduced from $50.00 per ton to $42.00 per ton, and the new rate will reflect $45.00 per ton.

Mr. Dowe offered the following resolution:

(#36282-042103) A RESOLUTION approving the annual budget of the Roanoke Valley Resource Authority for Fiscal Year 2003-2004, upon certain terms and conditions.

(For full text of Resolution, see Resolution Book No. 67, page 191.)

Mr. Dowe moved the adoption of Resolution No. 36282-042103. The motion was seconded by Mr. Cutler.

The Mayor addressed the issue of commercial haulers using landfills outside of the Roanoke Valley, and the feasibility of cutting Roanoke Valley Resource Authority tonnage rates to regain their business; whereupon, Mr. Hubbard responded that two major haulers in the Roanoke Valley have their own landfills in Tennessee and Richmond, and if the Roanoke Valley were to regain the business of private haulers and not substantially increase revenues, the life span of the Roanoke Valley facility would be shortened. Therefore, under current conditions, instead of a landfill that originally anticipated a 60-65 year life span, the facility is now looking at 95-100 years, which has allowed the Roanoke Valley to expand the project over a longer period of time and decrease costs; and during that period of time, surplus monies totaling approximately $6 million have been saved which has financed the reduction to Roanoke City and Roanoke County over the past three years.

Mr. Cutler inquired about the relationship between citizen participation in the City's recycling program and economic liability to the Roanoke Valley Resource Authority. He also inquired as to continuing costs, if any, to the Resource Authority in connection with the closed landfill near Explore Park.

Mr. Hubbard responded that the Resource Authority accepted responsibility for the closed landfill and will maintain funds from the operation for a 30 year period after closing, which is required by State law; no offers have been received to lease the landfill, other than to potentially develop a gas system that could generate electricity, however, the project failed due to the revenue to be gained from the sale of electricity to AEP that made it financially not feasible, and no proposals to lease the area have been received due to the danger associated with gas generation in a closed landfill. He stated that recycling is promoted by the Resource Authority, with approximately ten per cent of refuse deposited at the facility being recycled; and the City's leaf recycling program generates approximately 3,000 tons per year, totaling $75,000.00 per annum, at approximately $1.00 per ton on the tipping fee.

There being no further discussion, Resolution No. 36282-042103 was adopted by the following vote:

AYES: Council Members Cutler, Dowe, Harris, Wyatt, Bestpitch, Carder and Mayor Smith----------7.

NAYS: None----------0.

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS:

BUDGET: At the request of the City Manager, Barry L. Key, Budget Administrator, presented the following highlights of the City's fiscal year 2004 budget.

The fiscal year 2004 budget is balanced with anticipated revenues and expenditures of $204.7 million; while this total represents an $11.1 million dollar increase over fiscal year 2003, a large portion of the increase is attributed to a budgetary reclassification of "recovered costs" expenditures to revenues to comply with an audit recommendation, resulting in a $4.4 million "artificial" increase in revenues; and General Fund revenues are actually expected to increase $6.7 million, or 3.5 per cent, which is a dramatic improvement over the 1.2 per cent increase realized in fiscal year 2003.

Local revenues again lead the way in terms of Roanoke's anticipated revenue growth with an expected increase of almost $6.3 million, or 4.2 per cent, a significant improvement over the 1.9 per cent growth rate for fiscal year 2003; and intergovernmental, or State revenue is predicted to decrease for the second year in a row; during the past five fiscal years, State revenues have increased on an average of 4.5 per cent per year; and this same level of growth for fiscal year 2004 would result in a $2.1 million increase instead of the almost $100,000.00 decrease, representing a $2.2 million dollar negative impact on Roanoke's budget.

The following new revenue initiatives are being recommended that will generate $563,000.00 in additional local revenue to help offset increased local expenditures resulting from State revenue reductions:

- An increase in animal impoundment and boarding fees at the SPCA to help offset the increased cost of the Regional SPCA facility;

- An increase in library copier fees to provide improved copying equipment for the public at the library branches;

•An increase in Central Business District Solid Waste Collection fees to more fully recover the cost of providing more than one free collection per week, as provided with residential solid waste collection service; and discontinuation of commercial collection outside the Central Business District more than once per week due to higher costs and the availability of service from private vendors.

•A new Admissions Tax rate structure that will levy a 9 per cent tax rate for events held at the Civic Center and Stadium/Amphitheatre and a 5.5 per cent rate for events held at facilities not owned by the City.

•A 55 cents per month increase in the E911 tax rate to $2.00 per line per month to more fully recover the operating cost of the E911 Center and to provide additional staff to handle wireless 911 calls as mandated by the State but not fully funded - a $3.00 tax rate would be required to fully fund the total cost of the Center.

•A new Short-term Rental Tax of one per cent of gross proceeds to offset a tax system inequity in the State Code whereby short-term rental businesses in localities like Roanoke pay no personal property tax on business property owned for short-term rental purposes.

Schools will receive almost $2.2 million in additional local funding as its share of local tax revenues per the existing revenue sharing formula; the total school budget will increase $3.4 million or 3.2 per cent; the budget adopted by the School Board in March will provide an average teacher salary increase of 2.3 per cent, additional funding for employee health insurance premiums, and additional debt service capacity funding for capital improvement projects at both high schools, funding has been provided for an after-school program at Ruffner Middle School previously funded by a grant and for an increase in the daily pay rate for long-term substitute teachers; additional budget adjustments will be made by the School Board when it meets to consider the additional local funding now being recommended, an increase of $432,000.00 over the local revenue planning figure provided to the School administration in December.

Employee compensation and benefits include:

- $3.1 million in funding is recommended to keep City employees' compensation and benefits as competitive as possible in today's difficult economic times; a 2.25 per cent of base pay merit increase is recommended and additional funding is provided to fund a significant increase in employee retirement contributions due to reduced investment performance and the anticipated cost of employee health insurance.

Two new compensation initiatives are recommended:

- A major restructuring of labor and grades job classifications affecting approximately 236 employee positions to enhance the competitiveness of starting and average salaries for these positions and reduce the above average turnover rate.

- A new Community Policing Specialist Program in the Police Department for Police Officers who complete a required training component and a required community activity participation component will be eligible to receive a two per cent increase in pay.

A small amount of funding for a new employee benefit that will allow employees an option to staying home from work when their children are ill; at least one Roanoke agency now offers sick child care for individuals with children having mild illnesses or injuries - the total cost of the service includes a registration fee and daily service fee; and funding is recommended to help cost-share this expense with employees to help them be as productive as possible when their children are ill.

Additional funding of $2.3 million is recommended for cash-funded capital projects, debt service, equipment replacement and maintenance requirements to:

- Continue providing additional debt service funding as part of a multiple plan to budget an additional $570,000.00 each fiscal year to build future capacity for bonds to support the Capital Improvement Program;

- Begin restoration of adequate cash funding in the operating budget by fiscal year 2007 for fleet equipment replacement, maintenance of City facilities, paving of City streets, and for technology enhancements;

- Provide additional cash funding for the Fire-EMS Facility Improvement Project to strategically locate new facilities in the City and the continuing costs of compliance with the City's National Pollutant Discharge Eliminating System Permit; and

- Provide partial funding for the mid-year relocation of the Social Services Department to the Civic Mall complex on Williamson Road.

Use of available debt service funding in fiscal year 2004 to redeem $2.8 million in outstanding bonds that were issued previously for the Century Station Parking Garage and bear a high interest rate; and the Parking Fund will realize a $360,000.00 positive cash flow through this prudent fiscal strategy that can be used for parking facility maintenance and future capital projects.

Almost $1.1 million is budgeted for nondiscretionary expenditure increases, including:

- Roanoke's share of the regional SPCA facility scheduled to open later this year; and

- Local cost of Medicaid services provided for at-risk youth through the Comprehensive Services Act Program - localities are now required by the State to use Medicaid-approved services first, if available, and must fund the local cost of such services.

Increases will be experienced for:

- Food and medical care provided to an increased number of inmates in the Roanoke City Jail;

- Motor fuels due to instability in the global oil market;

- Per diem costs for Roanoke youth assigned to the Roanoke Valley Detention Center because of a 15 per cent reduction in State funding for the Center;

- Tipping fees at the Roanoke Valley Resource Authority will increase $3.00 per ton due to diminished investment performance and reduced solid waste tonnage coming to the facility;

•An increased local subsidy for the Greater Roanoke Transit Company due to increased employee health and liability insurance costs and increased motor fuels costs; and

•Snow removal expenses based on recent snowfall experience.

$431,000.00 is budgeted for a number of new or enhanced services that will directly benefit Roanoke's citizens; i.e.:

•A two per cent increase in the budgeted amounts for Blue Ridge Behavioral Healthcare, Total Action Against Poverty, the Virginia Cooperative Extension Service and an 11.5 per cent increase in funding for the Roanoke Arts Commission and Human Services Committee for distribution to community cultural and human service agencies, some of which have been fiscally impacted by the new HUD funding policy adopted last year.

•Funding to replace an additional 200 trees per year - 400 trees can now be replaced annually as part of the City's reforestation program to mitigate any further decline in the City's tree canopy.

Additional funding is also recommended to:

•Begin a multi-year funding initiative for enhanced maintenance of athletic fields in City parks;

•Install an additional 120 street lights consistent with community lighting standards;

•Cut and clean 250 property parcels annually as part of the City's Weed and Trash Abatement Program when property owners do not comply with property maintenance standards;

•Expand the use of growth regulator chemicals on turf grass in main street corridors to maintain a neater appearance in these community entranceways and reduce mowing efforts;

•Expand the number of operating hours at the Mill Mountain Discovery Center - this important City gateway facility off the Blue Ridge Parkway will be open seven days per week year round; and

•Operate the new Southeast Police Substation.

Four additional staff positions are recommended to:

•Handle Wireless 911 calls as mandated by the State but not adequately funded;

•Develop a structured volunteer program in City government that will coordinate and harness community talent to help provide high levels of service for citizens during a period of diminished resources;

•Oversee the newly created fleet equipment pool to improve the overall effectiveness of the City's fleet by minimizing the number of vehicles required - staff initiatives this past year have already eliminated 99 pieces of equipment from the fleet; and

•Provide a stronger purchasing contract administration system and enhanced procurement planning and scheduling to help ensure that the City is purchasing goods and services at the lowest cost possible.

To balance the fiscal year 2004 budget, $2.3 million in budget reductions were made:

•13 positions will be eliminated and an additional 25 positions will be held vacant and not filled, affecting 18 separate departments or divisions of City government;

•Overtime expense has been reduced 20 per cent, organization-wide, with the new overtime policy implemented in fiscal year 2003 to award overtime based on hours worked; and

•Expenses for temporary employees have been reduced.

The above reductions will result in the following program reductions:

•A reduction of ten operational days at each swimming pool based on low attendance;

•Elimination of the Midnight Basketball Program;

•Alleys that are no longer needed for primary access by property owners or for solid waste collection will no longer be maintained with City forces - maintenance responsibility for such alleys will fall to adjacent property owners; and

•Operating hours at Norwich Center will be reduced from 21 hours to 14 hours weekly.

A number of new initiatives are recommended in several proprietary funds:

•The Civic Facilities Fund includes additional revenues necessary to begin repayment of debt on $14.3 million in bonds to be issued later this year for Phase II of improvements to the Civic Center, including the construction of a 45,000 square foot exhibit hall; these additional revenues include proceeds from the Admissions Tax rate increase plus an increase in the Facility Surcharge Fee per ticket.

•The Parking Fund will experience a $360,000.00 positive cash flow because of the refunding of Century Station Parking Garage bonds, which funding, along with additional revenues from a recommended increase in parking fees, will be used to provide much needed maintenance for a number of parking structures and will be available in future years for parking system capital improvements.

•The Water Fund includes additional funding from the recent water rate increase for pursuing regional water system inter connections and water system infrastructure improvements.

•The Water Pollution Control Fund includes additional funding necessary for the City's share of the cost of the wet weather capacity improvement project at the Water Pollution Control Plant - the source of funding for this project is a recommended 20 per cent increase in sewer rates, effective July 1, 2003, and an additional 15 per cent increase, effective July 1, 2004; and revenues from this rate increase would provide funding for future sewer system infrastructure improvements as well.

Seven new projects are recommended for inclusion in the Capital Improvement Program:

- **Renovations to the Municipal North Complex after relocation of the Social Services Department, to be cash funded at a cost of $2 million dollars in fiscal year 2005;**

- **Phase II of improvements to the Public Works Service Center, to be cash funded at a cost of $1 million in fiscal year 2005;**

- **Phase I of the Stormwater Management Program to begin addressing over $50 million in identified storm drainage projects, to be funded for an $11 million bond issue in fiscal year 2005 requiring the levy of a new stormwater management fee for debt repayment;**

- **Construction of a new parking garage in the Church Avenue West area, to be funded from a $7.2 million bond issue in fiscal year 2006 - the positive cash flow from the refunding of Century Station Parking Garage bonds will be combined with increased parking rates system-wide to fund debt repayment;**

- **Phase V of improvements at the Roanoke Center for Industry and Technology to make Site E available for future development, to be cash funded at a cost of $1.75 million in fiscal year 2006;**

- **Additional local funding projected to be needed for the Roanoke River Flood Reduction Project by fiscal year 2007, requiring a $4.5 million bond issue; and**

- **Phase II of property acquisition in the South Jefferson Redevelopment area to facilitate continuing development of the Riverside Centre for resale of property in the redevelopment area.**

In conclusion, Mr. Key advised that as witnessed in the past 20 months, a great deal can happen in a short period of time to negatively impact the City's fiscal resources and effectively side-track, if not de-rail, even the best set of plans; the good news is that the City has a fiscal roadmap linked to Council's strategic plan to help guide and to keep the City on track; the long-range financial planning effort begun by Council this year should serve the City well for the future as it continues to update the plan on an annual basis, and continue to make the hard fiscal decisions necessary to help Roanoke to achieve its desired

future. He stated that the City has managed to close the fiscal gap for fiscal year 2004, and, in doing so, has narrowed the fiscal gap remaining in fiscal years 2005 - 2007, but the City still faces a sizeable financial challenge in the coming years.

Mr. E. Duane Howard, 508 Walnut Avenue, S. W., expressed concern with regard to the proposed increase in the E-911 fee. He referred to approximately $20 worth of charges and fees on his telephone bill that are not directly related to the actual telephone service; the proposed increase on 911 calls affects the disadvantaged and those on fixed incomes more than any other citizens; and with excessive taxes and fees, telephone service has become unaffordable. He asked that Council give serious consideration to not increasing the E-911 tax and look for other ways to create additional revenue for the City.

Mr. Carder called attention to the progress made by the Virginia First Cities Coalition which is composed of 15 of the more fiscally stressed, older urban areas of the Commonwealth of Virginia. He commended the City on putting its fiscal house in order and doing creative things which will lead to additional revenues. He advised that the State has cut funding to localities and is pushing localities to fund the State's shortfalls, but it is time for the State to put its fiscal house in order. He added that the citizens of the City of Roanoke and the citizens of the Commonwealth of Virginia must understand what is going on and the challenges facing older urban areas which are more fiscally stressed than counties. He suggested that the State step up to the plate next year and begin to fund some of its basic responsibilities. He congratulated City staff on preparing a creative budget for fiscal year 2004, and advised that the City is heading in the right direction, revenues look positive, but the City cannot continue to make up the State's shortfalls.

Without objection by Council, the Mayor advised that the briefing would be received and filed.

ANIMALS/INSECTS: The City Manager introduced Michael W. Quesenberry and Paul J. Truntich, staff to the Wild Life Task Force, for a briefing on deer population management.

Officer Quesenberry advised that the first meeting of the City's Wildlife Task Force was held on February 27, 2002, and a public forum was held on June 27, 2002, to discuss deer conflicts within the City of Roanoke; in August, 2002, Wildlife Task Force Majority and Minority reports were submitted to the City Manager and on November 6, 2002, a final meeting was held of the Task Force to discuss recommendations from issued reports.

The following Task Force recommendations were presented:

•Modify ordinance to allow for electric fences

•Enact an ordinance making it unlawful to intentionally feed wild animals

•Provide education outreach to citizens regarding the deer issue

•Assign more City staff to address deer and wildlife management programs

•Request additional assistance of the Virginia Department of Game and Inland Fisheries in managing the City's deer issue

•Cull the deer herd in a safe, efficient and humane manner.

On January 21, 2003, Council received a communication from the City Manager detailing the Wildlife Task Force's recommendations, City staff recommended consultation with a wildlife management company, and White Buffalo, Inc., a nonprofit wildlife management and research organization, was contacted to conduct the recommended assessment.

White Buffalo's assessment included a site visit on March 24 - 25, 2003, including representatives of City Council, the Police Department, the Virginia Department of Game and Inland Fisheries and City staff, and areas assessed included Blue Hills Industrial Park, Fishburn Park, the former Police Department Firing Range and various conflict locations in South Roanoke.

White Buffalo identified six population reduction options: controlled hunting, professional sharpshooting, capture/relocation/capture/ euthanasia, fertility control and no action. The capture/relocation option is inefficient and inhumane at a cost of $600.00-$800.00 per deer; the capture/euthanasia option is also inefficient and inhumane at a minimum cost of $400.00 per deer; and fertility control will also not be feasible due to Roanoke's large land area. If selected, White Buffalo advised that bowhunting would be a safer alternative to hunting with firearms, the least expensive option, the City would administer and assume liability, and bowhunting is less efficient than using firearms with limited access issues. Professional sharpshooting can be conducted in an efficient and humane manner,

costs are estimated at $200.00 - $300.00 per deer plus meat processing fees, all meat would be available to be donated to Hunters for the Hungry or similar programs, a program duration of two to four weeks beginning in January/February, 2004; the baiting strategy requires additional research; and sharpshooting performed by off-duty police officers would require purchase of additional equipment, liability remains with the City, the program is more involved than initially perceived, and White Buffalo does not train local law enforcement.

With no intervention, populations will either remain stable or slowly increase over time; once initiated, deer population maintenance activities must be conducted in ensuing years after initial reductions; and failure to conduct maintenance activities will result in populations returning to initial densities.

Olin Melchionia, Co-Chair, Wildlife Task Force, advised that the majority of the Task Force agreed that the issue of deer in the City of Roanoke will eventually have to be dealt with, which is a cultural issue. He called attention to problems with damaged shrubbery, animal waste on lawns, and browse lines up to four to six feet. He advised that the Wild Life Task Force supports culling of the herd as an option.

Herbert Berding, 2814 South Jefferson Street, member of the Wild Life Task Force, advised that the deer population in Roanoke has grown over the last three years, which is a problem that not only exists in Roanoke but throughout the United States. He stated that the deer population can double in seven years, which has already happened in Roanoke; and several accidents have occurred as a result of Roanoke's deer population. He stated that it is incumbent upon City government to protect the property of Roanoke's citizens, and called attention to the environmental impact created by the deer population, such as overgrazing, over browsing, loss of habitat for all shrub nesting birds and wild life, destruction to the point of extinction in certain areas of the southeastern United States of wild flowers, and an increase in disease as a result of deer tick and feces. He encouraged the City to act on the deer issue by culling the deer population, and advised that other methods such as transporting deer from one area to another and birth control are costly, ineffective and unreliable methods to address the problem.

Discussion by Council:

Impact of deer over population in an urban area, loss of landscaping, problems associated with loss of bird nesting habitat, loss of rare native plant species, spreading of disease, and vehicle accidents.

Sharp shooting is the most efficient and humane way of dealing with the problem over a short period of time.

Any ordinance should be drafted to clarify that bird feeding is not prohibited.

It will be necessary to use protective locations that would not be in the line of site of any dwelling, without the express written permission of the resident, owner of the property, etc.

Sharp shooters operate from a stand 25 - 35 feet in the air, shooting down against a mound of earth.

There would be an advantage to using hunting organizations in the Roanoke Valley with the proper credentials to address the issue, in accordance with established criteria by the City.

The City Manager was requested to submit her recommendation; whereupon, on the behalf of the City Manager, Mr. Truntich advised that if Council, as a whole, determines that the City of Roanoke has reached its cultural capacity in terms of addressing the deer conflict issue, the City Manager recommends proceeding with the sharp shooting alternative, whether it be by an outside consultant, an internal body, or a third party local hunting group.

There was discussion with regard to the number of deer that need to be harvested annually; whereupon, the City Manager advised that the City has no statistical numbers reflecting the exact deer population, statistics are available that show the rate of accidents involving deer, but no statistics are available indicating the incident of property damage. She stated that City staff is basing its recommendation on meetings, public forums, citizen complaints, etc., and it appears that in some areas of the City the cultural capacity for addressing the deer over population issue has been reached.

During a discussion of the matter, it was explained that only accident data as reported to the Police Department is available, a considerable amount of damage goes unreported at private residences where shrubbery, trees, or other foliage is damaged; and the City is not in a position to produce hard data that relates to a particular accident threshold in terms of numbers or losses, which is the reason it is important to rely on the term "cultural threshold of tolerance or intolerance".

The City Manager advised that if Council is convinced that it is time to take action, City staff recommends the sharp shooter approach which will involve consultation with the City Attorney to address liability issues.

The following statistics on deer-related accidents were reported:

1999 - 22
2000 - 14
2001 - 28
2002 - 31

During a discussion of the recommendation, some members of Council expressed concern that there should be a comparison of measures and standards enacted by other communities, and a determination should be made as to whether Roanoke's accident ratio is comparable to other communities that have chosen this course of action. Disappointment was expressed that the consultant and the City administration have spent money, taken time, involved citizens, and are now advising that it is up to the Council to determine whether the City of Roanoke has reached a cultural tolerance or intolerance. It was stated that Council should have received more information and a firm recommendation from the City Manager, as opposed to citizen complaints about damaged shrubbery, etc., and there should be more natural conversation networks throughout the Roanoke community.

Mr. Cutler moved that the City manager be instructed to proceed with a deer population reduction program for the City of Roanoke and submit a detailed plan of action to the Council. The motion was seconded by Mr. Bestpitch and unanimously adopted.

TREES: The City Manager introduced a briefing on the City's Urban Forestry Plan.

Helen Smythers, Urban Forestry Planner, presented the following highlights of the Plan.

Vision 2001-2002 states that, "Trees and other vegetation represent both an environmental resource and an important landscape feature in the quality of life in the City."

The Roanoke Valley's tree canopy decreased from 40 per cent in 1973 to 35 per cent in 1997.

The City of Roanoke tree canopy was identified as 32 per cent in 1997.

The Comprehensive Plan also states that, "Maintaining and increasing the City's tree canopy will have a beneficial impact on air quality, stormwater control, noise levels, temperature and visual appearance."

Trees provide canopy to improve fish and wildlife habitat, absorb pollution, reduce soil erosion, increase tourism, provide shade and reduce energy costs; Roanoke's trees absorb more than 948,000 pounds of pollutants from the air each year, Roanoke's trees have a stormwater retention capacity of more than 64 million cubic feet. Trees add unity, identity, and pride to the community, increase property values, and provide buffers from harsh urban landscapes.

The tree canopy goal for a healthy community is 40 per cent of land area and the City of Roanoke's tree canopy is 32 per cent of land area; Roanoke's urban forestry staff plants 200 trees per year and removes 40 trees per year due to damage or disease and to stop the annual net loss, it will be necessary to plant 400 trees per year instead of 200.

The City's goal is to increase the City's tree canopy from 32 per cent to 40 per cent, a 25 per cent increase is needed, and there are currently 17,000 street and park trees. To achieve a 25 per cent street and park tree increase, 825 trees a year for the next ten years will need to be planted.

There is a need for school, neighborhood and interest group participation; funding through the City, grants, and business and community partnerships; citizen donations to plant trees in honor or memory of loved ones, or to celebrate special events; and site prioritization (traffic corridors, residential areas, gateways and parks).

Recommendations:

•Update the 1956 public tree ordinance

•Continue to maintain plant and protect City trees using national standards

•Interdepartmental cooperation (example: consult with Engineering on increasing the tree canopy with the Roanoke River Project)

•Make sure trees are part of water, sewer and road improvements

•Use community-based incentives and educational programs to encourage every citizen to plant one tree in the next ten years

•Use the Zoning Ordinance to preserve more trees during development, encourage use of native species and increase tree canopy (for example, trees in parking lots)

•Large areas of forested land should be studied further and the CITYgreen software and the City's GIS can help understand the characteristics of these sites

•A budget request has been made for the purchase and planting of more trees; a grant from the Virginia Department of Forestry can fund needed staff; the plan identifies stakeholders and time frames for implementation and accountability; and community groups and partners stand ready to help.

Council Member Bestpitch spoke in support of the recommendation to increase the replacement of trees that are removed from public lands from 200 to 400 annually, and citizen donations to plant trees in honor or memory of loved ones, or to celebrate special events by purchasing and donating a tree for planting on public property, with a commemorative plaque or designation. He volunteered to donate the first tree upon initiation of the program in memory of a loved one.

There being no further discussion, without objection by Council, the Mayor advised that the briefing would be received and filed.

ITEMS RECOMMENDED FOR ACTION:

BUDGET-CITY COUNCIL: The City Manager submitted a communication advising that the Budget Study Calendar previously adopted by Council for fiscal year 2003-04 requires that two special meetings be held:

May 1, 2003 at 7 p.m. – Public Hearing on the Recommended Fiscal Year 2003-04 City Budget, the Recommended Fiscal Year 2003-04 HUD Budget, and various local tax rates and fees

May 12, 2003 at 9 a.m. - Adoption of the Recommended Fiscal Year 2003-04 Budget and approval of required budget ordinances and resolutions necessary for the proper administration of the budget

It was further advised that Section 10 of the Roanoke City Charter requires that Council officially call these special meetings at the dates and times specified; therefore, the City Manager recommended that Council authorize Special Meetings to be held on May 1, 2003, at 7:00 p.m. and May 12, 2003, at 9:00 a.m.

Mr. Carder offered the following resolution:

(#36283-042103) A RESOLUTION establishing the dates and times for two Special Meetings of the Council of the City of Roanoke.

(For full text of Resolution, see Resolution Book No. 67, page 192.)

Mr. Carder moved the adoption of Resolution No. 36283-042103. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Harris, Wyatt, Bestpitch, Carder and Mayor Smith----------7.

NAYS: None----------0.

DONATIONS/CONTRIBUTIONS-CITY PROPERTY: The City Manager submitted a communication advising that the owner of property located at the corner of Shenandoah Avenue and Westside Boulevard, Stevens Farm Trust, has offered to donate to the City an adjacent parcel of land containing approximately .6 acre of land; the property is located to the south of Strauss Park and would extend Strauss Park to the adjacent roadway; the property is also wooded and is in keeping with the City's Urban Forestry Plan to maintain as much tree canopy as possible, city wide; if the land were to be developed, trees would most surely be removed; and estimated additional maintenance costs are minimal.

The City Manager recommended that she be authorized to accept the donation of property identified as Official Tax No. 2732301, subject to satisfactory environmental site inspection, and to execute any and all documents, to be approved as to form by the City Attorney, which are necessary to effect a transfer.

Mr. Cutler offered the following resolution:

(#36284-042103) A RESOLUTION accepting the donation of a .6 acre parcel of property, located at the corner of Shenandoah Avenue and Westside Boulevard, identified by Tax Map No. 2732301, from the Stevens Farm Trust, and expressing appreciation for such donation.

(For full text of Resolution, see Resolution Book No. 67, page 194.)

Mr. Cutler moved the adoption of Resolution No. 36284-042103. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Harris, Wyatt, Bestpitch, Carder and Mayor Smith----------7.

NAYS: None----------0.

POLICE DEPARTMENT-BUDGET-DRUGS/SUBSTANCE ABUSE: The City Manager submitted a communication advising that in 1991, the Virginia General Assembly passed State legislation allowing local law enforcement to seize and have forfeited property connected with illegal narcotics distribution; the law also makes it possible for police departments to receive proceeds from forfeited properties; and application for an equitable share of the property seized by local law enforcement must be made to the Department of Criminal Justice Services, Forfeited Asset Sharing Program, and certified by the Chief of Police.

It was further advised that property, including funds shared with State and local agencies, may be used only for law enforcement purposes; program requirements mandate that funds be placed in an interest bearing account and interest earned will be used in accordance with program guidelines; and revenues totaling $13,274.00 have been collected and are available for appropriation in Grant Fund Account Nos. 035-640-3302-3300 and 035-640-3302-3299.

It was explained that in 1986, Congress authorized the transfer of certain Federally forfeited property to State and local law enforcement agencies that participated in investigation and seizure of the property; application for an equitable share of property seized by local law enforcement must be made to the U. S. Department of Justice and certified by the City Attorney; and the property, including funds shared with State and local agencies, may be used only for the purpose stated in the application, i.e., narcotics investigations related to law enforcement; participation in federally forfeited property enhances the effectiveness of narcotics investigations by providing necessary investigations equipment and investigative funds, offsetting the costs that would otherwise have to be borne by the City's taxpayers; the Police Department receives funds periodically from the Federal Government's Asset Sharing Program, and grant requirements state that the funds must be placed in an interest bearing

account, with interest earned be used in accordance with program guidelines; and revenues totaling $11,793.00 have been collected and are available for appropriation in the Grant Fund, Account Nos. 035-640-3304-3305 and 035-640-3304-3306.

The City Manager recommended that Council appropriate $13,274.00 to the Grant Fund, Overtime Wages, Account No. 035-640-3302-1003, and increase the Grant Fund revenue estimate for Account No. 035-640-3302-3300 by $13,004.00 and Account No. 035-640-3302-3299 by $270.00; and appropriate $11,793.00 to the Grant Fund account for Investigations and Rewards, Account No. 035-640-3304-2150, and increase the Grant Fund revenue estimate for Account No. 035-640-3304-3305 by $11,736.00 and Account No. 035-640-3304-3306 by $57.00.

Mr. Bestpitch offered the following budget ordinance:

(#36285-042103) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 195.)

Mr. Bestpitch moved the adoption of Ordinance No. 36285-042103. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Harris, Wyatt, Bestpitch, Carder and Mayor Smith---------- -----7.

NAYS: None----------0.

REPORTS OF COMMITTEES:

BUDGET-SCHOOLS-CMERP: A communication from the Roanoke City School Board requesting appropriation of $1,558,495.00 in Capital Maintenance and Equipment Replacement Funds for the following, was before Council.

replacement of school copier equipment and administrative technology equipment,

purchase of site-based instructional technology equipment,

replacement of six school buses,

purchase of a special education transportation vehicle,

purchase of facility maintenance equipment, and improvements to the Human Resources Office, and

additional construction cost of the transportation facility.

A report of the Director of Finance recommending that Council concur in the request of the School Board, was also before the body.

Mr. Dowe offered the following budget ordinance:

(#36286-042103) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 School Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 196.)

Mr. Dowe moved the adoption of Ordinance No. 36286-042103. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Harris, Wyatt, Bestpitch, Carder and Mayor Smith----------7.

NAYS: None----------0.

UNFINISHED BUSINESS: NONE.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

CITY COUNCIL: As a result of the Council's Closed Session which was held earlier in the day, the Mayor announced that it is the unanimous consensus of the Council that Beverly T. Fitzpatrick, Jr., will be appointed in the near future as a Member of the Roanoke City Council, to fill the unexpired term of William H. Carder, ending June 30, 2004, upon receipt of Mr. Carder's formal resignation, and Mr. Fitzpatrick is expected to take his seat on the Council at the regular meeting on Monday, May 19, 2003.

ACTS OF ACKNOWLEDGMENT-COUNCIL: The Mayor displayed an Easter greeting card from former Council Member and Mrs. Robert A. Garland which included a photograph of the Garland family in 1953. He expressed appreciation to Mr. and Mrs. Garland for all they have done for the City of Roanoke, and extended belated Easter greetings to all citizens of the Star City.

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard, and matters requiring referral to the City Manager will be referred immediately for any necessary and appropriate response, recommendation or report to Council.

REFUSE COLLECTION: Mr. David Gresham, 5260 Cross Bow Circle, Roanoke County, expressed concern with regard to debris along the banks of the Roanoke River and debris in trees, which is an eye sore in an area that serves as a community focal point.

ARMORY/STADIUM-SPECIAL EVENTS: Mr. Chris Craft, 1501 East Gate Avenue, N. E., encouraged Council Members and citizens of Roanoke to attend the Franklin Graham, Southwest Virginia Festival, to be held on May 2 – 4, 2003, at the City of Salem Stadium.

ACTS OF ACKNOWLEDGMENT-CITY COUNCIL: Mr. E. Duane Howard, 508 Walnut Avenue, S. W., commended the Members of Council upon its impending election of Beverly T. Fitzpatrick, Jr., to fill the unexpired term of Council Member William H. Carder.

COMPLAINTS-PARKS AND RECREATION-TREES: Mr. E. Duane Howard, 508 Walnut Avenue, S. W., called attention to parked vehicles on the grounds of Jackson Park, and requested that the City Manager address the matter before further damage is done to ground cover and historic trees.

CITY MANAGER COMMENTS:

CITY GOVERNMENT-NEWSPAPERS: The City Manager presented copy of the *Roanoke Citizen Magazine* which will be delivered to the homes of Roanoke's citizens, and advised that the magazine is an important edition in terms of detailing the City of Roanoke's excellence as a community.

At 5:20 p.m., the Mayor declared the meeting in recess for two closed sessions.

At 6:00 p.m., the meeting reconvened in the Council Chamber, with Mayor Smith presiding and all Members of the Council in attendance, except Council Members Carder, Harris and Wyatt.

COUNCIL: With respect to the Closed Meeting just concluded, Mr. Bestpitch moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only

such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Bestpitch and Mayor Smith----------4.

NAYS: None----------0.

(Council Members Carder, Harris and Wyatt were not present when the vote was recorded.)

OATHS OF OFFICE-COMMITTEES-JUVENILE CORRECTION FACILITIES: The Mayor advised that there is a vacancy on the Roanoke Valley Juvenile Detention Center Commission, to fill the unexpired term of Glenn D. Radcliffe, resigned, ending June 30, 2006; whereupon, he opened the floor for nominations.

Mr. Bestpitch placed in nomination the name of Vickie L. Price, Acting Director of Social Services.

There being no further nominations, Ms. Price was appointed as a member to the Roanoke Valley Juvenile Detention Center Commission, to fill the unexpired term of Glenn D. Radcliffe, resigned, ending June 30, 2006, by the following vote:

FOR MS. PRICE: Council Members Cutler, Dowe, Bestpitch and Mayor Smith----------4.

(Council Members Carder, Harris and Wyatt were not present when the vote was recorded.)

At 6:05 p.m., the Mayor declared the Council meeting in recess until 7:00 p.m., in the City Council Chamber.

At 7:00 p.m., on Monday, April 21, 2003, the Council meeting reconvened in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Mayor Ralph K. Smith presiding.

PRESENT: Council Members M. Rupert Cutler, Alfred T. Dowe, Jr., C. Nelson Harris, Linda F. Wyatt, William D. Bestpitch, William H. Carder and Mayor Ralph K. Smith----------7.

ABSENT: None----------0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The invocation was delivered by Vice-Mayor Harris.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

PRESENTATIONS AND ACKNOWLEDGMENTS: The Mayor advised that Shining Star Awards are presented to persons who go above and beyond the call of duty to be of service to their fellowman and woman and to their community; and on behalf of the Members of Council, he was pleased to present awards to Ms. Vicki Wert and Mr. Alan Gleiner.

The Mayor stated that Ms. Wert, a teacher at Patrick Henry High School, has great teaching skills and a passion for helping others; her method of teaching may seem odd to others, but those who encounter her on a daily basis know the true benefits of having a teacher like her. All of her students are eager to attend class, they pay attention to details, and she is an inspiration to others.

The Mayor advised that Mr. Gleiner has been involved in transportation planning issues in the Roanoke Valley for many years, he is a producer at WDBJ-TV - Channel 7 and graciously volunteered his time, talent and community contacts to provide a permanent record of the visit to Roanoke by Ian Lockwood, a nationally recognized traffic consultant. He stated that because of Mr. Gleiner's contribution, the citizens of Roanoke will be able to better understand the benefits of traffic calming and City staff will be able to renew their skills on how to implement changes in the City of Roanoke.

PROCLAMATIONS-BICYCLIST: The Mayor presented a Proclamation declaring the month of May 2003 as Bike Month.

PUBLIC HEARINGS:

SCHOOLS: Pursuant to Section 9-20.1 Public hearing before appointment of School Board Members, Code of the City of Roanoke (1979), as amended, the City Clerk having advertised a public hearing for Monday, April 21, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, to receive the views of citizens with regard to School Board applicants, the matter was before the body.

Advertisement of the public hearing was published in *The Roanoke Times* on Friday, April 11, 2003, and in *The Roanoke Tribune* on Thursday, April 17, 2003.

The Mayor advised that on July 1, 2003, there will be three vacancies on the Roanoke City School Board for terms ending June 30, 2006, and at its meeting on Monday, April 7, 2003, Council selected the following persons to receive the public interview on Thursday, April 24, 2003, commencing at 4:30 p.m., in the City Council Chamber:

Dennis Binns
F. B. Webster Day
Tiffany M. Johnson
Gloria P. Manns
Kathy G. Stockburger
David B. Trinkle

The Mayor inquired if there were persons in attendance who would like to speak to the candidacy of the above listed applicants; whereupon, the following persons spoke:

Ms. Carol Brosh, 2250 Westover Avenue, S. W., spoke in support of the candidacy of F. B. Webster Day, who has been a great asset to the School Board. She stated that Mr. Day is committed to public schooling as evidenced by the fact that he has three sons who have, or are currently, attending public schools in Roanoke City; he is an insightful, critical thinker who asks the right questions, he does his homework on issues, he knows how to get to the crux of a problem, he is a creative thinker who offers workable and practical solutions, he is fair and open minded when considering the plight and opinions of others, he understands the fiscal as well as the scholastic implications of decisions that come before the School Board, and he is his own person and not afraid to ask tough questions or make difficult decisions. She advised that Mr. Day is the kind of person who is needed on Roanoke's School Board and urged that he be reappointed for a full three year term of office.

Mr. Sherman Lea, 1638 Lonna Drive, N. W., spoke in support of the candidacy of F. B. Webster Day. He advised that having previously served on the School Board, he worked with Mr. Day on a number of important issues. He stated that Mr. Day is a committed, dedicated and knowledgeable School Board member; public education is in a critical stage throughout the country; school boards are being called upon to make critical decisions, and in doing so it is incumbent upon governing bodies to appoint School Board members who are good critical thinkers. He called attention to the need to continue to upgrade salaries for all school employees, upgrading Roanoke's two high schools, a seventh period day for the high schools, and school safety, all of which are important issues that school boards across the country are facing. He referred to past efforts of Mr. Day involving school safety, the student drop out rate, and upgrading teacher salaries, and encouraged Council to reappoint Mr. Day to a full three year term of office on the School Board.

Ms. Karen Pillis, 2719 Richelieu Avenue, S. W., endorsed the candidacy of Kathy Stockburger in order to ensure that Roanoke's public schools continue to grow and to improve during this time of economic challenge. She advised that Ms. Stockburger was educated in the Roanoke City Public Schools, her children attended Roanoke City schools where they grew and matured, both through a

strong academic curriculum and through a wide variety of extra curricular activities; Ms. Stockburger has been active in her children's schools, Parent Teacher Associations and governing and advisory boards; she volunteers for both classroom and committee work; she has the ability to listen to many sides of an issue, sift through the conflicting data, and make informed thoughtful consensus building decisions; she possesses great leadership skills as demonstrated through her professional life and her service to the community; her leadership ability is derived not just from her ability to form consensus, but also from the amount of positive proactive energy she brings to each endeavor; and her greatest asset is a clear understanding of the need for public schools to serve all children in the City of Roanoke with the same standards of excellence.

Mr. George Anderson, 2412 Stanley Avenue, S. E., endorsed the candidacy of Kathy Stockburger as an exceptionally qualified candidate for the School Board. He advised that he has worked with Ms. Stockburger in various capacities when she chaired and served on committees, she has been an effective teacher, a follower, and a leader; she exhibits exceptional organizational abilities and sensitivity; she assisted her church with an effective strategic plan; and her work as a consultant for businesses and agencies, public and private, and her experience in mediation and conflict resolution, as well as strategic planning, have earned for her a reputation as someone who can bring people together with divergent views and with conflict to overcome difficulties, establish consensus, and establish direction. He stated that Ms. Stockburger has a passion to help all children in the public school system, particularly those who are disadvantaged; therefore, she would be an exceptional candidate for the School Board.

Ms. Arlene Riley, 2615 Stanley Avenue, S. E., endorsed the candidacy of Kathy Stockburger to the Roanoke City School Board. She advised that Ms. Stockburger is a powerful advocate for Roanoke's children and its schools; and she would bring the following strengths to the School Board: organizational skills, leadership experience and skills, conflict resolution skills, and personal dedication and commitment to Roanoke's schools.

Anita Price, 3101 Willow Road, N. W., President of the Roanoke Education Association (REA), representing approximately 700 educators of Roanoke City public schools, endorsed the candidacy of Gloria Manns and Kathy Stockburger. She advised that an objective of the REA is to advocate for children and for public education, and to aid in the decision making process regarding educational issues; therefore, the REA believes that these two candidates would be excellent assets to the Roanoke City School Board and would cooperate with all involved interests of children and stakeholders of public education.

Mr. Eugene Elliott, 2720 Rosalind Avenue, S. W., endorsed the candidacy of David Trinkle, a geriatric psychiatrist who is highly respected in his field. He advised that Dr. Trinkle currently has two children in the Roanoke City Public Schools, he has been involved in community service by serving as President of

Mill Mountain Zoo, the Grandin Theatre fund raising campaign; a Junior Achievement volunteer in the Roanoke City school system, and a member of the site based council for Crystal Spring Elementary School. He stated that Dr. Trinkle brings a practical background to education; in his practice as a geriatric psychiatrist, he supervises a department and is involved in management on a daily basis, he routinely deals with budgets and organizational matters, and he has shown interest in public schools by seeking out administrative staff and offering suggestions. He advised that Dr. Trinkle would be a valuable addition to the Roanoke City School Board.

Dr. Elizabeth Lee, 4833 West Hill Drive, S. W., Past Principal of Patrick Henry High School, endorsed the candidacy of Gloria P. Manns for reappointment as a Trustee to the Roanoke City School Board. She called attention to Ms. Manns past experience as a School Trustee, including the position of School Board Chair; she is a graduate of Roanoke City schools, a counseling professional in private practice who owns her own business, and the parent of two graduates of Roanoke City schools. She referred to Ms. Manns strengths and wisdom in dealing with difficult challenges; she is positive, professional and creative in problem solving; she has no private agenda, but a desire to promote the welfare of Roanoke City school students; she will be equitable and caring about all youth in Roanoke's schools; she is not afraid of hard work, or long hours or the demands of making difficult decisions; she will uphold strong academic standards of learning; she understands the value of counseling services, co-curricular development, student health issues, safety concerns and budget issues; and she will do her utmost to be an informed advocate of Roanoke's youth. She urged that Council reappoint Ms. Manns to the School Board for a second three year term.

Ms. Allison Allsbrook, 4429 Rosecrest Road, S. W., endorsed the candidacy of David Trinkle in his efforts to become a member of the School Board. She called attention to numerous attributes of Dr. Trinkle that will enable him to be an asset to the School Board; he has a strong commitment to his work as a geriatric psychiatrist; not only is his intelligence evident, but the compassionate way that he works with patients and their families has enhanced the lives of countless people; in addition, his teaching and lecturing have helped to build a bridge of understanding regarding the unique challenges that older people and their families face; and his commitment to and interest in his children will help to make him a strong advocate for all children in Roanoke City. She referred to Dr. Trinkle's unwavering dedication to Roanoke and his efforts to make Roanoke a better place to live and work; he brings a common sense approach that is essential in dealing with issues of education; he has empathy and compassion to work with people from all different walks of life; he has the intelligence to see and understand complex problems, and the wisdom and perseverance to find workable solutions. She advised that allowing Dr. Trinkle to serve his community as a member of the School Board will be a gift to the children of Roanoke City and to those who value the education of children above all else.

Ms. Brenda Hale, 3595 Parkwood Drive, S. W., endorsed the candidacy of Gloria Manns for another term on the Roanoke City School Board. She advised that Ms. Manns has a long history of working with numerous organizations striving for better education of Roanoke's youth by creating an environment of inclusiveness; she is a highly skilled and professional social worker, a pioneer in the Roanoke Valley and a role model with a hallmark of success; she stands ready to serve with qualifications that are evident; and she has been an asset to the Roanoke City School Board and will continue to make a difference in the lives of Roanoke's children.

Mr. H. Clark Curtis, 1309 Guilford Avenue, N. W., endorsed the candidacy of Gloria Manns for reappointment to the Roanoke City School Board. He stated that Ms. Manns brings leadership skills, organizational skills, a calm level-headed demeanor, her social work and mental health background will add to her ability to thoroughly assess all situations, she has a good relationship with the Roanoke Education Association, she has the ability to think "outside of the box" in all situations, she is an independent thinker but also a team player, she is a product of the Roanoke City Schools, and her children graduated from Roanoke's school system.

Mr. Kenneth Robinson, 2120 Broadway Avenue, S. W., endorsed the candidacy of David Trinkle. He advised that Dr. Trinkle is highly energetic, highly motivated, and exceptionally well organized; he is the father of two children currently enrolled in the Roanoke City School system; he is extensively involved in the community, including a founding member of the Grandin Theatre Foundation, and a Past President of Mill Mountain Zoo; his psychiatric training provides the background for good listening skills and the ability to respond to and evaluate differing viewpoints; and he has been chosen to fill leadership positions in medical and community organizations.

Mr. David Hill, 2416 Wycliff Avenue, S. W., endorsed the candidacy of David Trinkle. He advised that Dr. Trinkle has held numerous leadership positions; he has dedicated his career to working with senior citizens, many of whom suffer from dementia, and without his expertise many persons in the Roanoke Valley would have to do with less able medical assistance. He stated that appointment of Dr. Trinkle to the School Board will ensure that Roanoke's children will be the beneficiaries of his life long commitment to education.

Mr. Ray Douglas, 3316 Kershaw Road, N. W., endorsed the candidacy of Gloria Manns for reappointment to the School Board. He referred to her excellent coordinating and organizing abilities, leading to productive and successful conclusions. As School Board Chair, he stated that she has provided the leadership to make all members feel included in the process; she has strong leadership and organizational skills, she operates a private counseling service and manages by objectives; she is a product of the Roanoke City Public Schools and serves as an outstanding role model.

There being no further speakers, the Mayor declared the public hearing closed.

Without objection by Council, the Mayor advised that all comments would be received and filed.

STREETS AND ALLEYS-YMCA: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, April 21, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the YMCA of Roanoke Valley, Inc., that a ten foot wide alley extending in a westerly direction for 110 feet, more or less, from 5th Street, S. W., lying between parcels of land identified as Official Tax Nos. 1113417 - 1113419, inclusive, and 1113422 - 1113425, inclusive, be permanently vacated, discontinued and closed, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, April 4, 2003 and Friday, April 11, 2003.

The City Planning Commission submitted a written report advising that the petitioner requests closure and vacation of the paper alley in order to construct a family recreational facility.

The City Planning Commission recommended that Council approve the request.

Mr. Carder offered the following ordinance:

(#36287-042103) AN ORDINANCE permanently vacating, discontinuing and closing a certain public right-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter; and dispensing with the second reading of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 198.)

Mr. Carder moved the adoption of Ordinance No. 36287-042103. The motion was seconded by Mr. Cutler.

Daniel F. Layman, Jr., Attorney, appeared before Council in support of the request of his client.

The Mayor inquired if there were persons present who would like to be heard in connection with the matter.

There being none, he declared the public hearing closed.

Mr. Bestpitch advised that his spouse is employed by the YMCA of Roanoke Valley, Inc.; whereupon, the City Attorney stated that there is no conflict of interest and Mr. Bestpitch could cast his vote on the item currently under consideration and the next item on the agenda.

There being no questions/discussion by Council, Ordinance No. 36287-042103 was adopted by the following vote:

AYES: Council Members Cutler, Dowe, Harris, Wyatt, Bestpitch, Carder and Mayor Smith----------7.

NAYS: None----------0.

CITY PROPERTY-YMCA: Pursuant to action of the Council, the City Clerk having advertised a public hearing for Monday, April 21, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to proposed conveyance of City-owned property located at 540 Church Avenue, S. W., identified as Official Tax No. 1113414, to the YMCA of Roanoke Valley, Inc., upon certain terms and conditions, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, April 11, 2003.

The City Manager submitted a communication advising that the YMCA of Roanoke Valley, Inc., a non-profit organization, has expressed an interest in acquiring the property on which the Jefferson Gym is located; the YMCA is in need of a new facility to accommodate its expanding number of programs and to replace the YMCA's existing facility; and the Agreement as proposed by the YMCA specifies that the City of Roanoke transfer title to the YMCA, upon certain conditions.

It was further advised that if the YMCA obtains the Jefferson Gym, it will make available some of its resources to Roanoke's youth, including staff and various fitness and safety programs, which will benefit and support the recently developed Roanoke Youth Initiative Program.

The City Manager recommended, following the public hearing, that she be authorized to execute an Agreement to be approved as to form by the City Attorney and any other documents necessary to implement terms of the Agreement.

Mr. Dowe offered the following ordinance:

(#36288-042103) AN ORDINANCE authorizing the City Manager to execute an agreement, deed and any related and necessary documents providing for the conveyance of City-owned property located at 540 Church Avenue, S. W., and

bearing Official Tax No. 1113414, to the YMCA of Roanoke Valley, Inc., upon certain terms and conditions; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 200.)

Mr. Dowe moved the adoption of Ordinance No. 36288-042103. The motion was seconded by Mr. Harris.

The Mayor inquired if there were persons present who would like to be heard in connection with the matter; whereupon, William Zazynski, Branch Director, Central YMCA, spoke in support of the conveyance of City owned property to the YMCA.

There being no further speakers, the Mayor declared the public hearing closed.

There being no questions/discussion by Council, Ordinance No. 36288-042103 was adopted by the following vote:

AYES: Council Members Cutler, Dowe, Harris, Wyatt, Bestpitch, Carder and Mayor Smith----------7.

NAYS: None----------0.

TREES-COMMUNITY PLANNING: Pursuant to action of the Council, the City Clerk having advertised a public hearing on Monday, April 21, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to an amendment to Vision 2001-2020, the City's Comprehensive Plan, to include the Urban Forestry Plan, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, April 4, 2003, and Friday, April 11, 2003.

The City Planning Commission submitted a written report recommending that Council adopt, as an element of Vision 2001-2020, the Urban Forestry Plan, as amended.

Mr. Cutler offered the following ordinance:

(#36289-042103) AN ORDINANCE approving the Urban Forestry Plan, and amending Vision 2001 - 2020, the City's Comprehensive Plan, to include the Urban Forestry Plan; and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 67, page 201.)

Mr. Cutler moved the adoption of Ordinance No. 36289-042103. The motion was seconded by Mr. Bestpitch.

The Mayor inquired if there were persons present who would like to be heard in connection with the matter; whereupon, Charles Blankenship, Technical Advisor to the Urban Forestry Task Force, presented highlights of the City's Urban Forestry Program.

There being no further speakers, the Mayor declared the public hearing closed.

There being no further discussion, Ordinance No. 36289-042103 was adopted by the following vote:

AYES: Council Members Cutler, Dowe, Harris, Wyatt, Bestpitch, Carder and Mayor Smith----------7.

NAYS: None----------0.

CABLE TELEVISION: Pursuant to action of the Council, the City Clerk having advertised a public hearing for Monday, April 21, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the City of Roanoke with regard to a proposed six-month extension of the Cable Television Franchise Agreement with CoxCom, Inc., d/b/a Cox Communications Roanoke, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Monday, April 7, 2003, and Monday, April 14, 2003.

The City Manager submitted a communication advising that the City of Roanoke granted a non-exclusive Cable Television Franchise to Cox Cable Roanoke, Inc., predecessor in interest to CoxCom, Inc. d/b/a Cox Communications Roanoke (Cox), pursuant to Ordinance No. 30479-42291, adopted on April 22, 1991; the Franchise was embodied in a Cable Television Franchise Agreement between the City and Cox dated May 1, 1991, and will expire on April 30, 2003; similar agreements were entered into among Cox and the County of Roanoke and the Town of Vinton; and representatives from the three jurisdictions and Cox have been negotiating terms and conditions of a renewal of the Franchise Agreement.

It was further advised that while there have been productive meetings among the staff of the three jurisdictions and Cox, additional meetings and revisions to the documents are needed in order to reach a final set of documents that can be recommended to City Council, the Roanoke County Board of

Supervisors, and Vinton Town Council; therefore, it is in the best interest of all parties to extend the current Franchise Agreement with Cox for a period of six months in order to complete the negotiation process.

The City Manager recommended that Council adopt an ordinance extending the current Franchise Agreement between the City and Cox for a period of six months, which will expire on October 31, 2003, or until a renewal Franchise is executed and approved, whichever occurs first.

Mr. Dowe offered the following ordinance:

(#36290-042103) AN ORDINANCE extending the term of a certain Cable Television Franchise Agreement, dated May 1, 1991, between the City and CoxCom, Inc. d/b/a Cox Communication Roanoke, upon certain terms and conditions; and dispensing with the second reading by title paragraph of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 203.)

Mr. Dowe moved the adoption of Ordinance No. 36290-042103. The motion was seconded by Mr. Carder.

The Mayor inquired if there were persons present who would like to be heard in connection with the matter.

There being none, he declared the public hearing closed.

There being no questions/discussion by Council, Ordinance No. 36290-042103 was adopted by the following vote:

AYES: Council Members Cutler, Dowe, Harris, Wyatt, Bestpitch, Carder and Mayor Smith----------7.

NAYS: None----------0.

CITY CODE-ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, April 21, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to amendment to Section 36.1-690, General authority and procedure, Chapter 36.1, Zoning, Code of the City of Roanoke (1979), as amended, to provide for reconsideration by Council of a petition to rezone pursuant to Rule 10, Section 2-15, Rules of procedure, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, April 4, 2003, and Friday, April 11, 2003.

A report of the City Planning Commission advising that the proposed amendment eliminates a perceived conflict between a procedural section of the zoning ordinance and the rules of procedure of Council as set forth in the City Code; Rule 10, Reconsideration of questions, of Section 2-15, Rules of procedure, provides that any member of City Council voting with the majority on a question may move for a reconsideration of the question at the same meeting or a succeeding meeting; Section 36.1-690(i) of the City Code provides that having once considered a petition to rezone, City Council may not reconsider substantially the same petition for one year; a recent decision by a Circuit Court Judge in the City of Roanoke invalidated Council's reconsideration pursuant to Rule 10 of a rezoning petition; and in setting aside Council's unanimous decision to grant the petition, the judge ruled that such a reconsideration was prohibited for one year by Section 36.1-690(i) of the City Code, was before the body.

It was further advised that the proposed amendment will permit reconsideration by Council of any rezoning petition, as long as such reconsideration occurs pursuant to Rule 10 of Section 2-15, Rules of procedure, of the City Code.

The City Planning Commission recommended that Council adopt the proposed amendment.

Mr. Bestpitch offered the following ordinance:

(#36291-042103) AN ORDINANCE amending and reordaining §36.1-690, General authority and procedure, of Division 5, Amendments, of Article VII, Administration, of Chapter 36.1, Zoning, of the Code of the City of Roanoke (1979), as amended, to provide for reconsideration by City Council of a petition under Rule 10 of Section 2-15, Rules of procedure; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 204.)

Mr. Bestpitch moved the adoption of Ordinance No. 36291-042103. The motion was seconded by Mr. Harris.

The Mayor inquired if there were persons present who would like to be heard in connection with the matter.

There being none, he declared the public hearing closed.

There being no questions/discussion by Council, Ordinance No. 36291-042103 was adopted by the following vote:

AYES: Council Members Cutler, Dowe, Harris, Wyatt, Bestpitch, Carder and Mayor Smith----------7.

NAYS: None----------0.

SEWERS AND STORM DRAINS-EASEMENTS: Pursuant to action of the Council, the City Clerk having advertised a public hearing for Monday, April 21, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to a proposal to vacate a sanitary sewer easement across property located on Hidden Oak Road, S. W., identified as Official Tax Nos. 5050220 - 5050222, inclusive, upon request of the property owners, in order to facilitate development of the property, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, April 11, 2003.

The City Manager submitted a communication advising that the owners of property located on Hidden Oak Road, S. W., Official Tax Nos. 5050220, 5050221, and 5050222, have requested that the City vacate the sanitary sewer easement; Baron Enterprises of Virginia, Inc., owner of Lots 1 and 2, and James and Carol Sexton, owners of Lot 3, have requested vacation inasmuch as the existing sewer easement will interfere with development of the parcels of land; and the subject easement is no longer needed since the sanitary sewer located in the easement has been relocated to the public street right-of-way of Hidden Oak Road and the plat has been reviewed by and is acceptable to the City Engineer.

The City Manager recommended, following the public hearing, that she be authorized to execute the appropriate documents vacating the existing sewer easement; and owners of the property will be responsible for preparation of all necessary documents, to be approved as to form by the City Attorney.

Mr. Cutler offered the following ordinance:

(#36292-042103) AN ORDINANCE authorizing vacation of a sanitary sewer easement across property identified by Official Tax Nos. 5050220, 5050221, and 5050222, and more commonly known as 3121, 3125 and 3129 Hidden Oak Road, S. W., upon certain terms and conditions; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 205.)

Mr. Cutler moved the adoption of Ordinance No. 36292-042103. The motion was seconded by Mr. Carder.

The Mayor inquired if there were persons present who would like to be heard in connection with the matter.

There being none, he declared the public hearing closed.

There being no questions/discussion by Council, Ordinance No. 36292-042103 was adopted by the following vote:

AYES: Council Members Cutler, Dowe, Harris, Wyatt, Bestpitch, Carder and Mayor Smith----------7.

NAYS: None----------0.

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard and matters requiring referral to the City Manager will be referred immediately for response, report and recommendation to Council.

POLICE DEPARTMENT-ANIMALS/INSECTS-BUDGET-COMPLAINTS-FIRE DEPARTMENT-TAXES: Ms. Helen E. Davis, 35 Patton Avenue, N. E., addressed Council on behalf of senior citizens who will be impacted by proposed tax increases in the City's fiscal year 2004 budget, and advised that the budget needs scrutiny as it relates to senior citizens.

She expressed concern with regard to the remarks of several citizens at the Monday, April 7, 2003 Council meeting in which it was reported that a dog was shot by a City Animal Control Officer; however, no referral was made by Council to the City Manager for report. (It was pointed out by Council Member Bestpitch that matters requiring referral under Hearing of Citizens are automatically referred to the City Manager for report.)

Ms. Davis inquired if plans for Roanoke's fire stations, predominately those fire stations located in the black neighborhoods, will be presented as a part of the Council's fiscal year 2004 budget public hearing on Thursday, May 1, 2003, at 7:00 p.m., in the Exhibit Hall at the Roanoke Civic Center.

POLICE DEPARTMENT-BUDGET-CITY COUNCIL-CITY EMPLOYEES: Mr. Robert Gravely, 3360 Hershberger Road, N . W., expressed concern with regard to the community in general and the City of Roanoke as a whole. He stated that Council Members should serve on a full-time basis in order to fully understand the needs of the City. He referred to "big city crime" in the City of Roanoke on a "small time" pay scale. He expressed concern with regard to the City Manager's recommendation to eliminate City work force jobs in order to balance the fiscal year 2004 budget, the plight of the poor and disadvantaged in Roanoke, and the need to create more job opportunities for Roanoke's citizens which will lead to a decrease in crime.

ACTS OF ACKNOWLEDGMENT-CITY EMPLOYEES-GRANTS-ROANOKE NEIGHBORHOOD PARTNERSHIP: Mr. Carl Cooper, 2001 Angus Road, N. W., advised that the Roanoke Neighborhood Partnership Steering Committee nominated Mr. Alan Gleiner to receive the Shining Star Award in recognition of his assistance in providing a permanent record of the visit to Roanoke by Ian Lockwood, a nationally recognized traffic consultant. He expressed appreciation to the City Manager for allowing City staff to work with the Roanoke Neighborhood Partnership Steering Committee regarding the use and application of grants for training in connection with community needs.

At 8:35 p.m., the Mayor declared the meeting in recess until Thursday, April 24, 2003, at 4:30 p.m., in the City Council Chamber, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., for six interviews for appointments to the Roanoke City School Board.

Monday, April 21, 2003, regular meeting of Roanoke City Council which was recessed until Thursday, April 24, 2003, was called to order at 4:30 p.m., in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Mayor Ralph K. Smith presiding.

PRESENT: Council Members C. Nelson Harris, Linda F. Wyatt, William D. Bestpitch, M. Rupert Cutler, Alfred T. Dowe, Jr., and Mayor Ralph K. Smith--------6.

ABSENT: Council Member William H. Carder----------1.

OFFICERS PRESENT: Mary F. Parker, City Clerk.

SCHOOL BOARD APPLICANTS PRESENT: Kathy G. Stockburger, F. B. Webster Day, David B. Trinkle, Tiffany M. Johnson, Dennis M. Binns and Gloria P. Manns.

The invocation was delivered by Mayor Smith.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

SCHOOLS: The Mayor advised that on June 30, 2003, the three year terms of office of F. B. Webster Day, Gloria P. Manns and Marsha W. Ellison as Trustees of the Roanoke City School Board will expire; Ms. Ellison is ineligible to serve another term inasmuch as she has served three consecutive three-year terms of office; and the purpose of the reconvened meeting is to interview six candidates for the three positions on the Roanoke City School Board for terms of office commencing July 1, 2003, and ending June 30, 2006.

He further advised that past actions of the Council to comply with the School Board selection process include:

At regular meetings of the City Council held on January 21 and February 3, Council announced its intention to elect Trustees to the Roanoke City School Board for terms commencing July 1, 2003.

Advertisements were placed in *The Roanoke Times* and in *The Roanoke Tribune* inviting applications for the vacancies. Nine applications were received in the City Clerk's Office prior to the deadline on Monday, March 10, 2003.

At the regular meeting of City Council on March 17, 2003, at 2:00 p.m., Council reviewed and considered all applications.

At the regular meeting of City Council on Monday, April 7, 2003, at 2:00 p.m., Council voted to interview Dennis M. Binns, F. B. Webster Day, Tiffany M. Johnson, Gloria P. Manns, Kathy G. Stockburger, and David B. Trinkle for the three vacancies.

A notice was published in *The Roanoke Times* inviting attendance at a public hearing to be held by City Council on Monday, April 21, 2003, at 7:00 p.m., to receive the views of citizens regarding School Board applicants, and further inviting the public to submit proposed questions to the candidates by filing such written questions in the City Clerk's Office; however, no questions were submitted.

The Mayor explained that the selection process provides that Council will publicly interview each candidate separately and out of the presence and hearing of the other candidates; and the following interviews have been scheduled:

4:30 p.m.	-	Kathy G. Stockburger
5:00 p.m.	-	F. B. Webster Day
5:30 p.m.	-	David B. Trinkle
6:00 p.m.	-	Tiffany M. Johnson
6:30 p.m.		Dennis M. Binns
7:00 p.m.		Gloria P. Manns

The Mayor pointed out that each candidate will be given the opportunity to make an opening statement of not more than five minutes; and thereafter, Council may ask such questions as the Council, in its discretion, deems advisable.

He advised that Council will hold six interviews and each interview will consist of approximately 30 minutes; after each interview has been completed, the candidate may leave the Council Chamber inasmuch as no action will be taken by the Council, and all interviews will be taped by RVTV Channel 3 to be televised on April 29 at 9:00 a.m. and 8:00 p.m., and April 30 at 11:00 a.m. and 9:00 p.m.

In conclusion, the Mayor advised that at the regular meeting of Council on Monday, May 5, 2003, at 2:00 p.m., or as soon thereafter as the matter may be heard, Council will hold an election to fill the three vacancies on the Roanoke City School Board for terms commencing July 1, 2003, and ending June 30, 2006.

The first person to be interviewed was Ms. Kathy G. Stockburger.

Ms. Stockburger expressed appreciation for the opportunity to be interviewed. She asked, what happens when a child from a public housing project is challenged and given a strong academic and social foundation by her local public schools, what is the result when this child is encouraged to excel far beyond her perceived means and the expectations of the community, and what impact does this have on the child and on the community. She stated that these are not rhetorical questions, but pertain to her and her four brothers who grew up in the Lansdale Public Housing Project in Norfolk, Virginia, and attended Norfolk City Schools from first grade through 12th grade. She further stated that she was gifted with two parents who, although they could not provide a lot of material wealth for their family, did provide a huge amount of support for the learning that was required in school and that foundation prepared her to attend college to the doctoral level. She advised that she is committed to public schools and would like to return the investment; she has three children who grew up in Roanoke City Schools from kindergarten through 12th grade; they have attended colleges throughout the state; she is proud of the foundation that was laid for her children; and she and her husband have always considered themselves to be partners in their children's education and did not expect the school system to be solely accountable for their success. She added that her involvement in the Parent Teacher Associations, the classroom, and boards of organizations which collaborate with the City schools have provided her with a wider view of the school system and an appreciation for the complexity of issues that public schools face. She called attention to at least three constants about schools; i.e.: everyone has a "gripe", everyone is an expert, and everyone has been a student at some point. She stated that her experience has made her aware of certain general areas where Roanoke's schools might improve; i.e.: a continuing need to expand access and opportunities to all children as realistic options; a need to continue to explore how poverty impacts student success; and the expectation that parents, guardians and extended family members must be involved in the education process, with the provision of realistic avenues for parental involvement. She stated that she does not have an agenda, but comes with an open mind, a reputation as an independent thinker, 30 years of professional experience working with non-profit organizations; strategic planning, board development and conflict resolution are three areas in which she has particular expertise; and her diverse experiences and ability to deal with all kinds of people will be an asset to the School Board. She added that issues to be addressed by the School Board will often be difficult and frequently unpopular with some, but reaching reasonable decisions, after becoming well informed, will go far in avoiding damage control because the buck stops with the School Board. She

called attention to the importance of the School Board and Council working together as partners and never losing sight of the fact that all their work is devoted to the student, and the partnership circle must widen to include faculty, administration, parents, guardians and the community. She addressed the need to hold one another accountable for their respective functions in the school system, whether it be students, teachers, administrators or the School Board whose primary concern is to govern.

Mr. Bestpitch advised that since he would be leaving the meeting following the third interview, out of fairness to all applicants, he would not ask questions.

Dr. Cutler asked the following question:

When you became interested in applying for the School Board, you must have had something specific in mind that caused you to take on this major responsibility. What kind of issues, potential changes, or emphases do you have in mind after a certain period of time, in order to assess your level of success?

Ms. Stockburger advised that she has a great deal of energy that will be directed in general toward improving Roanoke's current school system, and not remaking something from the ground up. She stated that her children have gone through the Roanoke City Public Schools, she has been impressed with their level of education, although that is not to say there is not room for improvement; and she does not have a personal agenda, but she has certain ideas that she would like to explore, one of which is more involvement by parents and guardians in the learning experience. For example, she stated that she grew up in a housing project and one of the reasons that mothers did not attend parent-teacher conferences was because they did not have the proper clothing, therefore, the question is, how do we make it more comfortable and accessible for parents, grandparents and extended families who need to be involved in the learning experience by providing a realistic and non-threatening environment. She called attention to the need to raise recognition among parents and students as to programs that currently exist and recruitment for participation in programs with vacancies, all of which can be done through better communications. She stated that enhanced communication on all levels is an improvement that is needed.

Vice-Mayor Harris asked the following question:

What are your thoughts relative to student discipline which is an issue of classroom management and parental comfort in sending children to public schools?

Ms. Stockburger advised her thoughts on the subject crystallized more clearly earlier today upon hearing the tragic news of a death in Pennsylvania where an eighth grade student shot the principal and himself, which is not necessarily a discipline issue, but there is sometimes a tendency to lump all

school violence issues into the category discipline, and the teacher is often held accountable for disciplining the student. She stated that when a random act of violence occurs, whether it be in the school or on the street corner, the first thought is to separate what is actually a discipline issue from something that is either larger or smaller, then communicate clearly to all stakeholders as to the appropriate limits. She advised that the model should be through parenting and if there is a consequence, all parties should know what the consequence is in order to fairly implement the consequence; if consequences vary in different schools and at different levels of the school division, it is difficult to be fair; therefore, there is a need for clarity of expectation and consistency in implementation relating to disciplinary issues.

Ms. Wyatt asked the following question:

Do you think the current process of using the City's Audit Department is effective, or would it be more beneficial for the School Board to employ its own outside independent auditors?

Ms. Stockburger advised that several improvements can be made in the way that audits are performed, but whatever improvements are enacted, there must be clear lines of communication between the School administration, the School Board and the Council than currently exist, and stakeholders should not read about issues in the newspaper, but should be briefed early on. She called attention to the need to look at the advantages and disadvantages of several different methods to audit; however, whatever direction is chosen, it is not so much a question of whether a change is needed in the way audits are conducted, but should a more fundamental change be made in the way issues are communicated to the public.

Mr. Dowe asked the following question:

What are the qualities of a good School Superintendent?

Ms. Stockburger responded that a good Superintendent is an individual who is willing to work collaboratively with all involved parties in the educational process, which is the one way to ensure success. She stated that a person can collaborate if they can communicate openly and effectively with all parties and if decisions are made that do not have their preferred outcome. She added that the partnership between the Superintendent, the School Board and the Council is critical, because without being able to collaborate, a lot of energy and money will be expended, while not reaching a level of excellence in education. She stated that other qualities of a good school superintendent would include intelligence, the ability to problem solve creatively, and a person who is thrifty.

The Mayor asked the following question:

Some previous School Boards have been more of a "rubber stamp" body than persons who are willing to contribute their individual views. What are your thoughts on the subject?

Ms. Stockburger advised that she works with non-profit organizations, involving strategic planning and board development, and a board's role is to govern and to set policy which is a difficult and sometimes unpopular job, and all parties should have the self assurance that it is acceptable to disagree as long as positions are justified. She added that another way to enhance a board, working together as a team, is to provide a venue in which people feel comfortable in a formal setting of disagreeing with respect. She called attention to her background in conflict resolution and noted that an element to resolving conflict is to identify issues, because sometimes solutions are formed before issues are clearly articulated, which is a waste of time and money. She stated that it would be hoped that a board could work together, disagree, but clearly identify the issues and the necessary outcomes, because if the School Board looses sight of the interest of the student, all is for naught. She advised that the student should be the focus or the crystallizing point for divergent views that need to be negotiated.

The second person to be interviewed was F. B. Webster Day

Mr. Day advised that public service can impact on family life and personal employment; he has a law practice that provides the flexibility to serve on the School Board, along with law partners who value public service. He stated from 1997 to 2000, he served on the School Board, and following his departure from the Board, he continued to be interested in the education of Roanoke's children; he served as a site based counselor at Patrick Henry High School, on the School Board's Safety Advisory Committee, and in 2002, he was appointed to fill the unexpired term of Sherman Lea, the rationale being that someone with experience would be able to be of immediate help to the School Board; and he is now seeking reappointment for a full three year term. He referred to the range of opportunities and challenges that the School Board will face over the next three years; i.e.: the relocation of the Roanoke Academy of Mathematics and Science to its new facilities, the renovation of Patrick Henry High School in 2004, graduating seniors will be the first class to be required to meet stricter diploma requirements that were instituted with the Standards of Learning, the likelihood that State funding for public education will be less than adequate requiring the School Board to continue to stretch the dollar and to work with Council to ensure that programs are adequately funded and employees are adequately, fairly and competitively paid, and schools must be fully accredited under the Standards of Learning accreditation by 2007. He stated that he is seeking reappointment to the School Board in order to be a part of these exciting and challenging times.

Dr. Cutler asked the following question:

How can the relationship between the School Board and City Council be optimized?

Mr. Day stated that historically the relationship between the two bodies has been good, although there is always room for improvement; and both Council and the School Board have worked well in the past, along with the two administrations, which is something that the citizens of Roanoke should be proud of. He stated that the joint workshops between Council and the School Board have been beneficial, the "buddy system" has worked well and should continue, and serving on the Legislative Committee has provided him with good insight into the matters that Council attempts to address.

Vice-Mayor Harris asked the following question:

What are your thoughts relative to the issue of student discipline?

Mr. Day stated that schools are basically safe places, however, it is necessary that the schools not only be safe, but be perceived as safe, particularly with budget issues and those hard decisions that have to be made regarding student resource officers and the best way to deploy scarce resources. He stated that it is a struggle to maintain uniform, but fair application of the standards of expectation relating to classroom discipline; and both teachers and principals must have the authority to deal with discipline problems.

Ms. Wyatt asked the following question:

Do you think that the current process of using the City's Audit Department is effective, or would it be more beneficial for the School Board to employ its own outside independent auditors?

Mr. Day responded that the current process is effective and has worked well; in the past; the process has provided both the School administration and the School Board with much needed information about how things can be done better; and audits have uncovered certain things that should not have happened. He stated that under the current audit process, when a draft audit report is prepared, the Freedom of Information Act requires the draft audit become public, while in certain instances it may be premature for the document to become public at that point.

Mr. Dowe asked the following question:

Describe the qualities of a good School Superintendent.

Mr. Day called attention to the number of hats that a School Superintendent is expected to wear; i.e.: cheerleader, administrator, educator, and direct seven School Board members at the same time. Therefore, he stated that the position calls for a person who is dedicated to public education with the skills to articulate their vision.

Dr. Cutler asked the following question:

What is your perspective on the value of the career technical education curriculum in Roanoke's high schools? Can the curriculum be improved or strengthened?

Mr. Day advised that career technical education in the school system, although a necessary component, may not be right for every child. He called attention to the need for a public relations campaign in order to overcome the perception that career technical education is strictly vocational education, when, in fact, courses include high tech material. He referred to the Blue Ridge Technical Academy which is an innovative program and with the decrease in funding, the School Board is trying to keep the program intact. He advised of the need for balance in any type of vocational education and the desire to educate students leading to gainful employment, and while the school system should not teach to the test in pure academic areas, it should also resist the temptation to train just for the local job market. He stated that his philosophy is that the school system should train and educate students so that they can go anywhere in the world and seek employment, which will favorably reflect on the City's economic development by encouraging businesses to locate and to fill jobs in Roanoke, as well as other opportunities. He stated that the training and the base knowledge must exist in order to encourage students to become life-long learners.

Mayor Smith asked the following question:

My life experiences have taught me that whether it be a corporate board, a Council or a School Board, the best way to have success is to bring a number of bright minds together, each willing to express their individual views and philosophies, and out of that comes greater success. Please elaborate on that statement.

Mr. Day concurred in the Mayor's statement and advised that when there are people who are willing to listen before they talk, who are willing to talk and advance their views, and where there is honest give and take communications, progress will be made. He stated that during discussions with fellow School Board members, different points of view will be expressed, however, it is critical that School Board members feel free to communicate in a free flowing give and take environment.

Ms. Wyatt asked the following question:

What is your perception of the relationship of the School Superintendent with his central staff, administrative staff, building administrators, teachers and support staff?

Mr. Day stated that the Superintendent sets the tone, delegates and oversees responsibilities, therefore, the buck stops with the Superintendent in the chain of command; and it is imperative that central administrators be intelligent, hard-working and provide support to the Superintendent, particularly in a school system as large as Roanoke's with its varied responsibilities and programs. He referred to the quality of staff in central administration and building operations, all working in conjunction with a Superintendent who oversees the entire operation. He stated that the relationship between the Superintendent, central staff, administrative staff, building staff, teachers and support staff is good, the Superintendent has set a good example, his input and response to the Standards of Learning by requiring biennial plans was a positive move, and there are always issues that need to be worked out, but overall, relationships with the School Superintendent are good.

Mayor Smith asked the following question:

Sometimes there are good relationships and sometimes there are success relationships, which are defined in different ways. I am not hearing enough divergent views from the present School Board. What is your reaction to this statement?

Mr. Day stated that divergent views are expressed at each School Board meeting; however, when the School Board speaks, it can only speak with one voice, since a four to three vote wins as much as a seven to zero vote; therefore, when the School Board sets policy, which is its primary purpose, it speaks with one voice.

<u>The third person to be interviewed was David B. Trinkle</u>

Dr. Trinkle advised that it was a great honor and pleasure to apply for a position on the School Board; and he applied for the position out of a desire to participate more actively in his community, but specifically in the School system which is Roanoke's greatest asset. He stated that any School system, teachers, administrators, students, and parents, are at the core of the success, and provide the vitality and growth of any community; and fortunately Roanoke City Council is aware of the value of the School system and has actively supported Roanoke's School system in many ways. He advised that he did not apply for appointment out of a sense that something is wrong with the School system, but with a desire to improve on current successes. He stated that he is fully aware of the many challenges facing Roanoke's school system, such as budget needs, funding cutbacks, safety and violence, child health issues, longer school days versus year round school, continued implementation of standardized testing, adequate

athletics and facilities, new performance assessment models, salaries, benefits, special needs, gifted programs, and the list is ongoing. He added that he hopes to bring a new face with a strong background in medicine, psychiatry, mental health, teaching and administration to the School Board; and specifically, he would like to help the School Board to be more open, to communicate with citizens more effectively, and to improve morale among those employed in the School system. He stated that one of the greatest challenges facing the School system and the School Board today is the need to foster and to promote the diversity and innovative programming found in Roanoke's School system in the face of standardized requirements without creating disparities among different schools; to encourage early faculty development programs and to assure that assessment tools for students and faculty alike are generated and interpreted the same throughout the school system. He listed credentials that will help him to be a good School Board member; i.e.: Medical Director at Carilion Center for Healthy Aging, an active participant in budget issues, development of new system wide programs and evaluation of existing programs, a member of several committees for the health system, liaison for physicians, administrators, patients and families, an active participant in Carilion's medical education program through teaching, developing curriculums, developing and implementing standardized assessment tools for students and faculty, medical research and writing, grant writing, faculty development, and a regional and national speaker at numerous accredited programs and medical education programs. He stated that the success of these programs lies in the ability to bring people together from different aspects of a larger system; to value their input and to coordinate goals and objectives of each program; to implement effective teaching and to evaluate outcomes so as to improve future programs. He added that these experiences will set him apart from other candidates and serve him well as a potential School Board member; in addition, he stated that he has served on and led numerous community and professional organizations in the Roanoke Valley and elsewhere; he has been involved in major capital campaigns, an active role in his state professional society required ongoing work with legislators, administrators, professionals and Virginia consumers of care as well as citizens; and his role as listener, effective communicator and a person who would bring different voices to the table in order to make difficult but sound decisions would serve him well as a member of Roanoke's School Board. He explained that he is currently involved in the School system through the Crystal Spring Site Based Council and as an active parent in his child's education; he is aware of many of the issues currently facing the school system and could become familiar with School Board issues quickly if appointed; he is excited and enthusiastic about the prospects of joining the School Board; he is prepared for the time commitments, hard work, and difficult decisions that will be required; and he will be dedicated to being available and to listening to the voices from all diverse and varied aspects of the School system and the community at large.

Vice-Mayor Harris asked the following question:

What are your thoughts with regard to student discipline in the Roanoke City Public Schools relative to classroom management, and the parental comfort level in sending children to City schools?

Dr. Trinkle advised that concerns have centered around implementing discipline fairly and uniformly, which is difficult because every case is different in terms of the called for disciplinary measure and the child's behavior. He stated that educating parents and teachers can be effective, and interpretation of the rules and guidelines regarding discipline for principals should be effectively and uniformly implemented among the various schools. He added that discipline could also relate to a child health issue and in some instances may require further testing, special needs, and the availability to intervene either medically or behaviorally in terms of repeated behavior. In summary, he stated that it is important to interpret and to enforce discipline in a uniform and consistent manner and to provide the level of education and support that families need.

Ms. Wyatt asked the following question:

Do you think that the current process of using the City's Audit Department is effective for the school system, or would it be more beneficial for the School Board to employ its own outside, independent auditor?

Mr. Trinkle advised that he would need more information in order to respond to the question appropriately.

Mr. Dowe asked the following question:

What are the characteristics of a good school superintendent?

Dr. Trinkle advised that a good superintendent should be a well-educated and experienced individual who has had experience with school systems and in the administration of school systems, who has an awareness of the size and type of school system existing in Roanoke, as well as an awareness of the Roanoke Valley and the community at large. He stated that he would favor a person who is personable, who is available, who has good listening skills, who is a good communicator and lets one know where he or she stands on an issue.

Dr. Cutler asked the following question:

What is your view of the relationship of the School Superintendent and the School Board? How would you obtain additional information beyond that which is given to you by the Superintendent and his immediate staff? Do you see opportunities to get feedback from parents, teachers, citizens, etc.?

Mr. Trinkle advised that as a result of previous experiences on other boards, he has found that allied organizations, some with very different interests but serving similar circumstances, can be influential in gaining additional information. He stated that he was not aware any venue for this purpose, although he would value input by the Roanoke Education Association as a learning resource. He called attention to his involvement with other organizations within the school system, such as Parent- Teacher Associations and similar organizations.

Mayor Smith asked the following question:

My experience in life has been, whether it be a corporate board, or City Council, or the School Board, when bright people come together and each are willing to express their individual views, out of the process comes ideas and proposals. There have been hints in the past that some School Boards have been "rubber stamp" bodies. What are your views?

Mr. Trinkle stated that with the quality of people currently serving on the School Board and the quality of applicants under consideration, new members would be brought together with different backgrounds, interests and ideas, and by communicating around concerns, consensus will be reached. He added that it is hoped that the School Board would be more than just a "rubber stamp"; and a good School Board member requires energy, enthusiasm and education in order to learn about issues and the position of those outside the school system. He stated that a lot of time is required to serve on the School Board, the School Board deals with many complicated issues and the Board should not rebel rouse or create issues, but should be available, noticeable and seek out information to reach decisions that are not perceived as a "rubber stamp". As a School Board member, he added that it would be exciting to serve as a liaison with other parts of the school system and to learn about other issues.

Ms. Wyatt asked the following question:

What is your perception of the relationship of the current Superintendent with his central administrative staff, building administrators, teachers, and support staff?

Mr. Trinkle advised that he had heard concerns regarding site based administration which is not completely centralized, and there can be disparities on interpretation, benefits, time off, outcomes, portfolios, teacher assessment tools, and budget decisions among the different schools, which could lead to morale issues among employees. He stated that site based management creates innovative programs and diversity; however, there should be some assurance that there are no great disparities among facilities or teachers.

The fourth person to be interviewed was Ms. Tiffany M. Johnson

Ms. Johnson advised that she is a City resident and a registered voter and she is seeking a position on the School Board because of her love of education and her concern for students and staff.

Ms. Wyatt asked the following question:

What is your perception of the relationship of the Superintendent with his central administrative staff, building administrators, teachers, and support staff?

Ms. Johnson called attention to an incident regarding school transportation that was satisfactorily addressed by the Superintendent and the administrative staff.

Mr. Dowe asked the following question:

What are the characteristics of a good School Superintendent?

Ms. Johnson stated that the Superintendent should be a Roanoke City resident; his credentials should be education-related and not political, with prior experience working in a school system, and the Superintendent should maintain an active role in the life of the community.

Dr. Cutler asked the following question:

What special interest or concern prompted you to seek a position on the School Board?

Ms. Johnson responded that teacher preparation and credentials are important issues, along with the hiring process, and accountability within the school system.

Vice-Mayor Harris asked the following question:

What are your thoughts with regard to student discipline?

Ms. Johnson advised that acceptable guidelines should be provided throughout the school system and provided to parents and guardians.

Mayor Smith asked the following question:

If you could change one thing about Roanoke's school system to better prepare our young people for the job market, what would you change?

Ms. Johnson responded that there should be more co-op programs working in conjunction with the schools; and students would learn more and be more prone to stay in school if a hands on approach between consumers and employers is encouraged.

At 6:10 p.m., Council Member Dowe left the meeting.

The fifth person to be interviewed was Mr. Dennis M. Binns:

Mr. Binns advised that he applied for the School Board not because of the prestige that the position carries, but out of a genuine interest to suggest changes in Roanoke's current educational system. He stated that he moved to the Roanoke area out of concern for his daughter who believed that her children were not grasping the primary skills of mathematics, reading and writing offered by Roanoke's school system; and he has been tutoring his grandchildren since his arrival. He called attention to concerns expressed by other parents who are unhappy with the school system, therefore, he took a proactive approach and began meeting with other parents and teachers to discuss issues such as safety and police presence in the schools, lack of communication between teachers and parents, parental involvement, and the teaching curriculum. He called attention to two programs used by other schools around the country which are dramatically improving test scores and encouraging children to learn; i.e.: Hooked on Phonics and Where There is a Will There is an A, and if elected to the School Board, he would encourage the School administration to look at these programs as learning tools for Roanoke's school system. He stated that Roanoke should benchmark with other localities in order to draw a consensus as to what is working throughout the nation; communication is important because rules and procedures that are incorporated into the school system are being interpreted differently by the schools; and the Roanoke Education Association provides many years of experience in education and the School Board should call on their expertise to strengthen school programs. He advised that he is a "trouble shooter", he looks for weaknesses, wastes and strengths in programs, then sets up a plan to build a formidable base through research and networking to ensure that all areas are addressed before establishing a plan of action. He added that he is detail oriented and results driven, he exhibits a hands on approach which is important to ensure that tasks are completed on time and correctly, and he leaves projects and programs in a stronger and more efficient condition than they were before his involvement. He advised that he retired from the military in 1999, having performed various responsibilities such as support manager, entertainment director, physical security director, drug testing director, program manager, project manager, government liaison, multi-facilities director, safety manager, and he currently serves as Project Coordinator for the City of Roanoke in the Fleet Management Department. In conclusion, he stated that the

School Board is accountable not only to the City Council, but more importantly to the parents and students of the school system; it is the School Board's duty to ensure safety and to provide a strong curriculum and sound education for the future leaders of the country.

Vice-Mayor Harris asked the following questions:

What characteristics would you look for and value in a School Superintendent?

Mr. Binns advised the School Superintendent should be deeply involved in education, with a Masters Degree in a field of education; and the individual should be concerned about students, the curriculum, and willing to look at the entire school system with an eye toward improving test scores.

What are your thoughts in the broad area of student discipline?

Mr. Binns stated students need to know that the school administration is concerned about their safety, there should be police presence or security in the schools, teachers should have better control over students, and parents should be more actively involved in disciplining their children.

Dr. Cutler asked the following question:

As a School Trustee, how would you stay well informed? Would you settle for information provided by the Superintendent and the immediate staff, or would you have other ways to find out what is going on within the school system? Would you visit the classroom, would you find ways to communicate with teachers and parents, what sources of information would you seek to become a well informed School Board member?

Mr. Binns stated that he would talk with the school administration, but his primary focus would be on parents, teachers, and students who have the highest level of concern. He advised that he would also seek information via the Internet, the public library, Parent-Teacher Associations, and the Roanoke Education Association.

Ms. Wyatt asked the following question:

What is your perception of the relationship of the School Superintendent with central administrative staff, building level staff, administrators, teachers, and support staff?

Mr. Binns stated that he is not familiar with any of the relationships; however, if appointed to the School Board, he would address uniformity of procedures and regulations throughout all of Roanoke's schools.

Mayor Smith asked the following question:

What one thing would you prefer to change in order to better prepare Roanoke's young people to enter the world and the job market?

Mr. Binns advised that he would work to improve the curriculum in order to formulate a plan to improve test scores so that by the time students reach their senior year in high school, they would have a valid selection of colleges to choose from in order to further their education:

The sixth and final person to be interviewed was Ms. Gloria P. Manns:

Ms. Manns advised that she is seeking reappointment to the School Board out of an interest to pursue academic excellence for all students; and Roanoke's schools and principals are working diligently with the Central Council PTA to increase parental involvement, as well as community involvement in the schools on an ongoing basis. She stated that she has the ability to hear what is not being said; to ensure that all children experience a sense of inclusion which will enhance their ability to excel in meeting their educational goals; and many children are bused to different neighborhoods and it is important that they feel they are a part of the learning environment. She added that Roanoke City has a very good school system, but there is always room for improvement; she has had the privilege as a School Board member and as a therapist to offer her services to the school system as Chairman of the Board during the past year; she is an independent thinker who possesses the ability to think "out of box"; she is a team player; as Chairwoman, she has involved School Board members in strategic activities by employing the expertise of individual Board members; and she has tried to maintain a calm and open environment in an effort to learn from each other and to mature as School Board members, while respectfully agreeing to disagree. She stated that she has enjoyed a positive and respectful relationship with the School Superintendent; and she has benefited from the "buddy" system between Council and the School Board. She called attention to a group of professionals that she was instrumental in establishing, known as the Advocates, who address issues such as mental health services, youth services, court services, social services, and the school system. She stated that if reappointed to the School Board, she would like to continue to look at the cultural diversity and socio-economic disparities in Roanoke's schools, the recruitment of more minority teachers, because with 60 plus ethnic groups in Roanoke's school system, there is a need for better representation; more internal upward mobility of staff to administrative positions is needed; and the School Board/Administration should continue to work toward improving Roanoke's School system. She advised that a positive in being appointed to a School Board is the opportunity to do what is "right" rather than what is "popular", and the position allows School Board members to be less subjective and more objective in weighing the merits of issues.

Dr. Cutler asked the following question:

How can the relationship between City Council and the School Board be optimized?

Ms. Manns called attention to the need for the two bodies to continue to work together, and to listen to each other, to plan agenda items well in advance of joint meetings, to continue to participate in the Council/School Board "buddy" system, and to continue holding annual Council/School Board retreats.

Mr. Wyatt asked the following questions:

Do you think that the current process of using the City's Audit Department is effective, or would it be more beneficial for the School Board to employ its own outside independent auditors?

Ms. Manns supported the current system which creates a certain amount of objectivity and noted that if the School Board selected its own auditing firm, it could be said that the firm was biased in its findings, which would defeat the entire purpose of an audit. She stated that there is a good relationship with the Municipal Auditor's Department and the School Board's Audit Committee.

What is your perception of the relationship of the Superintendent with central administrative staff, building level administrators, teachers and support staff?

Ms. Manns advised that she has more knowledge of the Superintendent's relationship with his central administrative staff where there appears to be a sense of loyalty and a good working relationship.

Vice-Mayor Harris asked the following questions:

What qualifications would you look for in the selection of a School Superintendent?

Ms. Manns called attention to the need to ensure that the person is educationally proficient, can relate well to all four quadrants of the City, would establish a good working relationship with the School Board, central administration and building staff, etc., a clear vision that is not necessarily the total vision of the School Board to ensure that Roanoke's children receive the best possible education, seek out and apply innovative ideas for grant applications, and be open minded with good people skills and community skills.

What are your views with regard to student discipline?

Ms. Manns advised that children do not learn unless they are in a clean and safe environment and they want discipline and structure. She stated that consistency in discipline is important; it is also important to look at the reasons for discipline problems which could involve too many children in the classroom, does the instructor need an assistant, what is going on in the child's home, an understanding of the population that is served; and parents should be held more accountable for the actions of their children. She advised that another contributing factor is that schools are not open during evening hours and there may be a need to flex the time of guidance counselors so that they are available to parents.

Mayor Smith asked the following question:

If you could pick one thing you would change in the City's school system to better prepare young people for the world of work, what would you change?

Ms. Manns stated that she would look at the more individualized needs of the children, such as learning and social needs, in order to tap into individual strengths that could lead to success for the child.

The Mayor advised that on May 5, 2003 at 2:00 p.m., or as soon thereafter as the matter may be heard, Council will elect three Trustees to the Roanoke City School Board for terms commencing July 1, 2003, and ending June 30, 2006.

There being no further business, at 6:45 p.m., the Mayor declared the meeting adjourned.

A P P R O V E D

ATTEST:

Mary F. Parker
City Clerk

Ralph K. Smith
Mayor

The City Council meeting reconvened on Friday, April 11, 2003, at 12:00 noon at the Donaldson Brown Hotel and Conference Center and Alumni Hall, Old Guard Room, Virginia Tech, Blacksburg, Virginia, for a meeting of representatives of the Regional Leadership Summit.

PRESENT: Council Members William D. Bestpitch and Mayor Ralph K. Smith----------2.

ABSENT: Council Members William H. Carder, M. Rupert Cutler, Alfred T. Dowe, Jr., C. Nelson Harris and Linda F. Wyatt----------5.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; and Stephanie M. Moon, Deputy City Clerk.

Also present were Wayne G. Strickland, Secretary, Fifth Planning District Regional Alliance; Victor Iannello, Vice-Chair, Fifth Planning District Regional Alliance; Dr. Charles Steger, President, Virginia Polytechnic Institute and State University; Dr. Ray Smoot, Vice-President of Administration and Treasurer, Virginia Polytechnic Institute and State University; Barry DuVal, President and CEO, Kaufman and Canoles Consulting, LLC; Beth Doughty, President, Roanoke Regional Chamber of Commerce; and members of City Councils/Boards of Supervisors and staff of the following localities: Alleghany County, Bedford County, Botetourt County, Franklin County, Montgomery County, Roanoke County, City of Roanoke, City of Salem, Town of Covington and Town of Vinton.

COUNCIL-REGIONAL LEADERSHIP SUMMIT-CENTER IN THE SQUARE: Mr. Strickland introduced Dr. Charles Steger, President, Virginia Tech, for remarks.

On behalf of Virginia Tech, Dr. Steger extended a welcome to Blacksburg, Virginia. He advised that over the years, Virginia Tech has enjoyed a special relationship with the Roanoke Valley and surrounding communities, and has been directly involved in a number of initiatives that have brought education and economic development to the region. He reviewed the following regional initiatives by Virginia Tech:

Issued a challenge to the University community to place Virginia Tech among the nation's top 30 research universities by the end of the decade.

Today's society is knowledge driven, therefore, to stay ahead requires a constant stream of discovery, ideas, and innovation as a university, as a state, and as a nation.

Globalization and rapid technological change continue to place increasingly higher premiums on skilled workers—workers with strong reasoning skills and the ability to stay abreast of expanding knowledge and evolving technologies. The task of educating and training the workforce is the responsibility of a university.

Virginia Tech is the State's largest and most comprehensive research university; however, it is not enough to be the best in the region, or the state.

Every university, every state, and every nation seeks the best students and the best faculty. In our global information economy, the best information, the brightest faculty members, and the most effective course work can be accessed anywhere. Therefore, the quality standard for students, faculty, and workers is the standard set by global excellence, not regional or national.

If Virginia Tech is to continue providing a quality education for its students, to provide an atmosphere of robust research and scholarship, and to attract the best and brightest faculty, the University must be competitive with the best in the nation—and the world.

Reaching for the top 30 goals means that Virginia Tech will strive for academic excellence in all that it does, and will strengthen scholarships in every area of the University.

Faculty members who are on the leading edge of their professions enable the University to provide the highest quality educational experience. A robust environment for research and scholarship attracts the best faculty, who, in turn, will challenge students to engage their mind in the world around them.

Virginia Tech's research agenda is closely tied to its teaching mission so that students benefit from the "process" of discovery, as well as the results.

Top 30 Goal and Economic Development

A thriving research program also engages the University with societal issues and permits Virginia Tech to provide cutting-edge technical assistance to communities and businesses.

As a land grant institution, this is an area where Virginia Tech has traditionally placed great value. Virginia Tech has a history of firm community and business links. It has a tradition of outreach—assisting communities and creating economic development.

Research universities are increasingly becoming the economic development engine for a region. The economic value of research universities to their region has been a consistent theme in studies over the last decade. Virginia Tech increasingly fills that role in Virginia. An economic impact survey, released in August 2000, indicated that Virginia Tech and its affiliates generated $1.2 billion in economic activity in Montgomery County for fiscal year 1999.

Virginia Tech will be a key factor in Virginia's future economic competitiveness. If the Commonwealth of Virginia is to flourish, Virginia Tech must continue to enhance its research resources to serve those people who depend on the University in a greater capacity.

Virginia Tech will bring the greatest benefit to the Roanoke Valley, the Commonwealth of Virginia, and the global community, by being the best educational and research institution it can possibly be.

In conclusion, Dr. Steger stated that the competition is fierce and is constantly changing, formidable investments are being made by institutions across the country, public and private partnerships are emerging that will enable a very small number of institutions to enter into strategic partnerships that will not only be national, but international, and will dominant major research in the next decade, and the choice of Virginia Tech is to become a part of the competition.

Mark McNamee, Virginia Tech Provost and Vice President for Academic Affairs, advised that Virginia Tech has a clear sense of direction and purpose, and in order to be successful in its mission, Virginia Tech must launch a series of research initiatives that will be of benefit to Virginia Tech as it develops as a University, and to promote benefits to the region, the Commonwealth of Virginia, the

nation and the world. He stated that Virginia Tech views itself as competing in a global environment; and in order to manage various issues, Virginia Tech will focus on those issues where it can make a difference, i.e.: research initiatives in engineering and physical science. He added that Virginia Tech lacks in the applied science field, such as biomedical which is an advanced field in technology; and the University is interested in public health, which will be a challenge because a traditional human medical school does not exist on campus.

BRANDING UPDATE: Victor Iannello, Vice Chair, Fifth Planning District Regional Alliance, highlighted primary themes and tactics to propel the region forward; viz: visibility, connectivity, quality of life amenities, knowledge workforce, innovation and entrepreneurship, and economic transformation. He advised that the region must do more to encourage and attract "knowledge economy" companies as it reacts to a continued decline in traditional manufacturing.

Mr. Iannello further stated that the Region should develop a common branding so that information is consistent; a Branding Steering Committee has been appointed consisting of marketing organizations that would use the brand, including the Roanoke Valley Economic Development Partnership, the New River Valley Economic Development Alliance, the Alleghany Highlands Economic Development Corporation, the Roanoke Valley Convention and Visitors Bureau, VA Tech, and participation by local governments; the brand should be inclusive so that the individual identity of the localities will not be lost; and the City of Roanoke has hired a consultant Landor Associates, a world-recognized expert in developing brands for corporations and regions.

He highlighted following process for the branding initiative:

Discovery phase - interviews and research review process,

Strategic platform development - associations that drive brand loyalty, position concepts, position research, naming,

Brand identity development - visual identity, associating the brand with a logo,

Documentation - instructions as to how the brand should be carried forward.

In summary, Mr. Iannello advised that the Roanoke Valley, Alleghany Highlands, New River Valley have a history of cooperation; and branding is important because it will provide a vehicle for the Alliance to educate the community and an opportunity to propel the region forward.

AIRPORT-CONSULTANTS: Beth Doughty, President, Roanoke Regional Chamber of Commerce, presented a brochure with regard to the campaign for fair airfares. She advised that several low-fare airlines provide service to communities of a size similar to the Roanoke region; cities across the country compete to convince airlines to serve their markets; and the Roanoke Regional Airport Alliance has been working with the Roanoke Regional Airport and Roanoke City officials to design incentives to attract a low-fare air carrier.

Barry DuVal, President and CEO, Kaufman and Canoles Consulting, LLC, highlighted the key factors that promote economic competitiveness in a regional economy; i.e.: competitive workforce, intellectual capacity, quality of life, pro-business attitude, and global connectivity; and advised that businesses and leisure travelers are looking for low-cost and frequent air service, with most preferring jet service; and small to medium markets have successful airports that focus on low-cost and frequent perks. He further advised that major airlines are struggling because of significant fixed costs, labor, and operating expenses; whereby another group of carriers in the United States, known as low-fare air carriers are successful, which has caused a trend in small and medium-size markets for air service; and regional alliances consisting of public/private partnerships have formed to recruit low-fare carriers.

He stated that two airports in Virginia have shown growth in the last 12 months – Norfolk and Newport News; i.e.: Southwest Airlines serves Norfolk and AirTran Airways serves Newport News; and two components that are critical to each alliance are strong pledges of support from regional business leaders and communities, and an air service improvement fund which is used to reduce operating costs.

Mr. Duval advised that a preliminary draft of a survey for low-fare air carrier service included profiling all domestic low-fare carriers in the United States based on the carrier's existing route, aircraft needs, type of plane flown, recent route expansions, apparent route development strategies and the type of carrier to serve Roanoke; and the results of the study indicated the following: "All factors considered, AirTran Airways is clearly the candidate best suited to provide low-fare service to Roanoke." He further advised that based on the results of the study, the Roanoke Regional Airport intends to move forward with an initiative to implement a travel pledge campaign from the business communities of all the local jurisdictions in the Roanoke Valley, which will be a critical component to AirTran Airways and any other airline that would like to utilize the results of the study.

He presented copy of a news release advising that the campaign for Fair Airfares has already raised nearly $1.2 million in travel pledges to help attract a low-fare air carrier to the Roanoke Regional Airport; the Roanoke Regional Airport Alliance intends to secure $2 million in pledges by September 2003 from businesses that use Roanoke Regional Airport; and initial pledges were generated by targeting the largest users of the Airport. He explained that the campaign will be rolled out to businesses throughout the airport service area by mail and through a web site, www.roanokefares.com, requesting businesses to pledge to allocate a portion of their annual business travel to AirTran; and the Roanoke Regional Chamber of Commerce will coordinate the campaign with assistance from Chambers of Commerce in the Alleghany Highlands, Lexington-Rockbridge County, Martinsville-Henry County, and Montgomery County.

In closing, Mr. Duval encouraged representatives of the Regional Leadership Summit to discuss the initiative with their constituents because it is critical to businesses in the respective communities to participate in the travel pledge program.

Dr. Ray Smoot advised that Virginia Tech routinely spends about $1 million a year in air travel, and the University received its pledge cards in January. He commented on air service usage by Virginia Tech officials, i.e.: the frequency of Virginia Tech employees flying to destinations served by AirTran Airways and the amount of travel the University could commit to a low-fare carrier.

Ms. Doughty advised that the question of air service has consistently been in the top three issues of concern for Chamber of Commerce members and the ability to compete in the regional economy; and she foresees some promise with the public/private partnership to engage both the public and private sector in efforts to attract a low-fare air carrier. She further advised that the Roanoke Regional Chamber of Commerce is part of the Western Virginia Business and Legislative Coalition which consists of 14 Chambers of Commerce in Western Virginia; and she is optimistic that the Chamber of Commerce has in place the tools and the network to assist localities.

OTHER BUSINESS/ANNOUNCEMENTS:

Mr. Strickland called attention to a two-day workshop on Revitalizing Virginia Communities – Discovering the Tools to Address Brownfield Sites, on May 21 - 22, 2003, at the Hotel Roanoke and Conference Center. He announced that the next Mayors and Chairs meeting will be held on Friday, May 16 at 12:00 noon at Ferrum College in Franklin County, and the meeting for the month of June will be hosted by the City of Salem.

Mayor Smith called attention to discussions with David Goode, Chief Executive Officer, Norfolk Southern Corporation, in connection with a rail excursion in July 2003, in lieu of the next Leadership Summit.

Joseph P. McNamara, Chair, Roanoke County Board of Supervisors, announced that Roanoke County will host the next Leadership Summit in October and Don Davis, Mayor, Town of Vinton, advised that the Town will host the following Leadership Summit.

There being no further business, Mayor Smith declared the meeting of Roanoke City Council adjourned at 1:40 p.m.

APPROVED

ATTEST:

Mary F. Parker
City Clerk

Ralph K. Smith
Mayor

- - - - - - - - - - - - -

The regular meeting of the Council of the City of Roanoke which was convened on Monday, April 7, 2003, and recessed until 1:00 p.m., on Monday, April 21, 2003, was called to order in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular meetings, Code of the City of Roanoke (1979), as amended.

PRESENT: Council Members M. Rupert Cutler, Alfred T. Dowe, Jr., C. Nelson Harris and Mayor Ralph K. Smith----------4.

ABSENT: Council Members William H. Carder, William D. Bestpitch and Linda F. Wyatt----------3.

COUNCIL: Mr. Harris moved that Council convene in Closed Session to discuss a vacancy in a City Council appointed position, pursuant to Section 2.2-3711(A) (1), Code of Virginia, 1950, as amended. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Harris and Mayor Smith----------4.

NAYS: None----------0.

(Council Members Carder, Bestpitch and Wyatt were absent when the vote was recorded; however, Mr. Bestpitch and Ms. Wyatt entered the meeting after the Council convened in Closed Session.)

At 1:05 p. m., the Mayor declared the meeting in recess for one Closed Session.

At 1:55 p.m., the meeting reconvened in the Council Chamber, with Vice-Mayor Harris presiding and all Members of the Council in attendance, with the exception of Council Members Wyatt and Carder and Mayor Smith.

COUNCIL: With respect to the Closed Meeting just concluded, Mr. Bestpitch moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Cutler, Dowe and Vice-Mayor Harris-------4.

NAYS: None----------0.

(Council Members Carder, Wyatt and Mayor Smith were absent.)

There being no further business, the Vice-Mayor declared the April 7, 2003 City Council meeting, which was recessed until Monday, April 21, 2003 at 1:00 p.m., adjourned.

APPROVED

ATTEST:

Mary F. Parker
City Clerk

Ralph K. Smith
Mayor

- - - - - - - - - - - - - -

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

June 2, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Beverly T. Fitzpatrick, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Conveyance of City-owned Property and Encroachment into Public Right-of-Way – Hamilton Terrace, SE

Pursuant to the requirements of the Virginia Code, the City of Roanoke is required to hold a public hearing on the proposed conveyance of property rights and encroachments into public right-of-way. This is to request that a public hearing be advertised on the above matter for Council's regular meeting to be held on Monday, June 16, 2003. A full report will be included in the June 16, 2003, agenda material for your consideration.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB/SEF

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Sarah E. Fitton, Engineering Coordinator

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June 2, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Beverly T. Fitzpatrick, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Tax Exemption Request from the Lutheran Nursing Homes of Virginia LLC

Pursuant to the requirements of the Virginia Code, the City of Roanoke is required to hold a public hearing on a request from the Lutheran Nursing Homes of Virginia LLC, a non-profit organization, for tax exemption of certain property in the City. This is to request that a public hearing be advertised on the above matter for Council's regular meeting to be held on Monday, June 16, 2003. A full report will be included in the June 16, 2003, agenda material for your consideration.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB/vst

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Barry L. Key, Director of Management and Budget

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June 2, 2003

Honorable Ralph K. Smith, Mayor
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Honorable William D. Bestpitch, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Beverly T. Fitzpatrick, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Tax Exemption Request from the Virginia Lutheran Homes-Brandon Oaks LLC

Pursuant to the requirements of the Virginia Code, the City of Roanoke is required to hold a public hearing on a request from the Virginia Lutheran Homes-Brandon Oaks LLC, a non-profit organization, for tax exemption of certain property in the City. This is to request that a public hearing be advertised on the above matter for Council's regular meeting to be held on Monday, June 16, 2003. A full report will be included in the June 16, 2003, agenda material for your consideration.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB/vst

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Barry L. Key, Director of Management and Budget

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June 2, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Beverly T. Fitzpatrick, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Tax Exemption Request from the Presbyterian Community Center, Inc.

Pursuant to the requirements of the Virginia Code, the City of Roanoke is required to hold a public hearing on a request from the Presbyterian Community Center, Inc., a non-profit organization, for tax exemption of certain property in the City. This is to request that a public hearing be advertised on the above matter for Council's regular meeting to be held on Monday, June 16, 2003. A full report will be included in the June 16, 2003, agenda material for your consideration.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB/vst

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Barry L. Key, Director of Management and Budget

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June 2, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Beverly T. Fitzpatrick, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Tax Exemption Request from the Blue Ridge Small Business Center, Inc.

Pursuant to the requirements of the Virginia Code, the City of Roanoke is required to hold a public hearing on a request from the Blue Ridge Small Business Center, Inc., a non-profit organization, for tax exemption of certain property in the City. This is to request that a public hearing be advertised on the above matter for Council's regular meeting to be held on Monday, June 16, 2003. A full report will be included in the June 16, 2003, agenda material for your consideration.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB/vst

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Barry L. Key, Director of Management and Budget

CITY OF ROANOKE

CITY COUNCIL
215 Church Avenue, S.W.
Noel C. Taylor Municipal Building, Room 456
Roanoke, Virginia 24011-1536
Telephone: (540) 853-2541
Fax: (540) 853-1145

RALPH K. SMITH
Mayor

Council Members:
William D. Bestpitch
M. Rupert Cutler
Alfred T. Dowe, Jr.
Beverly T. Fitzpatrick, Jr.
C. Nelson Harris
Linda F. Wyatt

June 2, 2003

The Honorable Mayor and Members
of Roanoke City Council
Roanoke, Virginia

Dear Mayor Smith and Members of Council:

Attached for your consideration is a Resolution that provides for the reconstitution of the Roanoke Partnership Steering Committee (RNPSC) as the Roanoke Neighborhood Advocates (RNA), stating the objectives, duties and responsibilities of the RNA, and repealing Resolution No. 25394, effective July 1, 2003.

The Roanoke Neighborhood Partnership, a public/private partnership including neighborhood, businesses, civic and human service agencies, and the City government, has been actively involved in supporting community activities since 1980. It has grown from the initial four neighborhood groups to an active membership of 32 neighborhoods and 2 business organizations. The Partnership has evolved from its initial role of supporting and developing organizations to providing technical assistance on a range of projects such as the creation of neighborhood development corporations, neighborhood watch programs, leadership training, grant writing, and self-sufficiency.

On December 17, 2001, City Council concurred in the formation of an ad hoc study committee to review the design, role and responsibilities of the RNPSC. Current RNPSC chairman Carl Cooper, RNPSC members Robin Murphy-Kelso and Paula Prince, former Council Member Bill Carder, and I served on the study committee, with staff support from Assistant City Manager Rolanda Russell and Roanoke Neighborhood Partnership Coordinator Stephen Niamke. The committee held public hearings and met with the RNPSC to reach consensus on the proposed mission and goal of the reconstituted organization. The committee worked with the City Attorney's Office to draft the attached resolution.

The first task of RNA will be to develop a set of by-laws outlining its mode of governance and operating rules. The by-laws will be submitted to City Council for endorsement no later than December 31, 2003, and thereafter be made available to the interested neighborhood organizations and the general public.

I respectfully request your concurrence in approving the attached Resolution to reconstitute the Roanoke Neighborhood Partnership Steering Committee as the Roanoke Neighborhood Advocates.

Sincerely,

William D. Bestpitch
Council Member

WDB:snh

Attachment

pc: Darlene L. Burcham, City Manager
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Mary F. Parker, City Clerk

SJT 5/29/03

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION providing for the reconstitution of the Roanoke Neighborhood Partnership Steering Committee as the Roanoke Neighborhood Advocates (RNA), stating the objectives, duties and responsibilities of the RNA, and repealing Resolution No. 25394, effective July 1, 2003.

WHEREAS, the City of Roanoke's future depends upon the vitality of its neighborhoods, and the Council of the City of Roanoke ("Council") wishes to encourage the growth, in number and capacities, of wide varieties of neighborhood-based organizations; and

WHEREAS, this Council wishes to reconstitute the Roanoke Neighborhood Partnership Steering Committee ("RNPSC") as the Roanoke Neighborhood Advocates ("RNA") and set forth the duties and responsibilities of the RNA.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The Roanoke Neighborhood Partnership Steering Committee ("RNPSC") shall be reconstituted as the Roanoke Neighborhood Advocates ("RNA"), effective July 1, 2003.

2. The RNA shall do the following:

(a) create, develop, implement and maintain a strategic business plan that directs the activities of the organization toward effective advocacy on behalf of the neighborhoods of Roanoke;

(b) advise this Council and the City's administration concerning existing and proposed public policies affecting the vitality of neighborhoods and neighborhood organizations;

(c) inform neighborhood-based organizations and the public of existing and proposed public policies and courses of action that support neighborhoods and neighborhood organizations;

(d) advise neighborhood-based organizations in building their organizational, administrative and advocacy capacities;

(e) oversee preparation of an annual State of the Neighborhoods report to this Council that meets the requirements of Action NH A10 and A11 of Vision 2001 – 2020;

(f) oversee the administration of the Neighborhood Grant Program, and Community Development Block Grant funds and City of Roanoke General Fund grants pursuant to the Neighborhood Grant Program, such funds and grants to meet criteria established by the RNA;

(g) advise the Department of Housing and Neighborhood Services ("DHNS") concerning neighborhoods and neighborhood organizations; and

(h) assist and work in partnership with the Roanoke Neighborhood Partnership and the DHNS in the recruitment of volunteers, outreach and support to neighborhoods and neighborhood organizations by serving as a liaison to neighborhood groups, regularly attending neighborhood meetings, being involved in community projects, trainings, or other activities, and providing written feedback and recommendations about needs, events, and activities in neighborhoods.

3. Staff functions, staff support and resources shall be performed for the RNA as agreed between the RNA and the City administration.

4. The RNA shall consist of thirteen (13) members, and the RNA shall recommend potential appointees to this Council when vacancies occur.

5. In order to establish the RNA, this Council shall select seven (7) of the initial appointees, at least five (5) of whom shall be from the current membership of the RNPSC, and the initial seven (7) appointees selected by this Council shall select the remaining six (6) members of the RNA, at least four (4) of whom shall be selected from the RNPSC.

6. Appointment to the RNA shall be for a term of three (3) years on a rotating basis.

7. The RNA shall develop its bylaws and submit the same to this Council for approval by December 31, 2003.

8. Resolution No. 25394, adopted November 24, 1980, is hereby repealed, effective July 1, 2003.

ATTEST:

City Clerk.

CITY OF ROANOKE

CITY COUNCIL
215 Church Avenue, S.W.
Noel C. Taylor Municipal Building, Room 456
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Telephone: (540) 853-2541
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RALPH K. SMITH
Mayor

Council Members:
William D. Bestpitch
M. Rupert Cutler
Alfred T. Dowe, Jr.
Beverly T. Fitzpatrick, Jr.
C. Nelson Harris
Linda F. Wyatt

June 2, 2003

The Honorable Mayor and Members
of the Roanoke City Council
Roanoke, Virginia

Dear Mayor Smith and Members of Council:

At the Council meeting on Monday, March 17, 2003, Star Solutions and Fluor addressed City Council with regard to Interstate 81. Proposals were submitted to the Virginia Department of Transportation to expand the number of lanes and other appurtenances on I-81; however, minimal rail freight proposals included in the Star Solutions and Fluor Public Private Partnership Act proposals do not adequately address rail freight potential in the whole I-81 corridor.

We recommend that Council adopt the attached resolution petitioning the development and promotion of rail freight and passenger service parallel to I-81, to complement limited highway-widening and to move a large volume of the long-distance freight traffic from trucks on I-81 to freight trains on dual track, high-speed rails parallel to I-81.

Sincerely,

William D. Bestpitch
Council Member

M. Rupert Cutler
Council Member

WDB:MRC:sm

Attachment

N:\cksm1\Agenda.03\I-81 Proposal.wpd

WMH

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION supporting rail alternatives to complement planned improvements to I-81.

WHEREAS, the 1-81 corridor is increasingly the route of choice for trucks traveling between the northeast and the south and southwest because of congestion on 1-95 and expanding shipments generated by the North American Free Trade Act;

WHEREAS, two multi-national corporations, Halliburton and Fluor Corporations, have submitted proposals to the Virginia Department of Transportation (VDOT) to expand the number of lanes and other appurtenances on 1-81;

WHEREAS, Norfolk-Southern Corporation estimates that seventy percent (70%) of truck traffic on 1-81 passes through Virginia to destinations south or north;

WHEREAS, the minimal rail freight proposals included in the Star Solutions and Fluor Public Private Partnership Act proposals do not adequately address rail freight potential in the whole 1-81 corridor;

WHEREAS, these same proposals provide no option for passenger rail, although upgrading the corridor's main rail line secures the passenger rail option;

WHEREAS, the Commonwealth of Virginia is now planning the future of the 1-81 corridor, those decisions containing dramatic impacts for the future of western Virginia;

WHEREAS, the Commonwealth of Virginia's decision on this corridor will determine whether 1-8 I and connecting interstates will become a multi-state "East Coast Truck By-Pass;"

WHEREAS, the increased use of railroads to move freight will improve safety by reducing dangerous vehicular congestion on I-81, improve energy conservation by reducing the amount of diesel fuel consumed for freight transportation, and improve the health of people and other forms of life in western Virginia by dampening the rate of increase in diesel engine-generated toxic emissions along I-81; and

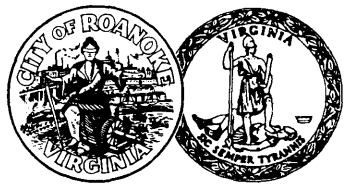
WHEREAS, the creation of additional freight rail capacity paralleling I-81, in Virginia and Tennessee, may spur creation of new freight rail capacity nationwide, resulting in more shipping options at lower cost for the Nation's businesses.

THEREFORE, BE IT RESOLVED that the Council of the City of Roanoke strongly petitions for the development and promotion of rail freight and passenger service parallel to I-81, to complement limited highway-widening and to move a large volume of the long-distance freight traffic from trucks on I-81 to freight trains on dual track, high-speed rails parallel to I-81.

ATTEST:

City Clerk.

OFFICE OF CLERK OF CIRCUIT COURT



TWENTY-THIRD JUDICIAL CIRCUIT OF VIRGINIA

Mary Jane Barrett
Chief Deputy
Jeanne M. Bailey - Criminal Adm.
Kathy S. Golladay - Civil Adm.

ARTHUR B. CRUSH, III
CLERK

CIRCUIT COURT OF THE CITY OF ROANOKE

315 Church Avenue, S.W.
P.O. Box 2610
Roanoke, Virginia 24010
Criminal: (540) 853-6723
Civil: (540) 853-6702

June 2, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Council Member
Honorable Beverly T. Fitzpatrick, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council

Subject: Virginia Circuit Court Records
Preservation Program Grant
Library of Virginia

Background:

The Clerk of the Circuit Court is responsible, by statute, for the recordation of legal instruments. These instruments include: Land Records, Marriage Licenses, Financing Statements, Assumed Names, Wills, and other Probate Records, and Law, Chancery, and Criminal Orders. These records must be maintained and be available to the public.

The Virginia Circuit Court Records Preservation Program of the Library of Virginia has awarded the City of Roanoke Circuit Court Clerk's Office a grant to provide a Digital Closed Circuit TV Monitoring and Recording System.

This system is a much needed addition in this office's continuing efforts to provide the maximum protection possible, for not only the records (most of which are to be retained permanently) but the employees as well.

Considerations:

Bids for this project were opened on October 10, 2002. The bids were originally for both a Fire Detection System and a Monitoring System. After reviewing the bids, the Library of Virginia elected to fund only the Monitoring System at this time. From the submitted bids, they have chosen Hudson-Payne Electronics Corporation to provide the Digital Closed Circuit TV Monitoring and Recording System. They have awarded a grant in the amount of $17162. for purchase and installation of this system. No matching local funds are required.

City Council action is needed to formally accept and appropriate funds provided by this Grant.

Recommended Action:

Authorize the Clerk of Circuit Court, the Grant recipient to execute the grant agreement: such agreement to be approved as to form by the City Attorney.

Authorize the Director of Finance to establish a revenue estimate in the amount of $17,162 in the Grant Fund and appropriate funding to an expenditure account entitled "Virginia Court Records Grant".

Respectfully submitted,

Arthur B. Crush, III
Clerk of Circuit Court

ABCIII:jmh

c: Darlene L. Burcham, City Manager
Jesse A. Hall, Director of Finance
William M. Hackworth, City Attorney

Mary F. Parker, City Clerk
George Mcmillan, Sheriff

CM03-00104

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

June 2, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable W. D. "Bill" Bestpitch, Council Member
Honorable William H. Carder, Vice Mayor
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Virginia Circuit Court Records Preservation Program Grant Library of Virginia

I concur with the recommendation from Arthur B. Crush, Clerk of Circuit Court, for the City of Roanoke, with respect to the subject reference above and recommend that City Council authorize the Clerk of Circuit Court to execute the grant agreement and appropriate funding in the amount of $17,162.00.

Sincerely,

Darlene L. Burcham
City Manager

DLB:sm

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance

AHS

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2002-2003 Grant Fund Appropriations be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Judicial Administration	$869,356
Virginia Court Records (1)	17,162

Revenues

Judicial Administration	$869,356
Virginia Court Records (2)	17,162

1) Expendable Equipment <$5,000	(035-120-5000-2035)	$17,162
2) State Grant Receipts	(035-120-5000-5000)	17,162

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION authorizing acceptance of a grant award from the Virginia Circuit Court Records Preservation Program of the Library of Virginia, to the Clerk of the Circuit Court for the purchase and installation of a Digital Closed Circuit Television Monitoring and Recording System, and authorizing the Clerk of the Circuit Court to execute any and all necessary documents to comply with the terms and conditions of the grant.

BE IT RESOLVED by the Council of the City of Roanoke that:

1. The grant award from the Virginia Circuit Court Records Preservation Program of the Library of Virginia, to the Clerk of the Circuit Court for the purchase and installation of a Digital Closed Circuit Television Monitoring and Recording System, in the amount of $17,162.00, as set forth in the Clerk of the Circuit Court's letter to Council dated June 2, 2003, is hereby ACCEPTED.

2. The Clerk of the Circuit Court is authorized to execute any and all requisite documents pertaining to the acceptance of these funds and to furnish such additional information as may be required in connection with the acceptance of these grant funds. All documents shall be approved by the City Attorney.

ATTEST:

City Clerk.

OFFICE OF CLERK OF CIRCUIT COURT

TWENTY-THIRD JUDICIAL CIRCUIT OF VIRGINIA

Mary Jane Barrett
Chief Deputy
Jeanne M. Bailey - Criminal Adm.
Kathy S. Golladay - Civil Adm.

ARTHUR B. CRUSH, III
CLERK

CIRCUIT COURT OF THE CITY OF ROANOKE

315 Church Avenue, S.W.
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June 2, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Beverly T. Fitzpatrick, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Acceptance of Compensation Board Technology Trust Funds Reimbursement

Background:

The Clerk of the Circuit Court is responsible, by statute, for the recordation of legal Instruments. These instruments include: Land Records, Marriage Licenses, Financing Statements, Assumed Names, Wills and other Probate Records, and Law, Chancery and Criminal Orders. These records must be maintained and be available to the public.

The Compensation Board through the Technology Trust Fund has made available funds to be allocated toward contractual obligations for those offices that have indicated funds were needed.

The Circuit Court Clerk's Office for the City of Roanoke has been allocated for reimbursement in the amount of $20901.

Considerations:

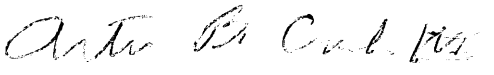
The acceptance of these funds are vital to the Circuit Court Clerk's Office meeting the year end budget obligations.

Recommended Action:

Authorize the City Manager to accept funds from the Compensation Board Technology Trust Fund in the amount of $20901.

Authorize the Director of Finance to establish a revenue estimate in the Grant Fund in the amount of $20901 and appropriate the same to an account to be established entitled Circuit Court technology Trust Funds FY03.

Respectfully submitted,



Arthur B. Crush, III
Clerk of Circuit Court

ABCIII:jmh

c: Darlene L. Burcham, City Manager
Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance

CM03-00105

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

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June 2, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable W. D. "Bill" Bestpitch, Council Member
Honorable William H. Carder, Vice Mayor
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Acceptance of Compensation Board Technology Trust Funds Reimbursement

I concur with the recommendation from Arthur B. Crush, Clerk of Circuit Court, for the City of Roanoke, with respect to the subject reference above and recommend that City Council authorize the City Manager to execute the requisite documents to obtain the funding from the Compensation Board-Technology Trust Fund and authorize the Director of Finance to appropriate funding to the Expenditure Account.

Sincerely,

Darlene L. Burcham
City Manager

DLB:sm

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance

A415

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2002-2003 Grant Fund Appropriations be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Judicial Administration	$873,095
Compensation Board - Technology Trust Funds FY2003 (1)	20,901

Revenues

Judicial Administration	$873,095
Compensation Board - Technology Trust Funds FY2003 (2)	84,325

1) Maintenance Contracts	(035-120-5143-2005)	$20,901
2) State Grant Receipts	(035-120-5143-5145)	20,901

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION authorizing acceptance of funds from the Commonwealth of Virginia Compensation Board through the Technology Trust Fund, to provide reimbursement to the Clerk of the Circuit Court for contractual obligations providing technology services, and authorizing the Clerk of the Circuit Court to execute any and all necessary documents to comply with the terms and conditions as required for such reimbursement.

BE IT RESOLVED by the Council of the City of Roanoke that:

1. Funds from the Commonwealth of Virginia Compensation Board through the Technology Trust Fund, to provide reimbursement to the Clerk of the Circuit Court for contractual obligations providing technology services, in the amount of $20,901.00, as set forth in the Clerk of the Circuit Court's letter to Council dated June 2, 2003, are hereby ACCEPTED.

2. The Clerk of the Circuit Court is authorized to execute any and all requisite documents pertaining to the acceptance of these funds and to furnish such additional information as may be required in connection with the acceptance of these funds. All documents shall be approved by the City Attorney.

ATTEST:

City Clerk.

CITY OF ROANOKE
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June 2, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice-Mayor
Honorable Beverly T. Fitzpatrick, Jr.. Council Member
Honorable William D. Bestpitch, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Recommendations of the Roanoke Arts Commission Agency Funding Advisory Committee

Background:

The Roanoke Arts Commission Agency Funding Advisory Committee budget in the amount of $322,482 was established by City Council with the adoption of the general fund budget for FY 2003-04. This total represents an increase in funding of $33,370. Requests from 16 agencies totaling $452,750 were received as indicated on Attachment A. Committee members studied each application prior to an allocation meeting held on April 1, 2003. Agencies were notified of tentative allocations and advised they could appeal these recommendations. No appeals were filed.

Recommended Action:

Transfer $322,482 as cited on Attachment A from the Roanoke Arts Commission Agency Funding Advisory Committee, account 001-310-5221-3700, to new line items to be established within the Roanoke Arts Commission Agency Funding Advisory Committee budget by the Director of Finance for FY 2003-04.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:gr

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Elizabeth A. Neu, Director of Economic Development

CM003-00089

2003-2004 AGENCY FUNDING ADVISORY COMMITTEE REQUEST & ALLOCATIONS
ROANOKE ARTS COMMISSION

Attachment A

AGENCY	2001-2002 Appropriation	2002-2003 Request	2002-2003 Recommendation	2003-2004 Request	2003-2004 Recommendation
Arts Council of the Blue Ridge	11,500.00	13,500.00	12,500.00	13,500.00	13,165.47
Art Museum of Western VA	14,000.00	15,806.00	14,000.00	20,500.00	17,165.47
Blue Ridge Public Television	4,500.00	-0-	-0-	-0-	-0-
Blue Ridge Zoological Society of VA	10,047.00	13,000.00	10,500.00	10,500.00	10,465.47
Downtown Music Lab	-0-	-0-	-0-	10,000.00	6,965.47
Harrison Museum/African-American	17,223.00	57,854.00	28,750.00	45,500.00	30,365.47
Julian Stanley Wise Foundation	1,895.00	20,000.00	-0-	20,000.00	-0-
Mill Mountain Playhouse Co.	9,500.00	12,500.00	10,,500.00	12,500.00	11,665.47
Opera Roanoke	6,272.00	7,500.00	6,500.00	8,500.00	7,965.47
Roanoke Ballet Theatre	1,875.00	1,500.00	1,500.00	10,000.00	5,965.47
History Museum & Historical Society of Western Virginia	9,125.00	10,000.00	9,500.00	10,000.00	9,965.47
Roanoke Symphony Society	21,500.00	40,000.00	21,500.00	40,000.00	26,865.47
Science Museum of Western VA	32,375.00	102,000.00	40,112.00	100,000.00	52,665.47
Southwest Virginia Ballet	2,250.00	5,000.00	2,000.00	5,000.00	2,615.47
Virginia's Explore Park	36,750.00	36,750.00	36,750.00	36,750.00	36,715.47

2003-2004 AGENCY FUNDING ADVISORY COMMITTEE REQUEST & ALLOCATIONS
ROANOKE ARTS COMMISSION

Attachment A

AGENCY	2001-2002 Appropriation	2002-2003 Request	2002-2003 Recommendation	2003-2004 Request	2003-2004 Recommendation
Virginia Museum of Transportation	85,000.00	100,000.00	85,000.00	100,000.00	79,965.47
*Young Audiences of Virginia	-0-	15,000.00	4,000.00	4,000.00	3,965.42
Monitoring	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00
TOTAL	$275,187.00	$456,410.00	$289,112.00	$452,750.00	322,482.00

One New Application - Downtown Music Lab

AHS

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2003-2004 General Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2003-2004 General Fund Appropriations be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Parks, Recreation and Cultural			$ 5,349,619
Roanoke Arts Commission (1-17)			322,482
1)	Virginia Transportation Museum	(001-310-5221-3714)	$ 79,965
2)	Roanoke Symphony Society	(001-310-5221-3736)	26,865
3)	Mill Mountain Theatre	(001-310-5221-3749)	11,665
4)	Explore Park	(001-310-5221-3758)	36,716
5)	Opera Roanoke	(001-310-5221-3762)	7,966
6)	Science Museum of Western Virginia	(001-310-5221-3774)	52,666
7)	Roanoke Valley History Museum	(001-310-5221-3776)	9,966
8)	Roanoke Ballet Theatre	(001-310-5221-3779)	5,965
9)	Southwest Virginia Ballet	(001-310-5221-3794)	2,615
10)	Young Audiences of Virginia	(001-310-5221-3802)	3,966
11)	Arts Council of the Blue Ridge	(001-310-5221-3909)	13,165
12)	Art Museum of Western Virginia	(001-310-5221-3910)	17,166
13)	Blue Ridge Zoological Society of Virginia	(001-310-5221-3911)	10,465
14)	Downtown Music Lab	(001-310-5221-3912)	6,966
15)	Harrison Museum/ African-American	(001-310-5221-3913)	30,365
16)	Monitoring	(001-310-5221-3914)	6,000
17)	Subsidies	(001-310-5221-3700)	(322,482)

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

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June 2, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
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Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Beverly T. Fitzpatrick, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Virginia Outdoors Fund Grant Acceptance

Background:

On an annual basis, the Department of the Interior appropriates federal Land and Water Conservation Funds (LWCF) to state governments for both acquisition and development projects pertaining to parks and outdoor recreational facilities. For the fiscal cycle 2002-03, the Virginia Department of Conservation and Recreation authorized $2,000,000 for local governments to be awarded through the Virginia Outdoors Fund (VOF).

Considerations:

The Department of Parks and Recreation in partnership with both the Washington Park Alliance for Neighborhoods and the Roanoke Valley Greenways Commission submitted a matching grant proposal for funding for the creation of the Brown-Robertson Neighborhood Park on the 8.36-acre tract formerly known as Shadeland. Within the initial phase of Roanoke's park improvement process, $100,000 was dedicated towards development of this park, and such funds will be used as the City's matching component to receive an additional $81,000 LWCF funds. As such, local funding in the amount of $81,000 is available in the account 008-620-9744-9001. These funds will be used for the design and construction process for this park based on what is derived from the neighborhood public forums.

The 2002 Virginia Outdoors Plan (VOP) identifies that additional neighborhood park facilities are needed in economically challenged communities and where specific neighborhoods have no close-to-home recreational opportunities within walking distance; typically within five minutes walking distance from one's home.

Roanoke has received confirmation from the Commonwealth of Virginia (Attachment A) that we would be the recipient of an $81,000 LWCF award provided that a supporting resolution from City Council is established expressing Roanoke's desire to accept and participate within the Land and Water Conservation program. A sample resolution has been provided by the Virginia Department of Conservation and Recreation (Attachment B).

Recommended Action:

Adopt a resolution of support addressing and accepting Land and Water Conservation Funding in the amount of $81,000 for the development of the Brown-Robertson Neighborhood Park.

Appropriate grant funding and establish a corresponding revenue estimate of $81,000 in accounts to be established by the Director of Finance in the grant fund entitled "Virginia Outdoors Fund Grant." Transfer local match funding of $81,000 from account 008-620-9744-9001 to the same grant account.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:kaj

Attachments

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Steven C. Buschor, Director of Parks and Recreation
Rolanda B. Russell, Assistant City Manager for Community Development

#CM03-00094

W. Tayloe Murphy, Jr.
Secretary of Natural
Resources

Joseph H. Maroon
Director

COMMONWEALTH of VIRGINIA

DEPARTMENT OF CONSERVATION AND RECREATION

203 Governor Street, Suite 326
TDD (804) 786-2121 Richmond, Virginia 23219-2010 (804) 786-2556 FAX (804) 371-7899

August 14, 2002

Mr. Steven C. Buschor, Director
Parks and Recreation Department
City of Roanoke
210 Reserve Avenue, SW
Roanoke, Virginia 24016

Dear Mr. Buschor:

On May 24, 2002, Mr. Joseph H. Maroon, Director of the Department of Conservation and Recreation (DCR), notified you on tentative approval of a $81,000 Virginia Outdoors Fund/Land and Water Conservation Fund (L&WCF) grant for Brown-Robertson Park Developments. I am pleased to inform you that the National Park Service (NPS) has concurred with DCR's recommendation.

Enclosed are two (2) copies of the project grant agreement that have been signed by Director Maroon. Now we request that both copies be signed on behalf of your agency. After this has been completed – one of the original copies is for your records; the other must be returned to the address below. In addition, the enclosed federal tax form must be completed and returned to us. This agreement **shall not be valid** until DCR receives these documents.

Department of Conservation and Recreation
Division of Planning and Recreation Resources
Virginia Outdoors Fund #51-00367
203 Governor Street, Suite 326
Richmond, VA 23219-2010

Also enclosed are environmental comments we have received on the project. This agency may receive additional project comments. If any pertinent comments are received prior to the start of project developments, this information will be forwarded to your project manager.

The final enclosure is a copy of the program Fiscal Procedures. This document provides information on proper procurement and grant reimbursement. Please contact Jerry Cassidy at (804) 786-3218 if you have questions or need additional guidance related to the administration of this grant project.

We look forward to working with the City of Roanoke on the completion of this Virginia Outdoors Fund project.

Sincerely,

John R Davy

John R. Davy, Division Director
Planning and Recreation Resources

Enclosures
cc: Jerry L. Cassidy (w/o enclosures)

GOVERNING RESOLUTION

All VOF grant applications must include a resolution of project support from the local governmental body. A sample resolution is included herein.

Sample Resolution

At the last meeting of the (Project Sponsor) held in the Meeting Room of the (Project Location) on (Date) the following resolution was adopted.

WHEREAS, the Department of Conservation and Recreation (DCR), provides funds to assist political subdivisions of the Commonwealth of Virginia in acquiring and developing open space and park lands; and

WHEREAS, there are urgent needs within the (Political Subdivision) to develop park land; and

WHEREAS, this area is deemed of high acquisition and development priority by said (Project Sponsor) and shall be referred to as (Project Title).

WHEREAS, in order to attain funding assistance from DCR, it is necessary that the (Project Sponsor) guarantee that a proportionate share of the cost thereof is available; and

WHEREAS, the proportionate project share (Specify Dollars) is funded by the (Project Sponsor)

NOW, THEREFORE, BE IT RESOLVED BY THE (Project Sponsor that (Executive Officer's Title) is hereby authorized to cause such information or materials as may be necessary to be provided to the Department of Conservation and Recreation (DCR) and to enter into such agreements as may be necessary to permit the formulation, approval and funding of the (Project Title) Project.

AND BE IT FURTHER RESOLVED, the (Project Sponsor) gives its assurance that the funds needed as the proportionate share of the cost of the approved program will be provided, up to $ (Sponsor Share).

AND BE IT FURTHER RESOLVED, that the (project Sponsor) gives its assurance that the General Provisions of the Land and Water Conservation Fund Act (L&WCF) and the Virginia Outdoors Fund Fiscal Procedures will be complied with in the administration of this project.

AND BE IT FURTHER RESOLVED, that the (Project Sponsor) will operate and maintain the public recreation facility in good condition and will provide permanent project acknowledgement signs of the participating funding agencies and that this signage will clearly state that the said facility is a "public" recreational facility.

AND BE IT FURTHER RESOLVED, that the (Project Sponsor) shall dedicate the metes and bounds of the (Project Name) properties, in perpetuity, for public outdoors recreational purposes in accordance with the Land and Water Conservation Fund (L&WCF) Act.

AND BE IT FURTHER RESOLVED, that the (Project Sponsor) gives its assurance that all other applicable federal and state regulations governing such expenditure of funds will be complied with in the administration, development, and subsequent operation of this (Project Name).

AND BE IT FURTHER RESOLVED, that the Department of Conservation and Recreation is respectfully requested to assist in approval and funding of the (Project Title) Project in order to enhance the standard of public recreational enjoyment for all our citizenry.

Voting on the motion was as follows:

AYES:

NAYES:

ATTESTED BY AND NOTARIZED:

AHS

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Capital Projects and Grant Funds Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2002-2003 Capital Projects and Grant Funds Appropriations be, and the same are hereby, amended and reordained to read as follows, in part:

Capital Projects Fund

Appropriations

Recreation	$ 25,689,198
Master Plan Projects (1)	237,302
Recreation	$ 2,076,000
Transfer to Grant Fund (2)	81,000

Grant Fund

Appropriations

Parks and Recreation	$ 192,000
Virginia Outdoors Fund (3-4)	162,000

Revenues

Parks and Recreation	$ 192,000
Virginia Outdoors Fund (5-6)	162,000

1) Appropriated from 1999 Bond Funds	(008-620-9744-9001)	(81,000)
2) Transfer to Grant Fund	(008-530-9712-9535)	81,000
3) Appropriated from 1999 Bond Funds	(035-620-9800-9001)	81,000
4) Appropriated from State	(035-620-9800-9007)	81,000
5) State Grant Receipts	(035-620-9800-9800)	81,000
6) Local Match	(035-620-9800-9801)	81,000

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

WMH

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION requesting funding from the Virginia Department of Conservation and Recreation ("DCR") to assist in the development of Brown-Robertson Neighborhood Park, and authorizing the City Manager to provide sufficient information and materials and to execute such documents as may be necessary to accept the Virginia Outdoors Fund Grant.

WHEREAS, the Virginia Department of Conservation and Recreation provides funds to assist political subdivisions of the Commonwealth of Virginia in acquiring and developing open space and park lands;

WHEREAS, there are urgent needs within the City of Roanoke to develop park land;

WHEREAS, the acquisition and development of a particular area within the City of Roanoke, to be known as Brown-Robertson Neighborhood Park, is a high priority;

WHEREAS, the City of Roanoke desires to create and develop Brown-Robertson Neighborhood Park with the assistance of funding from the DCR;

WHEREAS, in order to attain funding assistance from the DCR, the DCR requires that the City of Roanoke guarantee that a proportionate share of the cost thereof is available; and

WHEREAS, the proportionate share of One Hundred Thousand Dollars and No Cents ($100,000.00) is funded by the City of Roanoke.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The City Manager is hereby authorized to provide such information or materials and to execute such documents as may be necessary to accept the Virginia Outdoors Fund Grant, in the amount of Eighty-One Thousand Dollars and No Cents ($81,000.00) for the creation and development of Brown-Robertson Neighborhood Park.

2. The City of Roanoke gives its assurance that the funds needed as the City of Roanoke's proportionate share of the cost of the creation and development of Brown-Robertson Neighborhood Park, up to One Hundred Thousand Dollars and No Cents ($100,000.00), will be provided.

3. The City of Roanoke gives its assurance that the General Provisions of the Land and Water Conservation Fund Act and the Virginia Outdoors Fund Fiscal Procedures will be complied with in the administration of the creation and development of Brown-Robertson Neighborhood Park.

4. The City of Roanoke will operate and maintain Brown-Robertson Neighborhood Park in good condition and will provide permanent project acknowledgement signs of the participating funding agencies, and such signage will clearly state that Brown-Robertson Neighborhood Park is a "public" recreational facility.

5. The City of Roanoke will dedicate the property within the metes and bounds of Brown-Robertson Neighborhood Park, in perpetuity, for public outdoors recreational purposes in accordance with the Land and Water Conservation Fund Act.

6. The City of Roanoke gives its assurance that all other applicable federal and state regulations governing such expenditure of funds will be complied with in the administration, development, and subsequent operation of Brown-Robertson Neighborhood Park.

7. The Department of Conservation and Recreation is respectfully requested to assist in the approval and funding of the Project in order to enhance the standard of public recreational enjoyment for all our citizenry.

ATTEST:

City Clerk.

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

June 2, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr. Council Member
Honorable Beverly T. Fitzpatrick, Jr. Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Security Alarms Ordinance

Background:

During calendar year 2002 Roanoke Police Officers responded to 7,406 false alarms or to approximately 20 false alarms per day. Of these alarms, 95% were business alarms. False alarm calls are directed to the appropriate agency by City dispatchers who are utilizing a considerable amount of time on these unnecessary calls for service. Safety personnel may respond multiple times for a false alarm to the same location on the same day. False alarms may be due to: improperly trained staff; vermin/birds triggering motion sensors; equipment failure; and the weather. To address the excessive number of false alarms, safety personnel have met and worked with business owners, but the problem of the frequency of false alarms persists.

Several localities were surveyed as to how they address false alarms. Roanoke County and the Town of Vinton have ordinances which establish fees to be charged for multiple false alarms. For example, Roanoke County charges residences and businesses fees of $25.00 to $150.00 for false alarms beginning with the fifth such alarm.

Recommended Action:

Adopt an ordinance amending and re-ordaining the Code of the City of Roanoke (1979), as amended, by adding a new Article II, Security Alarms, to Chapter 23, Police, and providing for an effective date of January 01, 2004. This ordinance will provide for the regulation of the use and operation of security alarm systems operated by alarm company operators in order to enhance public safety and reduce the unnecessary

expenditure of public resources in response to false alarms. This ordinance would not apply to security alarm systems maintained by governmental agencies or departments.

This ordinance regulates commercial establishments and, to a lesser extent, residential establishments. Alarm company operators as well as businesses on whose premises security alarm systems are maintained must register with the City and obtain a permit. A registration fee of $25.00 is required for the first year and $20.00 annually thereafter. The registration requirement provides information to the City about the type of alarm system on the premises and the names of persons designated by the business to respond to the alarm system.

Any business that fails to register must pay a service charge of $100.00 for each false alarm and a charge of $150.00 for the seventh and all subsequent false alarms in a calendar year. Registered businesses are not charged for the first three false alarms during a calendar year, but a service charge of $25.00 is imposed for the fourth false alarm, $50.00 for the fifth false alarm, $100.00 for the sixth false alarm, and $150.00 for the seventh and all subsequent false alarms in a calendar year.

Residences with security alarms will not have to register. No service charge will be imposed upon residential alarm users for the first ten false alarms in a calendar year. Excessive residential false alarms (10 in a calendar year) will lead to a mandated examination of the alarm system by a company of the homeowner's choice or will lead to a site assessment by the Police Crime Prevention Unit. A service charge of fifteen dollars ($15.00) will be assessed for the eleventh false alarm, twenty dollars ($20.00) for the twelfth false alarm, twenty-five dollars ($25.00) for the thirteenth false alarm, and thirty dollars ($30.00) for the fourteenth and all subsequent false alarms in each calendar year provided the residential alarm system user has had the required inspection after the tenth false alarm. If the residential alarm system user has not complied with the inspection requirements after the tenth false alarm, then all subsequent false alarms in that calendar year result in a service charge of thirty dollars ($30.00).

The amount of false alarm service charges collected should decrease as owners properly train their staff to operate/arm their security systems, as efforts are initiated to eliminate vermin/other pests and as motion sensors are repositioned.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:fjd

Attachment

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Rolanda Russell, Assistant City Manager
A. L. Gaskins, Chief of Police

CM03-00101

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE amending the Code of the City of Roanoke (1979), as amended, by adding a new Article III, Security Alarms, to Chapter 23, Police; providing for an effective date; and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. The Code of the City of Roanoke (1979), as amended, is hereby amended and reordained by the addition of new Article III, Security Alarms, to Chapter 23, Police, to read and provide as follows:

ARTICLE III

SECURITY ALARMS

§ 23-35. Purpose and application.

This article provides for the regulation of the use and operation of security alarm systems operated by alarm company operators in order to enhance public safety and reduce the unnecessary expenditure of public resources in response to false alarms. This article shall not apply to security alarm systems maintained by governmental agencies or departments.

§ 23-36. Definitions.

For the purposes of this article, the following words and phrases shall have the following meanings:

Alarm company operator. Any business which engages in the installation, maintenance, alteration, servicing, repairing, replacing or monitoring of a security alarm system, or which causes any of these activities to take place in the City of Roanoke.

Commercial alarm system user. Any person on whose commercial premises a security alarm system is maintained within the city except for security alarm systems on motor vehicles. If, however, an alarm system on a motor vehicle is

connected with an alarm system at a commercial premises, the person using such system is an alarm system user.

False alarm. Any communication generated by or as a result of a security alarm system operated by alarm company operators that results in a response and investigation by a police officer which reveals no evidence or indication of criminal activity or other actual hazard. False alarms shall not include signals activated by unusually severe weather conditions or other causes that are identified by the city manager to be beyond the control of the user. An alarm dispatch request that is canceled by an alarm company operator or other person acting on behalf of the owner of a security alarm system before the responding police officer is actually dispatched shall not be considered a false alarm dispatch.

Hazard. An event requiring urgent attention and to which a police officer is expected to respond.

Permit holder. The owner or tenant of protected premises who has obtained an alarm system user permit.

Person. An individual, firm, partnership, association, corporation, company or organization of any kind.

Protected premises. The premises upon which a security alarm system operated by alarm company operators has been installed for the purpose of detecting a hazard.

Residential alarm system user. Any person on whose residential premises a security alarm system is maintained within the city except for security alarm systems on motor vehicles. If, however, an alarm system on a motor vehicle is connected with an alarm system at a residential premises, the person using such system is an alarm system user.

Security alarm system. An assembly of equipment and devices installed in or for commercial or residential premises and arranged to signal unauthorized intrusion, attempted burglary, robbery, other criminal activity or hazard at the protected premises requiring urgent attention to which police are expected to respond. Such alarm system may be installed, maintained, altered or serviced by an alarm company operator in commercial or residential premises. In this article, the term "security alarm system" shall refer to all systems which are designed to attract the attention and response of the city police department, including alarm bells, sirens, horns and strobe lights which are audible or visible beyond the lot lines of the protected property premises.

§ 23-37. Intentional false alarms.

Any person who without just cause and with intent to interfere with the operations of any police officer calls or summons any police official by engaging or activating a security alarm system shall be guilty of a class one misdemeanor.

§ 23-38. Commercial alarm system user registration and permits.

(a) Every commercial alarm system user shall, within sixty (60) days after the effective date of this article, obtain an alarm system user permit from the city for the operation of such security alarm system. If the security alarm system is to be installed or maintained by an alarm company operator, the alarm company operator may obtain the required permit for the commercial alarm system user. The person applying for the permit required in this section shall state on a permit application form provided by the city the following: name, address of the commercial premises in or for which the security alarm system will be installed, telephone number of the commercial alarm system user, the type of security alarm system (local or monitored), name of the alarm company operator selling or leasing the new or existing security alarm system equipment or services and the names, addresses and telephone numbers of at least two (2) other persons who can be reached at any time, day or night, and who are authorized to respond to an alarm signal and who can open and represent the premises in which the system is installed for reporting and investigative purposes. It shall be the responsibility of the commercial alarm system user to notify the city in writing of any subsequent changes in the information provided on the permit application. Upon approval by the city manager of the permit application, the permit shall be issued to the commercial alarm system user.

(b) Registration applications shall be accompanied by a nonrefundable fee of twenty-five dollars ($25.00) to cover the costs of processing the application. The registration must be renewed annually thereafter at an annual fee of twenty dollars ($20.00). Commercial alarm system users who have registered pursuant to section 12-24, Code of the City of Roanoke (1979), as amended, with regard to fire alarm systems are not required to obtain a security alarm system permit or pay an additional registration fee, but they are required to list information as to both systems on the registration application.

(c) Any commercial alarm system user who operates or allows an alarm system to be operated without first obtaining a permit as required by this section, or who, after having a permit revoked, operates or allows the system to be operated, shall be in violation of this article, and subject to a fine, as provided by section 23-45. The commercial alarm system user to whom the alarm system user permit should have been or was issued, in the case of revocation, shall be the person held in violation.

(d) This permit requirement is intended to assist the police department and the city manager in the administration of the provisions of this article and shall not be deemed to create any special duty with respect to the protected premises beyond that owed to the general public.

§ 23-39. Duties of commercial and residential alarm system users.

(a) Commercial and residential alarm system users shall instruct employees, tenants or others who may have occasion to activate an alarm that security alarm systems are to be activated only in emergency situations to summon an immediate police response and shall instruct as to the operation of the security alarm system, including setting, activation, deactivation and resetting of the alarm. All instructions pertaining to security alarm systems and procedures shall be in written form, suitable for distribution and shall be available for inspection by representatives of the police department. Commercial and residential alarm system users shall be responsible for maintaining their security alarm systems in proper working order.

(b) A commercial or residential alarm system user or person authorized and capable of deactivating the alarm, who allows an alarm to continue to emit an audible signal for thirty (30) minutes after notification of the alarm commencing to emit such signal shall be guilty of a class 4 misdemeanor.

§ 23-40. Alarm company operator registration.

(a) Every alarm company operator shall, within thirty (30) days after the effective date of this article, register with the city on forms provided by the city. The application for registration shall include name of the alarm company operator, names of owners and officers and the services offered by the alarm company operator. It shall be the responsibility of the alarm company operator to notify the city in writing of any subsequent changes in the information provided on the application for registration.

(b) Registration applications shall be accompanied by a nonrefundable fee of twenty-five dollars ($25.00) to cover the costs of processing the application and investigating the applicant. The registration must be renewed annually thereafter at an annual fee of twenty dollars ($20.00). Alarm company operators who have registered pursuant to section 12-26, Code of the City of Roanoke (1979), as amended, with regard to fire alarm systems are not required to register with regard to security alarm systems or pay an additional registration fee, but they are required to list information as to both systems on the registration application.

§ 23-41. Duties of alarm company operators.

(a) No security alarm system shall be installed, monitored, altered, serviced or repaired to a level of operation by an alarm company operator unless the commercial alarm system user has complied with the registration and permit provisions of section 23-38.

(b) Every alarm company operator that installs, monitors, alters, services or repairs a security alarm system after the effective date of this article shall certify on the permit required in section 23-38 that the commercial alarm system user has been instructed in the proper use and operation of the alarm system.

§ 23-42. Service charges imposed upon commercial alarm system users for false alarms.

(a) A service charge of one hundred dollars ($100.00) for each occurrence shall be assessed against the commercial alarm system user of a protected premises that is not registered, as required by this article, who activates, utilizes, operates or maintains a security alarm system operated by alarm company operators within the city for the first, second, third, fourth, fifth and sixth false alarms, and one hundred fifty dollars ($150.00) for the seventh and all subsequent false alarms in each calendar year originating from the protected premises.

(b) No service charge shall apply to the first, second or third false alarm in each calendar year provided the commercial alarm system user is a permit holder. A service charge of twenty-five dollars ($25.00) for each occurrence shall be assessed against the permit holder who activates, utilizes, operates or maintains a security alarm system operated by alarm company operators within the city for the fourth false alarm, fifty dollars ($50.00) for the fifth false alarm, one hundred dollars ($100.00) for the sixth false alarm, and one hundred fifty dollars ($150.00) for the seventh and all subsequent false alarms in each calendar year originating from the protected premises.

(c) The service charge shall be due thirty (30) days from the date of mailing of the bill by the city manager and shall be payable to the city treasurer.

§ 23-43. Inspection requirements and service charges imposed upon residential alarm system Users for false alarms.

(a) Any residential alarm system user experiencing a tenth false alarm in a calendar year shall within thirty (30) days of the tenth false alarm have his security alarm system inspected by an alarm company operator at the cost of the residential alarm system user or, without cost, a site assessment by the police department's crime prevention unit. If an alarm company operator inspects the security alarm system, it shall conduct a complete examination of the security alarm system, including, but not limited to, satisfactory design and installation of

the security alarm equipment, proper functioning of the alarm and education of the residential alarm system user in the proper operation of the security alarm system. The alarm company operator shall record the details of this inspection of a form provided by the police department for this purpose. The completed inspection report shall be returned to the police department by the alarm company operator within seven (7) days of the inspection. The alarm company operator shall provide a copy of the completed inspection report to the residential alarm system user at the same time.

(b) No service charge shall be imposed upon a residential alarm system user for the first through tenth false alarm in each calendar year. A service charge of fifteen dollars ($15.00) for each occurrence shall be assessed against the residential alarm system user who activates, utilizes, operates or maintains a security alarm system operated by alarm company operators within the city for the eleventh false alarm, twenty dollars ($20.00) for the twelfth false alarm, twenty-five dollars ($25.00) for the thirteenth false alarm, and thirty dollars ($30.00) for the fourteenth and all subsequent false alarms in each calendar year originating from the protected premises provided the residential alarm system user has had the inspection required above after the tenth false alarm. If the residential alarm system user has not complied with the inspection requirements of this section after the tenth false alarm, then all subsequent false alarms in that calendar year shall result in a service charge of thirty dollars ($30.00).

(c) The service charge shall be due thirty (30) days from the date of mailing of the bill by the city manager and shall be payable to the city treasurer.

§ 23-44. Failure to pay service charges; revocation of permit.

All service charges assessed against the permit holder, commercial alarm system user of the protected premises if not registered, or residential alarm system user who activates, utilizes, operates or maintains a security alarm system shall be due and owing to the city treasurer. In the event legal action is necessary to collect the service charges, the owner or tenant shall be required to pay for any and all attorneys' fees and other costs expended by the city to collect such funds.

The failure of a permit holder to pay any service charge assessed under this article when due shall constitute grounds for the revocation of its permit by the city manager. The continued operation of a security alarm system by the person who activates, utilizes or maintains a security alarm system after notification that the permit has been revoked shall constitute a class four misdemeanor. A security alarm permit that has been revoked pursuant to this section may be reinstated by the city manager upon payment of all outstanding service charges, a reinstatement fee of fifty ($50.00) dollars, and compliance with all other requirements of this article.

§ 23-45. Appeals.

Upon application in writing by any person against whom a service charge has been assessed under this article, the city manager may waive the service charge for good cause shown.

§ 23-46. Penalties.

Except as otherwise provided, any person who violates any section of this article shall be guilty of a class 3 misdemeanor.

2. This ordinance shall be in full force and effect on and after January 1, 2004.

3. Pursuant to Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

June 2, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable Dr. M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Beverly T. Fitzpatrick, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Fire False Alarms Ordinance

Background:

Roanoke Fire-EMS responded to 1,403 calls for electronic fire alarm system activations in 2002. Of these, approximately 1,300 (95%) responses were for false alarms, accidental alarms or system malfunctions. The number of false alarms is increasing and will continue to do so as more businesses install electrical systems.

The County of Roanoke and the Town of Vinton have ordinances that define fees to be charged for multiple false alarms. For example, Roanoke County charges residences and businesses fees of $25.00 to $150.00 for false alarms beginning with the fifth such alarm. Adopting a service charge structure for responses to false alarms to commercial/retail structures will lower the false alarm incidents, thereby improving public safety.

Considerations:

False alarms substantially impact service delivery, as well as safety to citizens and firefighters. Electronic alarms from commercial/retail structures activate a response from three engines, two aerial ladder trucks, and one command officer. After responding, it is necessary to have fire alarm systems reset. Frequently, building representatives do not respond in a timely manner, and many do not respond at all. Service charges for false alarms will motivate property owners to accept responsibility for their equipment and for the safety of their buildings. Reducing the number of responses to false alarms also reduces the wear and tear on fire apparatus, as well as the risk of injury to citizens and firefighters.

Recommended Action:

Adopt an ordinance amending and re-ordaining the Code of the City of Roanoke (1979), as amended, by adding a new Article III, Fire Alarm Systems, to Chapter 12, Fire Prevention and Protection, and providing for an effective date of January 1, 2004.

The recommended ordinance regulates only commercial establishments. Businesses on whose premises fire alarm systems are maintained and alarm company operators must register with the City and obtain a permit. A registration fee of $25.00 is required for the first year and $20.00 annually thereafter. The registration requirement provides information to the City about the type of alarm system on the premises and the names of persons designated by the business to respond to the alarm system.

Any business that fails to register must pay a service charge of $100.00 for each false alarm and a charge of $150.00 for the seventh and all subsequent false alarms in a calendar year. Registered businesses are not charged for the first three false alarms during a calendar year, but a service charge of $25.00 is imposed for the fourth false alarm, $50.00 for the fifth false alarm, $100.00 for the sixth false alarm, and $150.00 for the seventh and all subsequent false alarms in a calendar year.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:jsf

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
George C. Snead, Jr., Assistant City Manager for Operations
James Grigsby, Fire-EMS Chief

#CM03-00097

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE amending the Code of the City of Roanoke (1979), as amended, by adding a new Article III, Fire Alarm Systems, to Chapter 12, Fire Prevention and Protection; providing for an effective date; and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. The Code of the City of Roanoke (1979), as amended, is hereby amended and reordained by the addition of new Article III, Fire Alarm Systems, to Chapter 12, Fire Prevention and Protection, to read and provide as follows:

ARTICLE III

FIRE ALARM SYSTEMS

§ 12-21. Purpose and application.

This article provides for the regulation of the use and operation of fire alarm systems operated by alarm company operators in order to enhance public safety and reduce the unnecessary expenditure of public resources in response to false alarms. This article shall not apply to fire alarm systems maintained by governmental agencies or departments.

§ 12-22. Definitions.

For the purposes of this article, the following words and phrases shall have the following meanings:

Alarm company operator. Any business which engages in the installation, maintenance, alteration, servicing, repairing, replacing or monitoring of a fire alarm system, or which causes any of these activities to take place in the City of Roanoke.

Alarm system user. Any person on whose commercial premises a fire alarm system is maintained within the city.

False alarm. Any communication generated by or as a result of a fire alarm system operated by alarm company operators that results in a response and investigation by the city's fire/EMS department which reveals no evidence or indication of fire, risk of fire or other actual hazard. False alarms shall not include signals activated by unusually severe weather conditions or other causes that are identified by the city manager to be beyond the control of the user. An alarm dispatch request that is canceled by an alarm company operator or other person acting on behalf of the owner of a fire alarm system before the responding firefighters are actually dispatched shall not be considered a false alarm dispatch.

Hazard. An event requiring urgent attention and to which a firefighter is expected to respond.

Permit holder. The owner or tenant of protected premises who has obtained an alarm system user permit.

Person. An individual, firm, partnership, association, corporation, company or organization of any kind.

Protected premises. The premises upon which a fire alarm system operated by alarm company operators has been installed for the purpose of detecting a hazard.

Fire alarm system. An assembly of equipment and devices installed in or for commercial premises and arranged to signal a fire, risk of fire or hazard at the protected premises requiring urgent attention to which firefighters are expected to respond. Such alarm system may be installed, maintained, altered or serviced by an alarm company operator in commercial premises. In this article, the term "fire alarm system" shall refer to all systems which are designed to attract the attention and response of the city fire department, including alarm bells, sirens, horns and strobe lights which are audible or visible beyond the lot lines of the protected property premises.

§ 12-23. Alarm and suppression system compliance with codes.

(a) Fire alarm systems shall be installed and maintained in accordance with the Uniform Statewide Building Code and National Fire Prevention Association 75.

(b) Fire suppression systems shall be installed in accordance with the Uniform Statewide Building Code and National Fire Prevention Association 13 and/or 13R. Systems shall be maintained in accordance with National Fire Prevention Association 25.

§ 12-24. Alarm system user registration and permits.

(a) Every alarm system user shall, within sixty (60) days after the effective date of this article, obtain an alarm system user permit from the city for the operation of such alarm system. If the fire alarm system is to be installed or maintained by an alarm company operator, the alarm company operator may obtain the required permit for the alarm system user. The person applying for the permit required in this section shall state on a permit application form provided by the city the following: name, address of the commercial premises in or for which the fire alarm system will be installed, telephone number of the alarm system user, the type of fire alarm system (local or monitored), name of the alarm company operator selling or leasing the new or existing fire alarm system equipment or services and the names, addresses and telephone numbers of at least two (2) other persons who can be reached at any time, day or night, and who are authorized to respond to an alarm signal and who can open and represent the premises in which the system is installed for reporting and investigative purposes. It shall be the responsibility of the alarm system user to notify the city in writing of any subsequent changes in the information provided on the permit application. Upon approval by the city manager of the permit application, the permit shall be issued to the alarm system user.

(b) Registration applications shall be accompanied by a nonrefundable fee of twenty-five dollars ($25.00) to cover the costs of processing the application. The registration must be renewed annually thereafter at an annual fee of twenty dollars ($20.00). Alarm system users who have registered pursuant to section 23-38, Code of the City of Roanoke (1979), as amended, with regard to security alarm systems are not required to obtain a fire alarm system permit or pay an additional registration fee, but they are required to list information as to both systems on the registration application.

(c) Any alarm system user who operates or allows a fire alarm system to be operated without first obtaining a permit as required by this section, or who, after having a permit revoked, operates or allows the system to be operated, shall be in violation of this article, and subject to fine, as provided by section 12-31. The alarm system user to whom the fire alarm system user permit should have been or was issued, in the case of revocation, shall be the person held in violation.

(d) This permit requirement is intended to assist the fire department and the city manager in the administration of the provisions of this article and shall not be deemed to create any special duty with respect to the protected premises beyond that owed to the general public.

§ 12-25. Duties of alarm system users.

(a) Alarm system users shall instruct employees, tenants or others who may have occasion to activate an alarm that fire alarm systems are to be activated

only in emergency situations to summon an immediate fire department response and shall instruct as to the operation of the fire alarm system, including setting, activation, deactivation and resetting of the alarm. All instructions pertaining to fire alarm systems and procedures shall be in written form, suitable for distribution and shall be available for inspection by representatives of the fire department. The alarm system user shall be responsible for maintaining the fire alarm system in proper working order.

(b) An alarm system user or person authorized and capable of deactivating the alarm, who allows an alarm to continue to emit an audible signal for thirty (30) minutes after notification of the alarm commencing to emit such signal shall be guilty of a class 4 misdemeanor.

§ 12-26. Alarm company operator registration.

(a) Every alarm company operator shall, within thirty (30) days after the effective date of this article, register with the city on forms provided by the city. The application for registration shall include name of the alarm company operator, names of owners and officers and the services offered by the alarm company operator. It shall be the responsibility of the alarm company operator to notify the city in writing of any subsequent changes in the information provided on the application for registration.

(b) Registration applications shall be accompanied by a nonrefundable fee of twenty-five dollars ($25.00) to cover the costs of processing the application and investigating the applicant. The registration must be renewed annually thereafter at an annual fee of twenty dollars ($20.00). Alarm company operators who have registered pursuant to section 23-40, Code of the City of Roanoke (1979), as amended, with regard to security alarm systems are not required to register with regard to fire alarm systems or pay an additional registration fee, but they are required to list information as to both systems on the registration application.

§ 12-27. Duties of alarm company operators.

(a) No fire alarm system shall be installed, monitored, altered, serviced or repaired to a level of operation by an alarm company operator unless the alarm system user has complied with the registration and permit provisions of section 12-24.

(b) Every alarm company operator that installs, monitors, alters, services or repairs a fire alarm system after the effective date of this article shall certify on the permit required in section 12-24 that the alarm system user has been instructed in the proper use and operation of the fire alarm system.

§ 12-28. Service charges for false alarms.

(a) A service charge of one hundred dollars ($100.00) for each occurrence shall be assessed against the alarm system user of a protected premises that is not registered, as required by this article, who activates, utilizes, operates or maintains a fire alarm system operated by alarm company operators within the city for the first, second, third, fourth, fifth and sixth false alarms, and one hundred fifty dollars ($150.00) for the seventh and all subsequent false alarms in each calendar year originating from the protected premises.

(b) No service charge shall apply to the first, second or third false alarm in each calendar year provided the alarm system user is a permit holder. A service charge of twenty-five dollars ($25.00) for each occurrence shall be assessed against the permit holder who activates, utilizes, operates or maintains a fire alarm system operated by alarm company operators within the city for the fourth false alarm, fifty dollars ($50.00) for the fifth false alarm, one hundred dollars ($100.00) for the sixth false alarm, and one hundred fifty dollars ($150.00) for the seventh and all subsequent false alarms in each calendar year originating from the protected premises.

(c) The service charge shall be due thirty (30) days from the date of mailing of the bill by the city manager and shall be payable to the city treasurer.

§ 12-29. Failure to pay service charges; revocation of permit.

All service charges assessed against the permit holder, or alarm system user of the protected premises if not registered, who activates, utilizes, operates or maintains a fire alarm system shall be due and owing to the city treasurer. In the event legal action is necessary to collect the service charges, the owner or tenant shall be required to pay for any and all attorneys' fees and other costs expended by the city to collect such funds.

The failure of a permit holder to pay any service charge assessed under this article when due shall constitute grounds for the revocation of a fire alarm permit by the city manager. The continued operation of a fire alarm system by the person who activates, utilizes and/or maintains a fire alarm system after notification that the permit has been revoked shall constitute a class four misdemeanor. A fire alarm permit that has been revoked pursuant to this section may be reinstated by the city manager upon payment of all outstanding service charges, a reinstatement fee of fifty ($50.00) dollars, and compliance with all other requirements of this article.

§ 12-30. Appeals.

Upon application in writing by any person against whom a service charge has been assessed under this article, the city manager may waive the service charge for good cause shown.

§ 12-31. Penalties.

Except as otherwise provided, any person who violates any section of this article shall be guilty of a class 3 misdemeanor.

2. This ordinance shall be in full force and effect on and after January 1, 2004.

3. Pursuant to Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
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CityWeb: www.roanokegov.com

June 2, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Beverly T. Fitzpatrick, Jr. Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Revenue Maximization Funding for Human Services

Background:

The Virginia Department of Social Services (VDSS) has recognized that many social services programs are funded with local only dollars when existing budget allocations are exhausted due to lack of state match. VDSS now allows local agencies to develop "Revenue Maximization" Projects to claim federal reimbursement for these local funds.

The City of Roanoke has collected $117,422 though Revenue Maximization projects for FY 03. This amount exceeds the original appropriation by $73,141 for this fiscal year. Federal reimbursement for "reasonable and necessary" expenditures incurred for the proper administration of social services programs accounts for the majority of this overage.

Considerations:

Additional funds reimbursed to a locality as a result of Revenue Maximization shall not be used to replace or supplant funds otherwise appropriated by the locality for human services activities. Accordingly, these costs must be separated from traditional costs and expended to address unmet human services needs. The City of Roanoke will use these funds to better meet the needs of populations that are not fully served by improving utilization management under

the Comprehensive Services Act and providing support for a Substance Abuse Counselor in the Court Services Unit.

Recommended Action:

- Increase the General Fund Revenue estimate by $73,141 to Revenue Maximization Account Number 001-110-1234-0702.

- Appropriate funding in the amount of $73,141 to account 001-630-5315-2010.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:rji

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Barry L. Key, Director of Management and Budget
Vickie L. Price, Acting Director of Human Services
Rolanda B. Russell, Assistant City Manager for Community Development

#CM003-00099

AHS

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2002-2003 General Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2002-2003 General Fund Appropriations be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Health and Welfare	$27,524,683
Social Services-Revenue Maximization (1)	117,422

Revenues

Social Services	$20,195,393
Revenue Maximization Program (2)	117,422

1) Fees for Professional Services	(001-630-5315-2010)	$73,141
2) Revenue Maximization Program	(001-110-1234-0702)	73,141

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

June 2, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Beverly T. Fitzpatrick, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Annual Operating Budget Hotel Roanoke Conference Center Commission for Fiscal Year 2003-2004

Background:

The Hotel Roanoke Conference Center Commission was created by the Virginia General Assembly in 1991 to construct, equip, maintain and operate the Conference Center of Roanoke adjacent to the Hotel Roanoke. The City of Roanoke and Virginia Tech are participating entities in the Commission. In 1992, City Council authorized the establishment of an Agency Fund entitled "Hotel Roanoke Conference Center Commission." The Commission's enabling legislation allows for the participating parties to contribute equally funds to the Commission to fund operating deficits of the Commission and to enable the Commission to expend such revenues for their proper purposes. The budget must be approved by each of the participating entities. City Council included funding in the FY 2003-2004 General Fund adopted budget to be used for such purposes.

Considerations:

The Hotel Roanoke Conference Center Commission recommends the attached FY2003-2004 operating budget for your consideration.

Recommended Action:

City Council approve the Hotel Roanoke Conference Center Commission Budget for FY2003-2004.

Appropriate $212,000 to accounts established by the Director of Finance in the Hotel Roanoke Conference Center Agency Fund, and establish revenue estimates of $100,000 each for the City and Virginia Tech contributions and $12,000 from Retained Earnings in the same.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB: djm

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Barry Key, Director of Management and Budget

CM03-0103

Hotel Roanoke Conference Center Commission	Operating Budget FY2003-2004		
	Commission	Conference Center	Total
Operating Revenues	$	$2,937,296	$2,937,296
Total Operating Revenues			
Non Operating Revenues			
City of Roanoke	100,000		100,000
Virginia Tech	100,000		100,000
Retained Earnings	12,000	213,121	225,121
Total Revenues	**212,000**	**3,150,417**	**3,362,417**
Operating Expenses Commission			
Personal services	50,000		50,000
Professional Services	150,000		150,000
Administrative	10,000		10,000
Development	2,000		2,000
Conference Center Operating		2,812,663	2,812,663
Fixed Asset Expense		337,754	337,754
Total Operating Expenses	**$212,000**	**$3,150,417**	**$3,362,417**

AHS

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2003-2004 Hotel Roanoke Conference Center Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2003-2004 Hotel Roanoke Conference Center Fund Appropriations be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Operating	$ 212,000
Personal Services (1)	50,000
Contractual Services (2)	150,000
Other Charges (3-4)	12,000

Revenues

Nonoperating	$ 200,000
City Contribution (5)	100,000
Virginia Tech Contribution (6)	100,000

1) Regular Employee Salaries	(010-320-9500-1002)	$ 50,000
2) Fees for Professional Services	(010-320-9500-2010)	150,000
3) Administrative Supplies	(010-320-9500-2030)	10,000
4) Training and Development	(010-320-9500-2044)	2,000
5) City Contribution	(010-110-1234-1125)	100,000
6) Virginia Tech Contribution	(010-110-1234-1128)	100,000

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

WMH

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION approving the annual operating budget of the Hotel Roanoke Conference Center Commission for Fiscal Year 2003-2004.

WHEREAS, §21 of the Hotel Roanoke Conference Center Commission Act (Chapter 440 of 1991 Acts of Assembly) requires that each participating party approve the Commission's proposed operating budget for the forthcoming fiscal year;

WHEREAS, the Commission has submitted to this Council a proposed operating budget showing estimated revenues in the amount of $3,362,417 and expenses in the amount of $3,362,417 for Fiscal Year 2003-2004, with the City share of the operating subsidy being established at $100,000; and

WHEREAS, this Council desires to approve such proposed budget;

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke that the annual operating budget for the Hotel Roanoke Conference Center Commission for Fiscal Year 2003-2004, a copy of which is attached to the report of the City Manager to this Council, dated June 2, 2003, with the City's share of the operating subsidy being established at $100,000, is hereby approved.

ATTEST:

City Clerk.

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

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June 2, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Beverly T. Fitzpatrick, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Appropriation of Regional Disability Services Board Grant Funding – Staff Support and Contract for Services

Background:

The Fifth Planning District Commission Disability Services Board (DSB) is responsible to local governments and serves as a critical resource for needs assessment, information sharing and service opportunities for citizens with disabilities, their families and the community. The following jurisdictions in the Fifth Planning District have enacted resolutions establishing their participation in a regional effort and have appointed a local official to serve: the cities of Roanoke, Salem, and Covington; counties of Roanoke, Craig, Botetourt, and Alleghany and the Towns of Clifton Forge and Vinton. Other members of the DSB include representatives from business and consumers.

City Council authorized the Director of Finance to serve as fiscal agent for the Fifth Planning District Disabilities Services Board on September 25, 1995, Resolution No. 32675-092595.

The State Department of Rehabilitative Services has allocated funds in the amount of $14,800 for a one-year period to continue local staff support of the administration of the Fifth District DSB. See Attachment "A"

Recommended actions:

Authorize the City Manager to enter into a contract substantially in the form attached to this report, and approved as to form by the City Attorney, with existing DSB staff support to continue providing local administrative support.

Appropriate $14,800 in an account to be established in a Grant Fund by the Director of Finance. Establish a revenue estimate of the same.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:ct

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Vickie Price, Acting Director of Human Services

CM03-00110

Agreement for Services

This agreement is made this 1st day of June 2003, by and between the CITY OF ROANOKE, hereinafter referred to as "City" and ROSLYN KINGERY hereinafter referred to as "Staff".

The parties hereto agree as follows:

1. **SCOPE OF SERVICES** – The Staff will provide the City and its designee (Fifth District Disability Services Board) with staff support as follows:

    a. Attend all DSB meetings (minimum of one meeting per quarter) and related activities
    b. Prepare, disseminate and maintain agendas, minutes and other correspondence
    c. Maintain and monitor the administrative budget
    d. Maintain official records for the DSBs
    e. Administer and monitor the RSIF grants and ensure that the impact reports are completed and sent within time frame specified
    f. Arrange sign language interpreters, CAN and/or CART services, and all other necessary accommodations, for DSB meetings and hearings.
    g. Ensure DSB compliance with the Code of Virginia and DSB Establishment Guidelines
    h. Provide ADA and disability information to DSB members, local elected officials and the public within the localities served by the local DSB
    i. Support DSB efforts to exchange information with other local boards regarding services and best practices in the delivery of services to persons with physical and sensory disabilities
    j. Other duties as directed by the local disability services board.

2. **TIME OF PERFORMANCE** – the term of this agreement shall be for a one-year period beginning June 1, 2003 and concluding May 31, 2004.

3. **FEES AND PROPOSED PAYMENT SCHEDULE** – the total compensation to Staff shall be $14,800 per 12-month period. Payment to the Staff shall be made monthly upon receipt of payroll documentation.

4. **TERMINATION** – either the City or the consultant upon written notification thirty (30) days prior to termination may terminate this agreement.

5. **REPORTING** – The Staff will meet with the City's designee a minimum of twice a month and provide regular updates on the progress of the Boards work.

6. **INDEMNIFICATION** – the Staff agrees to indemnify and hold harmless the City, its officers, agents and employees, from any and all claims, legal actions and judgments advanced against the City and for expenses the City may incur in this regard, arising out of the Staff's negligent acts or omissions with respect to the rights and privileges granted by the City to the Staff in this Agreement.

7. **GOVERNING LAW** – the Commonwealth of Virginia shall govern this Agreement.

8. **OWNERSHIP** – All reports, paper, etc., developed and/or generated as a result of this proposals process are the property of the city of Roanoke. No duplication or dissemination of this material can be done without the expressed written permission of the Director of Human Services, or other authorized City official.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year here in above written:

CITY OF ROANOKE

By: _____
Darlene L. Burcham, City Manager

INDEPENDENT CONTRACTOR

By: _____
Roslyn J. Kingery

APPROVED AS TO FORM:

_____
Assistant City Attorney

APPROVED AS TO EXECUTION:

_____
Assistant City Attorney

AHS

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2002-2003 Grant Fund Appropriations be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Health and Welfare	$4,550,084
Fifth District Disability Service Board FY03-04 (1)	14,800

Revenues

Health and Welfare	$4,550,084
Fifth District Disability Service Board FY03-04 (2)	14,800

1) Fees for Professional Services	(035-630-5170-2010)	$14,800
2) State Grant Receipts	(035-630-5170-5170)	14,800

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION authorizing the City Manager to enter into a contract with the Fifth District Disability Services Board (" FDDSB") to provide continuing local administrative staff support; upon certain terms and conditions.

WHEREAS, the FDDSB is responsible to local governments and serves as a critical resource for needs assessment, information sharing and service opportunities for citizens with disabilities, their families and the community; and

WHEREAS, funds in the amount of $14,800 to continue local staff support in support of the FDDSB administration for a one (1) year period have been allocated to the FDDSB by the State Department of Rehabilitative Services.

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke that:

1. The City Manager and the City Clerk are hereby authorized, for and on behalf of the City, to execute and attest, respectively, the contract to provide continuing local administrative staff support for the Fifth District Disability Services Board as recommended in the City Manager's letter to this Council dated June 2, 2003.

2. The form of the contract, and any necessary amendments, shall be in form approved by the City Attorney.

ATTEST:

City Clerk.

H:\RESOLUTIONS\R-REGDISSERVBRDGRANT060203.WPD

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

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June 2, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Beverly T. Fitzpatrick, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Lease of Property Adjacent to Public Works Service Center

The city is preparing to construct a multipurpose stadium/amphitheater facility off Courtland Avenue. To facilitate that construction, the city needs to lease an area adjacent to the stadium site for use as a staging area and placement of a construction trailer. An agreement has been reached with the owners, Katherine R. Baker and Dana L. Baker, to lease a portion of tax map #3070320.

The proposed lease is for approximately 28,375 square feet for a one year term, with a provision that the lease may be extended for up to two additional one year terms. The annual lease fee is $7,800 for the initial term, and $8,400 for the second and third year terms. Funding is available in account 008-530-9776-9050. The Lease also provides that the Tenant (City) will indemnify and hold harmless Landlord against all liability, cost, expense, claims, loss, damage and judgments incurred or suffered by Landlord in connection with such lease.

Recommended Action(s):

Authorize the City Manager to execute a Lease Agreement with Katherine R. Baker and Dana L. Baker, substantially similar in form to Attachment #1, for the property identified in Exhibit A of the proposed lease, in a form approved by the City Attorney.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB/SEF

Attachment

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Philip C. Schirmer, City Engineer

#CM03-00109

Attachment #1

LEASE AGREEMENT

THIS LEASE, dated for identification as of _____ _____, 2003,. by and between KATHERINE R. BAKER and DANA L. BAKER, (hereinafter called "Landlord") and CITY OF ROANOKE, VIRGINIA, a municipal corporation organized under the laws of the Commonwealth of Virginia, (hereinafter called "Tenant");

W I T N E S S E T H:

1. Premises. Landlord leases to Tenant and Tenant hires from Landlord that property described in the attached Exhibit A together with all buildings and improvements thereon (hereinafter collectively called "Premises").

2. Term. The term of this lease (hereinafter called "term") shall be from _____, 2003, and shall run for a period of one(1) year from that date, ending on _____, 2003, but this lease may terminate or be extended under certain circumstances as hereinafter provided. The term shall be deemed to commence at 12:01 a.m. on the first day thereof and to expire at 11:59 p.m. on the last day thereof. Tenant shall have the right to extend this lease for two additional one (1) year terms by giving the Landlord at least ninety (90) days notice prior to the expiration of the current term. The annual base rent as provided for in paragraph 6 shall be increased to EIGHT THOUSAND FOUR HUNDRED AND NO/DOLLARS during the first renewal term. The annual base rent shall be EIGHT THOUSAND FOUR HUNDRED AND NO/DOLLARS during the second renewal term.

3. Holdover by Tenant. If Tenant shall remain in possession of the Premises after the expiration of the term of this lease, such possession shall be as a month-to-month tenant. During such month-to-month tenancy, rent shall be payable at the same rate as that in effect during the last month of the preceding term, and the provisions of this lease shall be applicable.

4. Possession and Taxes. Landlord shall pay all property taxes on the Premises and shall deliver possession of the Premises to Tenant on _____, 2003.

5. Use. Tenant shall use the Premises only as a staging area for storage and related purposes in connection with the development and construction of the City of Roanoke's Stadium/Amphitheatre facility and shall permit no operation or activity that causes, or in the judgment of Landlord might cause, any of Landlord's insurance on the Premises against liability, fire or other hazard to be rendered void. Tenant shall comply with all laws, ordinances and regulations, now or hereafter enacted by the Federal, State, County or City governments, or other duly constituted public authority having jurisdiction over the

Premises.

6. Annual Base Rent. The Annual Base Rent payable by Tenant to Landlord shall be SEVEN THOUSAND EIGHT HUNDRED AND NO/DOLLARS ($7,800.00). Tenant shall pay to Landlord monthly as base rent for the Premises in legal tender of the United States the sum of SIX HUNDRED FIFTY AND NO/DOLLARS ($650.00), payable in advance on the first day of each month during the term hereof, without demand therefor being made, at _____, or at such other place as Landlord shall designate in writing. In the event the term of this Lease commences other than on the first day of a month, Tenant shall pay any prorated rent on the first day of the following month along with the regular monthly installment. A late fee of five percent (5%) of the amount due will be due and payable for each month the base rent is paid after the tenth day of the month, plus interest at the rate of 10% per annum of the amount due Landlord shall constitute and be collectible as additional rent and shall be paid by Tenant upon Landlord's demand.

7. Negative Covenants.

7.1 Tenant shall not commit or permit any act which results in any wasting of the Premises other than that attributable to ordinary wear and tear.

7.2 Tenant shall not without the prior written consent of Landlord mortgage, pledge or encumber its interest in this Lease. This covenant is expressly made binding upon the legal representative, successors and assigns of Tenant.

7.3 Tenant shall not vacate or abandon the Premises during the term of this Lease, except temporarily for necessary repairs.

7.4 Tenant shall not permit any equipment on the Premises, the use of which would in Landlord's judgment place an unreasonable demand on the Building's electrical, water, heating, air conditioning or structural systems.

8. Improvements; Care and Repair.

8.1 Tenant shall make no improvements, alterations or additions to, or deletions from, the Premises or the improvements of Landlord therein without Landlord's prior written consent. Landlord's consent when given shall nevertheless be no consent of Landlord to subject its interest in the Premises or the land beneath the Premises to any mechanic's liens that may be filed following any alterations, additions, changes or improvements made by or on behalf of Tenant.

8.2 In the event any lien shall at any time be filed against the Premises by reason of

work, labor or services performed or materials furnished to Tenant or to anyone holding the Premises through or under Tenant, Tenant shall forthwith cause the same to be discharged of record or bonded to the satisfaction of Landlord. If Tenant shall fail to cause such lien to be so discharged or bonded within five days after being notified of the filing thereof, then Landlord, in addition to any other right or remedy, shall have the right to cause the lien to be discharged or to declare all rentals for the balance of the term immediately due and payable and shall have the right also to order and cause any further work and the supply of materials in and about the Premises to be stopped. Landlord's costs and expenses in connection with the enforcement of any rights and remedies shall be due and payable by Tenant to Landlord as additional rent.

8.3 All improvements made to the Premises which are so installed or attached that they cannot be removed without damage to the remainder of the Premises shall become the property of Landlord upon installation.

8.4 Tenant shall, at its own expense, make all necessary repairs and replacements to Premises and to the pipes, roof, heating, cooling, electrical and refrigeration systems, plumbing system, windows and other glass, doors, fixtures, and all other appliances and appurtenances belonging thereto, all equipment used in connection with the Premises, and the sidewalks, curbs, gutters, steps, railings, driveways, or parking area adjoining or appurtenant to the Premises. Such repairs and replacements, interior and exterior, ordinary as well as extraordinary, and structural as well as nonstructural, shall be made promptly, as and when necessary. All repairs and replacements shall be in quality and class at least equal to the original work and installations. On default of Tenant in making such repairs or replacements, Landlord may, but shall not be required to, make such repairs and replacements for Tenant's account, and the expense thereof with interest at the rate of 10% per annum shall constitute and be collectible as additional rent and shall be paid by Tenant upon Landlord's demand.

8.5 Tenant shall, at all times during the term, at its own expense, put and maintain in thorough repair and in good and safe condition the Premises, the buildings, improvements, equipment and appurtenances, both inside and outside, structural and nonstructural, extraordinary and ordinary, however the desirability or necessity for repairs may occur, and whether or not necessitated by wear, tear, obsolescence, or defects, latent or otherwise. The Tenant shall also, at its own expense, put and maintain in thorough repair and in good and safe condition and free from dirt, snow, ice, rubbish, leaves, brush, trash, long grass or weeds and other obstructions or encumbrances, the sidewalks, steps, railings, driveways, curbs, gutters, parking areas and other areas in front of, in back of and adjacent to the Premises. All damage or injury to the Premises and to its fixtures, appurtenances and equipment caused by Tenant's moving property in or out of the Building or by installation or removal of furniture, fixtures or other property, and for which Landlord has not or will not be reimbursed by insurance, shall be repaired, restored or replaced promptly by Tenant at its sole cost and

expense, which repairs, restorations and replacements shall be in quality and class equal to the original work or installations. If Tenant fails to make any such repairs, restorations or replacements for which it is hereunder responsible, then the same may be made by Landlord at the expense of Tenant, and such expense with interest at the rate of 10% per annum shall be collectible as additional rent and shall be paid by Tenant upon Landlord's demand.

9. Environmental.

9.1 Tenant represents, warrants and agrees that (a) Tenant shall permit no installation or placement of Hazardous Material on the Premises in violation of Environmental Laws; (b) Tenant shall permit no release of Hazardous Material onto or from the Premises; (c) Tenant shall cause the Premises to comply with Environmental Laws and be free and clear of any liens imposed pursuant to Environmental Laws; (d) all licenses, permits and other governmental or regulatory actions necessary for the Premises to comply with Environmental Laws (the "Permits") shall be obtained and maintained and Tenant shall assure compliance therewith; and (e) Tenant shall give Landlord prompt written notice if Tenant receives any notice with regard to Hazardous Material on, from or affecting the Premises and shall conduct and complete all investigations and all cleanup actions necessary to remove, in accordance with Environmental Laws, such Hazardous Material from the Premises.

9.2 Landlord shall have the right at any time during the term of this Lease, whether before or after default, to conduct or cause to be conducted an environmental inspection or audit of the Premises by itself or by a qualified environmental consultant or engineer selected by Landlord; and Tenant hereby grants to Landlord and its employees, agents, mortgage lenders and independent contractors (hereinafter collectively called "Landlord and its Representatives"), the right to enter the Premises upon reasonable notice for the purpose of conducting, whether before or after default, any inspection, audit or tests, making soil borings, extracting samples, installing monitoring wells, and conducting such other procedures as Landlord and its Representatives deem necessary or desirable in connection with such inspection or audit. At any time during the term of this Lease, provided Landlord has a reasonable basis for doing so, Landlord may require Tenant to cause to be performed, at the expense of Tenant, for the benefit of Tenant and Landlord, an inspection or audit of the Premises by an environmental consultant or engineer approved by Landlord, and Tenant shall furnish to Landlord, at no cost to Landlord, the written inspection or audit report certifying as to the presence or absence of Hazardous Material on, at, or under the Premises. All inspection reports may be submitted to governmental entities or agencies as requested or as may be required by law or regulations.

9.3 To the extent permitted by law, Tenant shall indemnify and hold harmless Landlord from and against all losses, expenses (including, without limitation, attorneys' fees) and claims of every kind suffered by or asserted against Landlord as a direct or indirect result

of (i) the presence on or release from the Premises of any Hazardous Material, whether or not caused by Tenant, (ii) the violation of Environmental Laws applicable to the Premises, whether or not caused by Tenant, (iii) the requirement to conduct any remediation of Hazardous Materials from the Premises, (iv) the failure by Tenant to comply fully with the terms and provisions of this section, or (v) any warranty or representation made by Tenant in this section being false or untrue in any material respect. The indemnity and hold harmless obligation of Tenant to Landlord under this paragraph 9.3 shall only be for losses, expenses, (including, without limitation, attorneys' fees) and claims caused by action or inaction of the Tenant, its agents, employees, invitees and others permitted by Tenant on the Premises or contiguous real estate.

9.4 "Hazardous Material" means polychlorinated biphenyls, petroleum, flammable explosives, radioactive materials, asbestos and any hazardous, toxic or dangerous waste, substance or material defined as such in (or for purposes of) Environmental Laws or listed as such by the Environmental Protection Agency. "Environmental Laws" means any current or future federal, state or local law, regulation or ruling applicable to environmental conditions on, under or about the Premises including, without limitation, the Comprehensive Environmental Response, Compensation and Liability Act, the Resource Conservation and Recovery Act, the Toxic Substances Control Act, the Clean Water Act and the Chesapeake Bay Preservation Act. Tenant's obligations under this section shall survive the expiration or termination of this Lease.

10. Landlord's Liability. Landlord shall not be responsible for any defect or change in the condition of the Premises or for any resulting damage to person or property occurring in the Premises. Landlord shall not be liable for any death, injury, loss or damage to persons or property occurring in or near the Premises. Notwithstanding any other provision herein to the contrary, Landlord shall not be liable to Tenant or to any insurance company insuring Tenant for any loss or damage to Tenant's property within the Premises if the said property was, or could have been, covered by fire and extended coverage or boiler or sprinkler damage insurance, even though such loss or damage may have been occasioned by the negligence or conduct of Landlord, its agents, employees or contractors.

11. Indemnification. To the extent permitted by law, Tenant for itself agrees to defend and indemnify Landlord against (and to save Landlord harmless from) all liability, cost, expense, claims, loss, damage and judgments incurred or suffered by Landlord as a result of, or in connection with, any death, personal injury or property or business damage alleged or proved by any person whatsoever to have occurred in or near the Premises or alleged or proved to have been caused, in whole or in part, directly or indirectly, by Tenant's default hereunder or the negligent or intentional act or omission by Tenant, its agents, employees, invitees and others permitted by Tenant in the Premises or on the contiguous real estate. Tenant is self insured and will give Landlord a certificate indicating that it is self insured sufficiently to cover general liability of at least $500,000.00 for each person and

$1,000,000.00 for each occurrence. This certificate shall not be deemed a limit of Tenant's liability, if any.

12. Fire.

12.1 If the Premises are in the reasonable determination of Landlord substantially damaged by fire or any other casualty covered by Landlord's fire and extended coverage insurance or if the Premises are damaged as the result of a risk not covered by Landlord's insurance or if Landlord shall determine following any damage to the Premises that the Premises cannot be made tenantable within ninety (90) days following the damage, then Landlord may give notice to Tenant of an election to terminate this Lease, effective as of the date of the notice.

12.2 If Landlord declines to terminate this Lease under paragraph 12.1 hereof, Landlord shall endeavor to restore the Building and Premises with reasonable dispatch. Landlord shall have no obligation to restore fixtures, improvements and other property installed or owned by Tenant and shall have no liability to Tenant for interruption to its business.

12.3 If the Premises are rendered untenantable by fire or other casualty not due to the negligence or wrongdoing of Tenant, its agents, employees, invitees or licensees, Landlord shall allow an equitable reduction in the rental due from Tenant depending on the period of time during which the Premises are untenantable. In no other event shall the rental hereunder abate. Landlord shall maintain in effect an insurance policy to insure the Premises against fire and other perils included in standard fire and extended coverage. Tenant shall obtain insurance to protect its property located on the Premises in the event of fire or other casualty.

13. Condemnation.

13.1 If all or a substantial part of the Premises shall be taken or condemned (or sold under threat of such taking) by a competent authority for any public or quasi-public use or purpose, and if the taking of any part of the Premises shall deprive Tenant permanently of its use of the entire Premises, or of any portion which renders the remainder unsuitable for the business of Tenant, then Tenant may, by notice, terminate this Lease.

13.2 In the event of a termination pursuant to this paragraph, this Lease shall terminate on the date when title vests pursuant to such taking or on the date that Tenant is deprived of possession, whichever first occurs. Tenant shall have the right to establish as

against the condemning authority the value of any fixtures and improvements owned by Tenant and moving expenses and other consequential damages, but Tenant shall have no right to participate in any condemnation award to Landlord, and all compensation awarded for any taking of the fee and any interest related thereto shall belong to and be the property of Landlord. All rental hereunder shall be apportioned as of the date of such title's vesting, and any rent paid in advance beyond such date shall be refunded to Tenant.

13.3 If this Lease shall continue after any such taking, Landlord shall promptly restore the remaining Premises to a tenantable condition and rent shall be equitably adjusted by Landlord as of the date on which title to the part of the Premises taken vests in the condemning authority.

14. Default. Upon the occurrence of any of the following events, there shall be an "Event of Default":

(a) The commencement of any debtor relief proceeding whereby the rental hereunder is to be reduced or deferred.

(b) Tenant's adjudication as insolvent or bankrupt in an involuntary proceeding, state or federal, or the appointment of a receiver or trustee for the Tenant or its property in such proceedings.

(c) Tenant's assignment for the benefit of creditors or its commencement of any action under any voluntary insolvency or bankruptcy act.

(d) Tenant's failure to effect the release of a judgment lien docketed against Tenant's equipment and furnishings on or in the Premises within 10 days.

(e) Tenant's failure to pay promptly when due, without demand, any installment of rental or any other sum to be paid by Tenant hereunder.

(f) Tenant's failure to perform any of the other covenants or conditions herein contained.

(g) Tenant's dissolution, termination of existence, the initiation of any proceeding to dissolve Tenant or Tenant's business failure.

15. Landlord's Remedies Upon an Event of Default.

15.1 If Tenant shall fail to pay any rental or other sums to Landlord within fifteen (15) days of when due, without demand, time being of the essence, or if, as to any other event of default set forth in paragraph 14 hereof, Tenant shall fail to commence curative efforts within fifteen (15) days upon notice from Landlord and thereafter prosecute its efforts with diligence to completion, then in addition to all other remedies of Landlord at law or in equity, Landlord shall have the right:

(a) To enter the Premises to cure a nonmonetary default by Tenant and add the cost of such cure to the amount of the next monthly installment of rentals to be paid by Tenant hereunder. Such curing shall not be deemed a waiver or release of any

other or future default.

(b) To cancel and terminate this Lease effective upon written notice to Tenant. Thereupon, Tenant shall quietly and peaceably surrender the Premises to Landlord, but Tenant shall remain liable for all rentals then accrued, but unpaid. Upon such termination, Landlord may resume possession of the Premises by any lawful means, with or without legal process, and remove Tenant and its effects and hold the Premises as if this Lease had not been made.

(c) To enter the Premises without terminating this Lease and prepare the Premises for reletting and occupy or relet the Premises or any part thereof as agent of Tenant or otherwise for a term or terms to expire prior to, at the same time as, or subsequent to the expiration of the term of this Lease, at Landlord's option, and receive the rent therefor, applying the same first to the payment of such reasonable expenses as Landlord shall have incurred in resuming possession and reletting, including brokerage and reasonable attorney's fees, and then to the payment of damages in amounts equal to the total rental remaining due hereunder. Regardless of whether Landlord has relet the Premises, Tenant shall pay to Landlord damages equal to the remaining installments of the Annual Base Rent payable hereunder and all other rental and sums herein agreed to be paid by Tenant, less reletting amounts, if any, as ascertained from time to time, and the same shall be payable by Tenant on the several rental payment dates specified herein for the remainder of the term. No such reletting shall constitute a surrender and acceptance or be deemed evidence thereof. Tenant waives all rights of redemption to which Tenant or any person claiming under Tenant may be entitled by any law now or hereafter in force.

15.2 Failure of Landlord to reenter the Premises, or to exercise any of its rights hereunder upon any default, shall not be deemed a waiver of any subsequent default or defaults. All of Landlord's rights shall be cumulative and shall not preclude Landlord's exercising any other rights or remedies at law or in equity.

15.3 Tenant covenants and agrees to pay Landlord, as an additional rental, an amount equal to Landlord's cost and expense, including, but not limited too a reasonable attorney's fee, incurred by Landlord on account of any Event of Default hereunder.

16. No Waiver. No failure of Landlord to insist upon strict observance of any provision of this Lease and no custom or practice of the parties at variance with the terms hereof shall be deemed a waiver of any provision of this Lease in any instance. No payment by Tenant or receipt by Landlord of an amount less than the amount of rental and other sums claimed due from Tenant from time to time shall be deemed to be other than a partial payment on account, and no endorsement or statement on any check or letter accompanying a check for payment of any rental due hereunder shall be deemed an accord and satisfaction, and Landlord may accept any such check or payment in any amount without prejudice to

Landlord's right to recover the balance of rental claimed by it due from Tenant or to pursue any other remedy provided in or contemplated by this Lease. Reentry of the Premises by Landlord and acceptance by Landlord of keys to the Premises from Tenant shall neither constitute an acceptance of a surrender of this Lease nor be evidence thereof.

17. Subordination. This Lease is subject and subordinate to all ground or underlying leases and to all mortgages or deeds of trust which may now or hereafter affect such leases, the Premises and to all renewals, modifications, replacements and extensions thereof; provided and upon condition that such mortgages or deeds of trust may provide by their own terms or by separate agreement, that so long as no event of default shall be continuing hereunder, the possession of Tenant, or any permitted subtenant of Tenant, shall not be disturbed. The foregoing provisions shall be self-operative and no further instrument of subordination shall be required by any mortgagee or other interested party; provided however, that in confirmation of such subordination Tenant shall, upon request from Landlord, execute and deliver in recordable form an instrument of subordination. Tenant agrees in the event any proceedings are brought for the foreclosure of or in the event of the exercise of the power of sale under any deed of trust or mortgage made by Landlord covering the Premises that Tenant, at the request of the Beneficiary of the deed of trust, will recognize and attorn to the purchaser at foreclosure as Landlord under this Lease; and Tenant hereby waives the provisions of any law or statute, now or hereafter enacted, that give or purport to give Tenant the right to treat this Lease as terminated or modified. Any such mortgage or deed of trust may, at any time, at the request of the holder of the note secured thereby, be subordinated to this Lease, and to that end Tenant, at Landlord's request, shall execute, acknowledge and deliver such instruments as are in the judgment of such holder required.

18. Assignment by Landlord. Landlord shall have the right to assign or transfer its right, title, and interest in and to this Lease to persons, firms, corporations, trusts or other entity for any reason without the consent of Tenant. Further, Landlord shall have the right, without selling its fee interest in the leased property or assigning its interest in the Lease, to assign from time to time the whole of the rental sums due hereunder, or any part thereof, to persons, firms, corporations, trusts or other entities designated by Landlord in a written notice to Tenant, and in any such case, Tenant shall pay those rental sums designated by such notice to Landlord's designee at the address mentioned in such notice for the period covered by the assignment.

19. Estoppel Certificate. Tenant agrees that at any time and from time to time at reasonable intervals, within ten days after written request by Landlord, Tenant will execute, acknowledge and deliver to Landlord or to such assignee or mortgagee as may be designated by Landlord a certificate stating (a) that the Lease is unmodified and in force and effect (or if there have been modifications, that the Lease is in force and effect as modified, and identifying the modification agreements, or if the Lease is not in force and effect, the

certificate shall so state); (b) the date to which rental has been paid under the Lease; (c) whether there is any existing default by Tenant in the payment of any rent or other sum of money under the Lease, and whether or not there is any other existing default by either party under the Lease with respect to which a notice of default has been served, and if there is any such default, specifying the nature and extent thereof; (d) whether there are any setoffs, defenses or counterclaims against enforcement of the obligations to be performed by Tenant under the Lease; and (e) all other reasonable information respecting the Lease so requested by Landlord.

20. Notices. Any notice by either party to the other shall be in writing and shall be deemed to be duly given only if delivered personally or mailed by registered or certified mail, properly addressed with sufficient postage paid (a) if to Tenant, at _____ _____; and (b) if to Landlord at _____ _____, or at such other addresses as Tenant or Landlord, respectively, may designate in writing. Notice shall be deemed to have been duly given, if delivered personally, upon delivery, and if mailed, upon the third day after the mailing thereof.

21. Signs and Other Exterior Improvements. Tenant shall have no right to install or erect on the outside of the Premises any signs, antennas or other equipment or device without the prior written consent of Landlord, and such consent shall not be unreasonably withheld.

22. Landlord's Right to Inspect and Repair. Landlord and its agents, officers, employees, or licensees may enter the Premises at any reasonable time for inspection or for making repairs, replacements and additions in, to, on and about the Premises.

23. Landlord's Right to Show. During business hours Landlord may show Premises to prospective purchasers, tenants and mortgagees during the term of this Lease.

24. Assignment and Subleasing; Successors and Assigns.

24.1 Tenant agrees that it will not transfer or assign this Lease, or lease or sublease the whole or any part of the Premises, without the written consent of Landlord. Consent by Landlord to any assignment or sublease shall not be unreasonably withheld, but no such assignment or sublease shall release Tenant from liability hereunder. Consent by Landlord to any assignment or sublease shall not constitute a waiver of the necessity of such consent to any subsequent assignment or subletting.

24.2 This Lease and all the terms, covenants, conditions and provisions herein contained shall be binding upon and shall inure to the benefit of the parties hereto and their

respective personal representatives, heirs, successors, and assigns (if assigned in accordance with the terms herein set out above).

25. Quiet Enjoyment. Subject to the performance by Tenant of this Lease and subject to the terms and conditions elsewhere herein contained, Landlord covenants that Tenant, upon performing all its obligations hereunder, shall have quiet and peaceable possession of the Premises during the term hereof.

26. Entire Agreement; Modification. This Lease contains the entire agreement between Landlord and tenant relating to the Premises and supersedes all prior negotiations, understandings and agreements, written or oral, between the parties. This Lease shall not be amended or modified except by a written instrument executed by both parties.

27. No Representations. Neither party has made any representations or promises except as contained herein or in some future writing signed by the party making such representation or promise. Landlord shall not in any way for any purpose become, or be deemed to be, a partner of Tenant in the conduct of its business.

28. Rights Cumulative. All rights, powers, and privileges conferred hereunder upon the parties hereto shall be cumulative, but not restrictive to those given by law.

29. Title and Paragraph Headings. The titles and paragraph headings used herein are for convenience only and are not substantive in any way.

30. Separability Clause. Should any provisions of the Lease be or become void or unenforceable, the remaining provisions hereof shall remain in full force and effect to the extent that the surviving provisions do not work a gross inequity on either of the parties.

31. When Binding. This Lease shall become binding upon its execution by the parties.

32. Applicable Law and Waiver of Jury Trial. This Lease is to be governed and construed in all respects and enforced according to the laws of the Commonwealth of Virginia. The parties agree to waive trial by jury in any action or proceeding in connection with this Lease or the Premises.

33. No Option. The submission of this Lease for examination does not constitute a reservation of or option for the Premises, and this Lease becomes effective only upon execution and delivery thereof by Landlord.

34. Gender and Number. Feminine or masculine pronouns shall be substituted for

those of the masculine form, and the plural shall be substituted for those of the singular number, in any place or places herein in which the context may require such substitution.

35. Memorandum. The parties agree that upon the request of either party each will execute, acknowledge and deliver a short form of lease or memorandum of lease in recordable form. This cost of recordation shall be paid by Tenant.

IN WITNESS WHEREOF, Landlord and Tenant have respectively signed and sealed this Lease as of the date first above written.

LANDLORD:

_____
KATHERINE R. BAKER

_____
DANA L. BAKER

TENANT:

_____

PERSONAL GUARANTY

The undersigned individual(s), jointly and severally, guarantee the payment and performance of Tenant's obligations under this above Lease.

Date:_____ _____

Date:_____ _____

EXHIBIT A

All of the following described property, lying and being in the _____ _____ and being more particularly described as follows:

G:\melchion\223102 form leasebaker.doc/lbm

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE authorizing the City Manager to enter into a lease agreement with Katherine R. Baker and Dana L. Baker, for approximately 28,375 square feet of Official Tax Map #3070320, adjacent to the stadium site, for use as a staging area and site for a construction trailer for the City's staff and consultants, upon certain terms and conditions; and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that:

1. The City Manager and the City Clerk are authorized to execute and attest, respectively, on behalf of the City of Roanoke, in form approved by the City Attorney, a lease agreement with Katherine R. Baker and Dana L. Baker ("Lessor"), for approximately 28,375 square feet of Official Tax Map #3070320, adjacent to the stadium site, for use as a staging area and site for a construction trailer, for one year, at a rate of $7,800.00 for the initial one year term, with an option to renew for two additional one-year terms at a rate of $8,400.00 per year for each renewed term, upon such terms and conditions as are more particularly described in the City Manager's letter dated June 2, 2003, to this Council.

2. The City of Roanoke will indemnify and hold harmless Lessor against all liability, cost, expense, claims, loss, damage and judgments incurred or suffered by Lessor in connection with such lease, as required by Lessor.

3. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

June 2, 2003

The Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice-Mayor
Honorable William D. Bestpitch, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Council Member
Honorable Beverly T. Fitzpatrick Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: IDA Bond Approval

The Industrial Development Authority (IDA) adopted a resolution on May 14, 2003 authorizing issuance of up to $50,000,000 for Carilion Health Systems to undertake various construction projects. City Council approval is required by Section 147(f) of the Internal Revenue Code of 1986, as amended, and Section 15.2-4906 of the Code of Virginia (1950), as amended.

In order that such financing can proceed, City Council is requested to approve the attached resolution.

Sincerely,

Darlene L. Burcham
City Manager

DLB:ean

c: Jesse A. Hall, Director of Finance
William M. Hackworth, City Attorney
Mary F. Parker, City Clerk

CM03-00117

CERTIFICATE OF PUBLIC HEARING

The undersigned Secretary of the Industrial Development Authority of the City of Roanoke, Virginia (the "Authority"), hereby certifies as follows:

1. A meeting of the Authority was duly called and held on May 14, 2003, at 8:00 o'clock a.m., in the Meeting Room of the City of Roanoke Department of Economic Development, 111 Franklin Plaza, Suite 200, Roanoke, Virginia. The meeting was open to the public and persons of differing views were given an opportunity to be heard. At such meeting all of the Directors of the Authority were present or absent as follows:

PRESENT: Lynn D. Avis, Margaret R. Baker, William L. Bova, Charles Hunter III and S. Deborah Oyler

ABSENT: Dennis R. Cronk and A. Damon Williams

2. The Chairman announced the commencement of a public hearing regarding a proposed financing for the benefit of Carilion Medical Center, Carilion Roanoke Memorial Hospital and Carilion Roanoke Community Hospital and that a notice of the hearing was published once a week for two consecutive weeks, the first publication being not more than 28 days nor less than 14 days prior to the hearing in a newspaper having general circulation in the City of Roanoke, Virginia (the "Notice"). A copy of the Notice and a certificate of publication of such Notice have been filed with records of the Authority and are attached hereto as Exhibit A.

3. The individuals identified in Exhibit B appeared and addressed the Authority and a reasonably detailed summary of the statements made at the public hearing is included in Exhibit B. The fiscal impact statement required by the Industrial Development and Revenue Bond Act is attached hereto as Exhibit C.

4. Attached hereto as Exhibit D is a true, correct and complete copy of a resolution (the "Resolution") adopted at such meeting of the Authority by the unanimous vote of the Directors present and voting at such meeting, with the vote being recorded in the minutes of such meeting as follows:

Director	Vote
Lynn D. Avis	Yes
Margaret R. Baker	Yes
William L. Bova	Yes
Dennis R. Cronk	Absent
Charles Hunter III	Yes
S. Deborah Oyler	Yes
A. Damon Williams	Absent

The Resolution constitutes all formal action taken by the Authority at such meeting relating to matters referred to in the Resolution. The Resolution has not been repealed, revoked, rescinded or amended and is in full force and effect on the date hereof.

WITNESS my hand and seal of the Authority this _____ day of May, 2003.

_____
Secretary, Industrial Development Authority of the City of Roanoke, Virginia

(SEAL)

Exhibits A through D to be attached:

A - Copy of Notice, Certified by Newspaper
B - Summary of Statements
C - Fiscal Impact Statement
D - Resolution

EXHIBIT A

COPY OF NOTICE, CERTIFIED BY NEWSPAPER

EXHIBIT B

SUMMARY OF STATEMENTS MADE AT PUBLIC HEARING CONDUCTED BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF ROANOKE, VIRGINIA ON MAY 14, 2003, WITH RESPECT TO FINANCING BY THE AUTHORITY FOR CARILION HEALTH SYSTEMS

None.

EXHIBIT C

FISCAL IMPACT STATEMENT

EXHIBIT D

RESOLUTION

FISCAL IMPACT STATEMENT

May 14, 2003

Carilion Medical Center
Applicant

Carilion Roanoke Memorial Hospital
Carilion Roanoke Community Hospital
Facilities

1. Maximum amount of financing sought	$50,000,000
2. Estimated taxable value of the facility's real property to be constructed in the locality[1]	- 0 -
3. Estimated real property tax per year using present tax rates[1]	- 0 -
4. Estimated personal property tax per year using present tax rates[1]	- 0 -
5. Estimated merchants' capital tax per year using present tax rates[1]	- 0 -
6. a. Estimated dollar value per year of goods that will be purchased from Virginia companies within the locality	$34,000,000
b. Estimated dollar value per year of goods that will be purchased from non-Virginia companies within the locality	$89,000,000
c. Estimated dollar value per year of services that will be purchased from Virginia companies within the locality	$101,000,000
d. Estimated dollar value per year of services that will be purchased from non-Virginia companies within the locality	$34,000,000
7. Estimated number of regular employees on year round basis (FTEs)	4,400
8. Average annual salary per employee	$41,300

_____
Authority Chairman

Industrial Development of Authority of the City of Roanoke, Virginia
Name of Authority

[1] Carilion Medical Center is tax-exempt and therefore this project will not generate any taxes.

WMD

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION authorizing, among other things, the issuance of not to exceed $50,000,000 aggregate principal amount of Industrial Development Authority of the City of Roanoke, Virginia Hospital Revenue Bonds (Carilion Health System Obligated Group) Series 2003A and Series 2003B to the extent required by Section 147 of the Internal Revenue Code of 1986, as amended.

WHEREAS, the City of Roanoke, Virginia (the "City") is a political subdivision of the Commonwealth of Virginia exercising public and essential governmental functions pursuant to the Constitution and laws of the Commonwealth of Virginia; and

WHEREAS, the Industrial Development Authority of the City of Roanoke, Virginia (the "Roanoke Authority") is a political subdivision of the Commonwealth of Virginia and is authorized under Chapter 49, Title 15.2, Code of Virginia of 1950, as amended (the "Act"), to issue revenue bonds for the purpose of facilitating the financing or refinancing of certain projects required or useful for health care purposes; and

WHEREAS, Carilion Medical Center ("CMC") is a private, nonstock corporation duly incorporated and validly existing under and by virtue of the laws of the Commonwealth of Virginia, which owns and operates health care facilities located in the City of Roanoke, Virginia; and

WHEREAS, the Roanoke Authority has by resolution adopted May 14, 2003 (the "Roanoke Authority Resolution") authorized the issuance of the Industrial Development Authority of the City of Roanoke, Virginia Hospital Revenue Bonds (Carilion Health System

Obligated Group), Series 2003A and Series 2003B (the "Bonds") in an aggregate principal amount not to exceed $50,000,000 for the following purposes: (I) (a) constructing and equipping a seven-story, approximately 147,600 square foot addition to Carilion Roanoke Memorial Hospital ("CRMH") that is to be adjacent to the south wing of CRMH (the "CRMH Addition Project"), (b) constructing a five-level, approximately 1,000 space parking garage across the Roanoke River from CRMH (the "Parking Garage Project"), (c) constructing a pedestrian bridge over the Roanoke River which will connect CRMH to the new parking garage (the "Pedestrian Bridge Project"), (d) expanding an existing vehicle bridge over the Roanoke River between CRMH and the new parking garage (the "Vehicle Bridge Project"), (e) renovating certain portions of CRMH (the "CRMH Renovation Project"), (f) acquiring certain capital equipment for use in or in connection with CRMH (the "CRMH Equipment Project"), (g) renovating certain portions of Carilion Roanoke Community Hospital ("CRCH") (the "CRCH Renovation Project"), and (h) acquiring certain capital equipment for use in or in connection with CRCH (the "CRCH Equipment Project") (the CRMH Addition Project, the Parking Garage Project, the Pedestrian Bridge Project, the Vehicle Bridge Project, the CRMH Renovation Project, the CRMH Equipment Project, the CRCH Renovation Project and the CRCH Equipment Project are hereinafter collectively referred to as the "Project"); (II) paying a portion of the interest accruing on said revenue bonds during the acquisition, construction, renovation and equipping of the Project; (III) funding a debt service reserve fund for said revenue bonds in the event the Authority determines at the time said revenue bonds are to be sold that a debt service reserve fund is warranted, and (IV) paying certain expenses incurred in connection with the issuance of said revenue bonds, including credit enhancement fees with respect to said revenue bonds, if any; and

WHEREAS, CMC owns and operates CRMH and CRCH; the location of the CRMH Addition Project, the CRMH Renovation Project and the CRMH Equipment Project is on the CRMH campus at Jefferson Street and Belleview Avenue, S.E., Roanoke, Virginia; the location of the Parking Garage Project, the Pedestrian Bridge Project and the Vehicle Bridge Project is 1850 Jefferson Street, S.E., Roanoke, Virginia; and the location of the CRCH Renovation Project and the CRCH Equipment Project is 101 Elm Avenue, S.E., Roanoke, Virginia; and

WHEREAS, the City Council of the City of Roanoke, Virginia (the "Roanoke City Council") must first approve the issuance of the Bonds before the Roanoke Authority can proceed with the financing; and

WHEREAS, the Roanoke Authority has delivered or caused to be delivered to the Roanoke City Council the following: (i) a reasonably detailed summary of the comments expressed at the public hearing held by the Roanoke Authority in connection with the issuance of the Bonds, (ii) a fiscal impact statement concerning the Project and the Bonds in the form specified in Section 15.2-4907 of the Act, and (iii) a copy of the Roanoke Authority Resolution, which constitutes the recommendation of the Roanoke Authority that the Roanoke City Council approve the financing of the Project and the issuance of the Bonds; and

WHEREAS, the Roanoke City Council has determined that it is necessary at this time to approve the issuance by the Roanoke Authority of not to exceed $50,000,000 aggregate principal amount of the Bonds to promote the improvement of the health and living conditions of the people of the City of Roanoke and the Commonwealth of Virginia, increase opportunities for gainful employment, improve health care and otherwise aid in improving the prosperity and welfare of said City and Commonwealth and its inhabitants by improving the hospital facilities of CMC;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Roanoke, Virginia as follows:

1. The Roanoke City Council hereby authorizes the issuance by the Roanoke Authority of the Industrial Development Authority of the City of Roanoke, Virginia Hospital Revenue Bonds (Carilion Health System Obligated Group), Series 2003A and Series 2003B in an aggregate principal amount not to exceed $50,000,000 (the "Bonds") for the purpose of (i) financing a portion of the costs of the Project, (ii) paying a portion of the interest accruing on the Bonds during the acquisition, construction, renovation and equipping of the Project, (iii) funding a debt service reserve fund for the Bonds in the event the Authority determines at the time the Bonds are to be sold that a debt service reserve fund is warranted and (iv) paying certain expenses incurred in connection with the issuance of the Bonds, including credit enhancement fees with respect to the Bonds, if any.

2. The Mayor or Vice Mayor and the Clerk or any Deputy Clerk to the Roanoke City Council are hereby authorized and directed, on behalf of the City, to take any and all action necessary, including the execution of any documents, to consummate the issuance and sale of the Bonds in conformity with the provisions of this resolution.

3. The approval of the issuance of the Bonds, as required by Section 147(f) of the Internal Revenue Code of 1986, as amended, and the Act, does not constitute an endorsement to any prospective purchaser of the Bonds or the creditworthiness of CMC and, as required by the Act, the Bonds shall provide that neither the Commonwealth of Virginia, the City nor the Roanoke Authority shall be obligated to pay the principal of, the redemption premium, if any, or the interest on the Bonds or other costs incident thereto except from the revenues and funds

pledged therefor and neither the faith or credit nor the taxing power of the Commonwealth of Virginia, the City nor the Roanoke Authority shall be pledged thereto.

4. This Resolution shall take effect immediately upon its passage.

ATTEST:

City Clerk

CITY OF ROANOKE
DEPARTMENT OF FINANCE

215 Church Avenue, S.W., Room 461
P.O. Box 1220
Roanoke, Virginia 24006-1220
Telephone: (540) 853-2821
Fax: (540) 853-6142

JESSE A. HALL
Director of Finance
email: jesse_hall@ci.roanoke.va.us

ANN H. SHAWVER
Deputy Director
email: ann_shawver@ci.roanoke.va.us

June 2, 2003

The Honorable Ralph K. Smith, Mayor
The Honorable C. Nelson Harris, Vice Mayor
The Honorable William D. Bestpitch, Council Member
The Honorable M. Rupert Cutler, Council Member
The Honorable Alfred T. Dowe, Jr., Council Member
The Honorable Beverly T. Fitzpatrick, Jr., Council Member
The Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

SUBJECT: April Financial Report

This financial report covers the first ten months of the 2002-2003 fiscal year. The following narrative discusses revenues and expenditures to date.

REVENUE

General fund revenues are up 1.55% or $2,418,000 compared to the same period last year. Variances in specific categories of revenues are as follows:

General Property Taxes increased 2.77% or $1,804,000. The second installment of real estate taxes was due April 5. As of April 30, real estate taxes increased 4.53% and achieved 98.55% of the estimate. Increased property values resulting from the annual reassessment program and new construction contributed to the growth in this category. These increases were partially offset by a decline in public service corporation taxes which is due to a decrease in real estate assessments of public service corporation tax, as well as an increase in the number of refunds in FY03.

Other Local Taxes increased 0.51% or $222,000. Electric utility consumer tax, which is based on usage, was down due to a timing difference in collections. Removing the effect of this timing difference, electric utility consumer tax revenue increased 5.27% due a warmer than normal summer and colder winter weather. Sales tax revenues were up 1.18% from the prior year at April 30th. Inclusive of the mid-May collection, representing retail sales activity for the month of March, collections have decreased 0.23% on a year-to-date basis. Cellular phone tax revenue has increased due to increased subscribers and efforts to ensure service providers correctly remit revenues to the proper jurisdictions. Telephone utility consumer tax declined almost $160,000 from the prior year due to increased usage of cellular telephones.

Permits, Fees and Licenses declined 18.49% or $169,000. Permit valuations for commercial projects during the first ten months of the current fiscal year were lower than the same period in the prior year, having a negative impact on building, plumbing and heating inspection fees. In addition, the number of building permits issued for commercial and residential projects has declined. Elevator inspection has been privatized with the majority of fees paid directly to a third party, causing a decline in elevator inspection revenues. There was also an expenditure decline related to this privatization effort.

Fines and Forfeitures increased 15.85% or $148,000. Parking ticket revenue was up almost $92,000 from the prior year. In late fall of 2001, the ticketing function was civilianized. As a result, the number of parking tickets issued increased substantially. The penalty for late payment of parking tickets was increased effective July 1, 2002, generating additional parking ticket revenue. General District Court fines were up due to an increased caseload, much of which was related to the increased number of parking tickets. New fees adopted in FY03 related to delinquent collections also generated additional revenue in this category.

Charges for Services increased 16.09% or $473,000. Several new fees were authorized by the 2002 General Assembly and were effective July 1, 2002, including a courthouse security fee, inmate processing fee and DNA sampling fee. These new fees have generated approximately $82,000. Circuit Court Clerk fees were up due to the recording of deeds for a number of high value property sales in the current year. Favorable interest rates have encouraged refinancing, increasing the number of deeds and certificates of satisfaction recorded. An increase in caseload and an increase in the value of estates filed also contributed to the growth in Circuit Court Clerk fees. A new fee structure for bulk garbage collection generated additional revenue. EMS fees increased as a result of the rate increase effective April 1, 2002. While overall revenue in this category is up from the prior year due to fee increases and the establishment of new fees, several of these fees are under performing their estimates.

Miscellaneous Revenue declined 43.23% or $169,000. In the prior year, funding was transferred from the Parking Fund to partially support the subsidy provided to the Greater Roanoke Transit Company (GRTC). However, this subsidy is being funded by the General Fund in the current year. In addition, a larger amount of surplus property sales proceeds were received in the prior year. A timing difference in the receipt of the payment in lieu of taxes from Roanoke Redevelopment and Housing Authority also contributed to this decline.

EXPENDITURES AND ENCUMBRANCES

General fund expenditures and encumbrances have decreased 0.84% or $1,378,000 compared to FY02. Variances in individual expenditure categories are discussed as follows:

Parks, Recreation and Cultural expenditures declined 8.46% or $347,000. Personal services costs of the Recreation department decreased. Several labor-intensive program cuts, the elimination of a project assistant position and shortened hours at pool facilities caused temporary wage costs to decline. In addition, pool supplies, a scoreboard and miscellaneous furnishings and appliances for the fitness centers were purchased in the prior year. Personal services costs of the Library decreased as several positions have been vacant during the year. Publications and subscription expenditures decreased as of April 30th, however, additional purchases are anticipated prior to the end of the year. Department of Technology charges also declined.

Community Development expenditures increased 8.71% or $373,000 due to an increase in Housing and Neighborhood Services costs. A reorganization in the prior year resulted in new positions being added to handle changes in the code enforcement area. Additionally, internal service charges for technology increased in the current year, corresponding to the increase in personnel.

Transfer to Debt Service Fund increased 38.68% or $4,699,000. The current fiscal year was the first year principal and interest payments were required for the Series 2002A General Obligation Bonds, and a larger principal payment was required on the Series 1997B Bonds, increasing the required transfer amount. The final principal and interest payments were made in the prior fiscal year for Series 1992 Refunding Bonds, partially offsetting these increases.

Nondepartmental expenditures decreased 26.21% or $2,809,000. In the prior year, essentially all transfers to the Capital Projects Fund were made at the beginning of the year. To be consistent with other General Fund budgeted transfers, a portion of these transfers were made mid-year and the remainder are planned for the end of the year in FY03. This change is also reflective of a decrease in the amount to be transferred to the Capital Projects Fund and decreases in CMERP funding transferred to the Capital Projects and Department of Technology Funds in the current year. Transfers to the Civic Center Fund also declined.

I would be pleased to answer questions City Council may have regarding the monthly financial statements.

Jane A. Hall
Director of Finance

JAH/tht
Attachments

CITY OF ROANOKE, VIRGINIA
SUMMARY OF CITY MANAGER TRANSFERS
AND AVAILABLE CONTINGENCY
APRIL 30, 2003

Transfer Number	Date	Explanation	From	To	Amount
General Fund:					
CMT-1368	09/03/02	The Art Project Feasibility Study	Contingency*	Memberships and Affiliations	$ 37,500
CMT-649	09/26/02	American Flag Inventory	Police Patrol	Transportation-Engineering and Operations	5,100
CMT-651	11/12/02	Terrorism Conference	Fire-Support	Environmental Services and Emergency Management	1,195
CMT-653	11/11/02	Terrorism Conference	Police Training	Environmental Services and Emergency Management	669
CMT-657	12/02/02	Reorganization of Neighborhood Partnership	Planning, Building and Development	Neighborhood Partnership	13,659
CMT-663	12/04/02	Parking Lot Paving at Mountain View Recreation Center	Police Patrol	Parks	11,900
CMT-659	12/06/02	Victory Stadium Parking Lot Grading	Parks and Recreation Administration	Transportation-Streets and Traffic	3,900
CMT-1403	12/18/02	Temporary Wages	Crisis Intervention	Youth Haven	3,800
CMT-667	01/10/03	Legal Fees	Police Patrol	Economic Development	21,591
CMT-677	01/14/03	Fees For Professional Services	Contingency*	City Attorney	30,000
CMT-675	01/15/03	Shredder	Police Patrol	Commissioner of the Revenue	1,344
CMT-679	02/03/03	Temporary Wages	Transfers To Other Funds	Engineering	10,318
CMT-687	02/21/03	Supplement Operating Expenses	Contingency*	City Council	43,175
CMT-685	02/28/03	Temporary Wages	Transfers To Other Funds	Engineering	4,006
CMT-689	02/28/03	Chemicals Purchase	Contingency*	Transportation-Snow Removal	69,400
CMT-1428	03/01/03	Wages-Segregate Revenue Maximization Coordinator	Social Services-Administration	Social Services-Revenue Maximization	41,492
CMT-693	03/12/03	Cycle Program For Youth	Fire-Administration	Police Patrol	1,500
CMT-695	03/13/03	Used Twelve Passenger Van	Outreach Detention	Transfer to Fleet Management	12,000
CMT-1431	03/13/03	Supplement Operating Expenses	Crisis Intervention	Outreach Detention	1,110
CMT-697	03/25/03	Supplement Operating Expenses	Contingency*	Board of Equalization	17,623
CMT-1444	04/15/03	Assist and Expedite Clean-Up Of Smith Mountain Lake	Contingency*	Memberships and Affilations	5,000
CMT-1448	04/16/03	Group Rate For Twenty-Five Cell Phones	Transportation-Streets and Traffic	Transportation-Engineering and Operations	828
CMT-1449	04/16/03	Group Rate For Twenty-Five Cell Phones	Director Of Public Works	Transportation-Engineering and Operations	276
CMT-1460	04/16/03	Group Rate For Twenty-Five Cell Phones	Engineering	Transportation-Engineering and Operations	1,380
CMT-710	04/23/03	Excess Summer Food Program Costs-Fiscal Years 1999-2003	Contingency*	Transfer To Grant Fund	43,695
				Total General Fund	$ 382,461

CITY OF ROANOKE, VIRGINIA
SUMMARY OF CITY MANAGER TRANSFERS
AND AVAILABLE CONTINGENCY
APRIL 30, 2003
(CONTINUED)

Transfer Number	Date	Explanation	From	To	Amount
Capital Projects Fund:					
CMT-646	09/20/02	Century Square Project	Special Park Project Grants	Sister City Century Square Upgrade	$ 145
CMT-646	09/20/02	Century Square Project	Roanoke River Center Phase I	Sister City Century Square Upgrade	3,855
CMT-1385	10/31/02	Final Household Hazardous Waste Collection Day	Capital Improvement Reserve	Environmental Issues-PWSC	5,000
CMT-1385	10/31/02	Final Household Hazardous Waste Collection Day	Capital Improvement Reserve	Settlement State DEQ-PWSC	60,000
CMT-665	01/06/03	Environmental Cleanup	Smith Park Riparian	Environmental Issues-PWSC	22,992
CMT-691	03/19/03	Trout Run Culvert Repairs	Garden City Phase 3 Draining Project	Trout Run Culvert Repairs	72,874
CMT-1430	03/27/03	Traffic Signal Poles	Second Street/Gainsboro/Wells Avenue	Traffic Signals General	30,000
				Total Capital Projects Fund	$ 194,866

Available Contingency

Balance of Contingency at July 1, 2002					$ 476,300
*Contingency Transfers From Above					(246,393)
Contingency Appropriations Through Budget Ordinances:					
BO 36022	08/19/02	Drug Prosecutor Local Match	Contingency	Transfer to Grant Fund	(9,381)
BO 36154	12/16/02	Virginia Exile Grant Unused Local Match	Transfer to Grant Fund	Contingency	13,643
BO 36239	02/21/03	Snow Removal	Contingency	Transportation-Snow Removal	(115,000)
Available Contingency at April 30, 2003					$ 119,169

CITY OF ROANOKE, VIRGINIA
GENERAL FUND

STATEMENT OF REVENUE

Revenue Source	Year to Date for the Period: July 1 - April 30 2001-2002	July 1 - April 30 2002-2003	Percentage of Change	Current Fiscal Year: Revised Revenue Estimates	Percent of Revenue Estimate Received
General Property Taxes	$ 65,177,759	$ 66,981,453	2.77 %	$ 78,340,707	85.50%
Other Local Taxes	43,960,068	44,182,476	0.51 %	59,301,164	74.51%
Permits, Fees and Licenses	915,090	745,867	-18.49 %	1,030,694	72.37%
Fines and Forfeitures	933,561	1,081,495	15.85 %	1,116,350	96.88%
Revenue from Use of Money and Property	803,139	822,949	2.47 %	1,082,729	76.01%
Grants-in-Aid Commonwealth	39,033,612	39,246,894	0.55 %	46,009,506	85.30%
Grants-in-Aid Federal Government	17,179	17,179	0.00 %	34,300	50.08%
Charges for Services	2,939,822	3,412,936	16.09 %	4,353,761	78.39%
Miscellaneous Revenue	390,610	221,734	-43.23 %	315,045	70.38%
Internal Services	1,621,477	1,497,493	-7.65 %	2,302,219	65.05%
Total	**$ 155,792,317**	**$ 158,210,476**	**1.55 %**	**$ 193,886,475**	**81.60%**

STATEMENT OF EXPENDITURES AND ENCUMBRANCES

Expenditures	Year to Date for the Period: July 1 - April 30 2001-2002	July 1 - April 30 2002-2003	Percentage of Change	Current Fiscal Year: Unencumbered Balance	Revised Appropriations	Percent of Budget Obligated
General Government	$ 9,721,614	$ 9,412,914	-3.18 %	$ 2,301,009	$ 11,713,923	80.36%
Judicial Administration	4,825,975	4,990,799	3.42 %	1,302,607	6,293,406	79.30%
Public Safety	38,454,949	37,723,877	-1.90 %	8,714,621	46,438,498	81.23%
Public Works	20,643,052	19,655,095	-4.79 %	5,336,990	24,992,085	78.65%
Health and Welfare	21,275,995	21,329,329	0.25 %	6,119,424	27,448,753	77.71%
Parks, Recreation and Cultural	4,103,956	3,756,802	-8.46 %	1,049,327	4,806,129	78.17%
Community Development	4,280,303	4,652,921	8.71 %	876,453	5,529,374	84.15%
Transfer to Debt Service Fund	12,147,755	16,846,406	38.68 %	636	16,847,042	100.00%
Transfer to School Fund	38,349,951	39,622,432	3.32 %	7,786,124	47,408,556	83.58%
Nondepartmental	10,716,865	7,908,044	-26.21 %	3,267,837	11,175,881	70.76%
Total	**$ 164,520,415**	**$ 165,898,619**	**0.84 %**	**$ 36,755,028**	**$ 202,653,647**	**81.86%**

Note:

Prior year financial statements have been restated to conform to current year presentation.

CITY OF ROANOKE, VIRGINIA
SCHOOL FUND STATEMENT OF REVENUE

Revenue Source	Year to Date for the Period: July 1 - Apr 30 2001-2002	Year to Date for the Period: July 1 - Apr 30 2002-2003	Year to Date for the Period: Percentage of Change	Current Fiscal Year: Revised Revenue Estimates	Current Fiscal Year: Percent of Revenue Estimate Received
State Sales Tax	$ 5,875,035	$ 5,738,303	-2.33 %	$ 9,226,504	62.19 %
Grants-in-Aid Commonwealth	32,242,142	34,037,453	5.57 %	43,236,695	78.72 %
Grants-in-Aid Federal Government	90,565	104,174	15.03 %	115,298	90.35 %
Charges for Services	1,430,369	1,651,586	15.47 %	2,127,968	77.61 %
Transfer from General Fund	38,349,951	39,622,432	3.32 %	47,408,556	83.58 %
Special Purpose Grants	7,146,830	8,521,970	19.24 %	11,934,146	NA
Total	**$ 85,134,892**	**$ 89,675,918**	**5.33 %**	**$ 114,049,167**	**78.63 %**

SCHOOL FUND STATEMENT OF EXPENDITURES AND ENCUMBRANCES

Expenditures	Year to Date for the Period: July 1 - Apr 30 2001-2002	Year to Date for the Period: July 1 - Apr 30 2002-2003	Year to Date for the Period: Percentage of Change	Current Fiscal Year: Unencumbered Balance	Current Fiscal Year: Revised Appropriations	Current Fiscal Year: Percent of Budget Obligated
Instruction	$ 59,015,652	$ 60,729,020	2.90 %	$ 15,151,490	$ 75,880,510	80.03 %
General Support	2,748,457	3,037,990	10.53 %	995,982	4,033,972	75.31 %
Transportation	3,180,261	3,409,533	7.21 %	632,685	4,042,218	84.35 %
Operation and Maintenance of Plant	7,869,918	8,521,570	8.28 %	2,419,843	10,941,413	77.88 %
Facilities	1,692,743	2,225,092	31.45 %	1,464,726	3,689,818	60.30 %
Other Uses of Funds	6,188,753	6,591,072	6.50 %	480,647	7,071,719	93.20 %
Special Purpose Grants	11,462,731	11,934,146	4.11 %	-	11,934,146	NA
Total	**$ 92,158,515**	**$ 96,448,423**	**4.65 %**	**$ 21,145,373**	**$ 117,593,796**	**82.02 %**

Note:

Prior year financial statements have been restated to conform to current year presentation.

CITY OF ROANOKE, VIRGINIA
SCHOOL FOOD SERVICES FUND STATEMENT OF REVENUE

	Year to Date for the Period			Current Fiscal Year	
Revenue Source	**July 1 - Apr 30 2001-2002**	**July 1 - Apr 30 2002-2003**	**Percentage of Change**	**Revised Revenue Estimates**	**Percent of Revenue Estimate Received**
Grants-in-Aid Commonwealth	$ 84,483	$ 85,171	0.81 %	$ 84,464	100.84 %
Grants-in-Aid Federal Government	2,299,022	2,238,075	-2.65 %	2,747,730	81.45 %
Charges for Services	1,237,828	1,108,984	-10.41 %	1,689,923	65.62 %
Total	**$ 3,621,333**	**$ 3,432,230**	**-5.22 %**	**$ 4,522,117**	**75.90 %**

SCHOOL FOOD SERVICES FUND STATEMENT OF EXPENDITURES AND ENCUMBRANCES

	Year to Date for the Period			Current Fiscal Year		
Expenditures	**July 1 - Apr 30 2001-2002**	**July 1 - Apr 30 2002-2003**	**Percentage of Change**	**Unencumbered Balance**	**Revised Appropriations**	**Percent of Budget Obligated**
Food Services	$ 3,566,063	$ 3,422,159	-4.04 %	$ 1,103,332	$ 4,525,491	75.62 %
Facilities	17,099	24,092	40.90 %	25,315	49,407	48.76 %
Total	**$ 3,583,162**	**$ 3,446,251**	**-3.82 %**	**$ 1,128,647**	**$ 4,574,898**	**75.33 %**

CITY OF ROANOKE, VIRGINIA
CAPITAL PROJECTS FUND
STATEMENT OF EXPENDITURES, ENCUMBRANCES, AND UNENCUMBERED APPROPRIATIONS SUMMARY AS OF APRIL 30, 2003

	Budget	Expenditures To Date	Unexpended Balance	Outstanding Encumbrances	Unobligated Balance
General Government	$ 11,168,639	$ 9,058,481	$ 2,110,158	$ 1,025,763	$ 1,084,395
Flood Reduction	18,695,464	7,649,473	11,045,991	205,757	10,840,234
Economic Development	25,216,251	19,184,570	6,031,681	62,114	5,969,567
Community Development	6,724,402	5,938,655	785,747	388,492	397,255
Public Safety	8,234,803	6,942,312	1,292,491	356,600	935,891
Recreation	25,770,198	5,214,739	20,555,459	1,430,427	19,125,032
Streets and Bridges	27,450,007	17,684,081	9,765,926	1,477,935	8,287,991
Storm Drains	3,488,809	2,380,218	1,108,591	679,028	429,563
Traffic Engineering	5,640,630	4,290,438	1,350,192	157,491	1,192,701
Capital Improvement Reserve	415,749	-	415,749	-	415,749
Total	**$ 132,804,952**	**$ 78,342,967**	**$ 54,461,985**	**$ 5,783,607**	**$ 48,678,378**

CITY OF ROANOKE, VIRGINIA
SCHOOL CAPITAL PROJECTS FUND
STATEMENT OF EXPENDITURES, ENCUMBRANCES, AND UNENCUMBERED APPROPRIATIONS SUMMARY AS OF APRIL 30, 2003

	Budget	Expenditures To Date	Unexpended Balance	Outstanding Encumbrances	Unobligated Balance
Elementary Schools Renovation	$ 18,287,351	$ 5,961,507	$ 12,325,844	$ 10,530,670	$ 1,795,174
Middle Schools Renovation	983,188	962,733	20,455	-	20,455
High Schools Renovation	527,679	277,525	250,154	-	250,154
Transportation Facility Renovation	1,000,000	92,558	907,442	907,441	1
Interest Expense	262,929	220,322	42,607	-	42,607
Capital Improvement Reserve	356,271	-	356,271	-	356,271
Total	**$ 21,417,418**	**$ 7,514,645**	**$ 13,902,773**	**$ 11,438,111**	**$ 2,464,662**

CITY OF ROANOKE, VIRGINIA
CAPITAL PROJECTS FUND
COMPARATIVE STATEMENT OF REVENUES
FOR THE TEN MONTHS ENDING APRIL 30, 2003

	FY 2003	FY 2002
Interest Revenue:		
Interest on Bond Proceeds	$ 848,000	$ 588,386
Interest on SunTrust Lease	451	11,563
Interest on Idle Working Capital	246,202	411,497
Total Interest Revenue	1,094,653	1,011,446
Multi Year Revenues:		
Intergovernmental Revenue:		
Federal Government:		
FEMA - Regional Mitigation Project	-	19,223
Commonwealth:		
Passenger Station Improvement - ISTEA	578,107	118,989
VDES - Garden City Mitigation Project	-	10,143
Mill Mountain Greenway - ISTEA	188,399	-
Virginia Transportation Museum - ISTEA	357,791	23,064
Railside Linear Walk - ISTEA	298,564	-
Lick Run Greenway - TEA21	50,367	-
Total Intergovernmental Revenue	1,473,228	171,419
Revenue from Third Parties:		
Advance Stores Governor's Opportunity Fund Agreement	170,000	500,000
First Union Job Grant Repayment	31,200	44,400
Anthem Insurance - Land Sale	-	100
Times-World Corporation - Land Sale	-	3,100
Mill Mountain Greenway - Fralin Trust Donation	20,000	-
Roanoke Times Air Right Lease	-	8,500
Sale of Nelms Lane Property	-	500
Total Revenue from Third Parties	221,200	556,600
Other Revenue:		
Transfer from General Fund	3,834,678	4,438,517
Transfer from Water Fund	-	375,000
Transfer from Fleet Management Fund	41,940	-
General Obligation Bond Proceeds - Series 2002	-	41,530,000
Total Other Revenue	3,876,618	46,343,517
Total	**$ 6,665,699**	**$ 48,082,982**

CITY OF ROANOKE, VIRGINIA
WATER FUND
COMPARATIVE INCOME STATEMENT
FOR THE TEN MONTHS ENDING APRIL 30, 2003

	FY 2003	FY 2002
Operating Revenues		
Commercial Sales	$ 3,640,537	$ 3,562,269
Domestic Sales	2,901,728	2,744,629
Industrial Sales	483,538	550,882
Town of Vinton	22,628	22,435
City of Salem	27,546	22,431
County of Botetourt	196,544	175,264
County of Bedford	26,307	17,217
Customer Services	307,654	521,942
Charges for Services	2,436,128	2,229,984
Total Operating Revenues	10,042,610	9,847,053
Operating Expenses		
Personal Services	3,686,446	3,511,155
Operating Expenses	4,486,477	3,789,469
Purchased Water - Roanoke County	1,907,359	-
Purchased Water - City of Salem	589,419	-
Depreciation	1,372,562	1,397,118
Total Operating Expenses	12,042,263	8,697,742
Operating Income (Loss)	(1,999,653)	1,149,311
Nonoperating Revenues (Expenses)		
Interest on Investments	68,608	171,728
Rent	102,500	62,303
Miscellaneous Revenue	52,768	43,832
Transfer to Capital Projects Fund	-	(375,000)
Transfer to Department of Technology Fund	(41,146)	-
Sale of Land	-	375,000
Interest and Fiscal Charges	(780,089)	(862,444)
Net Nonoperating Expenses	(597,359)	(584,581)
Net Income (Loss)	**$ (2,597,012)**	**$ 564,730**

Note: Prior year financial statements have been restated to conform to current year presentation.

CITY OF ROANOKE, VIRGINIA
WATER POLLUTION CONTROL FUND
COMPARATIVE INCOME STATEMENT
FOR THE TEN MONTHS ENDING APRIL 30, 2003

	FY 2003	FY 2002
Operating Revenues		
Sewage Charges - City	$ 5,033,474	$ 5,394,109
Sewage Charges - Roanoke County	1,077,757	564,605
Sewage Charges - Vinton	211,902	167,502
Sewage Charges - Salem	1,008,576	610,404
Sewage Charges - Botetourt County	182,632	114,703
Customer Services	233,336	186,120
Interfund Services	191,661	130,933
Total Operating Revenues	7,939,338	7,168,376
Operating Expenses		
Personal Services	1,744,079	1,750,046
Operating Expenses	3,982,570	4,732,760
Depreciation	1,551,759	1,153,776
Total Operating Expenses	7,278,408	7,636,582
Operating Income (Loss)	660,930	(468,206)
Nonoperating Revenues (Expenses)		
Interest on Investments	116,436	147,091
Miscellaneous Revenue	321	135
Capital Contributions - Other Jurisdictions	97,832	930,095
Transfer to Department of Technology Fund	(27,248)	-
Interest and Fiscal Charges	(619,908)	(632,980)
Net Nonoperating Revenues (Expenses)	(432,567)	444,341
Net Income (Loss)	**$ 228,363**	**$ (23,865)**

Note: Prior year financial statements have been restated to conform to current year presentation.

CITY OF ROANOKE, VIRGINIA
CIVIC CENTER FUND
COMPARATIVE INCOME STATEMENT
FOR THE TEN MONTHS ENDING APRIL 30, 2003

	FY 2003	FY 2002
Operating Revenues		
Rentals	$ 381,865	$ 491,251
Event Expenses	120,706	269,716
Display Advertising	6,000	75,200
Admissions Tax	165,919	206,014
Electrical Fees	6,710	13,651
Novelty Fees	50,612	40,534
Facility Surcharge	51,384	238,604
Charge Card Fees	8,202	61,119
Commissions	52,856	6,200
Catering/Concessions	608,186	1,143,788
Other	14,205	30,286
Total Operating Revenues	1,466,645	2,576,363
Operating Expenses		
Personal Services	1,613,936	1,643,054
Operating Expenses	1,778,365	1,679,442
Depreciation	490,047	257,283
Total Operating Expenses	3,882,348	3,579,779
Operating Loss	(2,415,703)	(1,003,416)
Nonoperating Revenues (Expenses)		
Interest on Investments	15,457	25,048
Transfer from General Fund-Operating	677,815	712,565
Transfer from General Fund-Nonoperating	-	830,000
Transfer from General Fund-Victory Stadium	102,278	102,278
Transfer from Capital Projects Fund	-	385,000
Transfer to Debt Service Fund	(69,330)	-
Transfer to Department of Technology Fund	(47,754)	-
Loss on Disposal of Fixed Assets	(15,352)	-
Miscellaneous	8,733	3,893
Total Nonoperating Revenues	671,847	2,058,784
Net Income (Loss)	**$ (1,743,856)**	**$ 1,055,368**

CITY OF ROANOKE, VIRGINIA
PARKING FUND
COMPARATIVE INCOME STATEMENT
FOR THE TEN MONTHS ENDING APRIL 30, 2003

	FY 2003	FY 2002
Operating Revenues		
Century Station Parking Garage	$ 313,640	$ 321,538
Williamson Road Parking Garage	370,199	367,045
Market Square Parking Garage	188,935	179,792
Church Avenue Parking Garage	408,364	391,707
Tower Parking Garage	327,140	328,093
Gainsboro Parking Garage	31,809	4,864
Williamson Road Surface Lots	62,053	59,911
Norfolk Avenue Surface Lot	49,163	37,221
Gainsboro Surface Lot	29,869	23,653
Other Surface Lots	64,378	-
Total Operating Revenues	1,845,550	1,713,824
Operating Expenses		
Operating Expenses	870,235	731,118
Depreciation	458,817	451,089
Total Operating Expenses	1,329,052	1,182,207
Operating Income	516,498	531,617
Nonoperating Revenues (Expenses)		
Interest on Investments	5,258	25,041
Transfer from General Fund	119,778	32,000
Transfer from Capital Projects Fund	-	108,608
Transfer to General Fund	-	(104,918)
Interest and Fiscal Charges	(491,018)	(414,269)
Miscellaneous	-	1,829
Net Nonoperating Expenses	(365,982)	(351,709)
Net Income	**$ 150,516**	**$ 179,908**

CITY OF ROANOKE, VIRGINIA
MARKET BUILDING FUND
INCOME STATEMENT
FOR THE TEN MONTHS ENDING APRIL 30, 2003

	FY 2003
Operating Revenues	
Retail Space Rental	$ 91,838
Total Operating Revenues	91,838
Operating Expenses	
Operating Expenses	86,661
Depreciation	2,481
Total Operating Expenses	89,142
Operating Income	2,696
Nonoperating Revenues	
Interest on Investments	1,259
Transfer From Capital Projects Fund	295,000
Capital Contributions	289,220
Net Nonoperating Revenues	585,479
Net Income	**$ 588,175**

CITY OF ROANOKE, VIRGINIA
HOTEL ROANOKE CONFERENCE CENTER COMMISSION
COMPARATIVE INCOME STATEMENT
FOR THE TEN MONTHS ENDED APRIL 30, 2003

	FY 2003	FY 2002
Operating Expenses		
Salaries and Fringe Benefits	$ 39,986	$ 42,088
Fees for Professional Services	65,809	60,130
Administrative Expenses	3,248	32,895
Total Operating Expenses	109,043	135,113
Nonoperating Revenues (Expenses)		
Contributions from City of Roanoke	125,000	175,000
Contributions from Virginia Tech	125,000	175,000
Construction Repairs	-	(57,429)
Interest on Investments	53,696	89,910
Net Nonoperating Revenues	303,696	382,481
Net Income Before Depreciation	**194,653**	**247,368**
Depreciation Expense	(426,030)	(426,030)
Net Loss	**$ (231,377)**	**$ (178,662)**

Note: Financial information represents activity of the Commission as accounted for in the City's financial records.

CITY OF ROANOKE, VIRGINIA
INTERNAL SERVICE FUNDS
COMPARATIVE INCOME STATEMENT
FOR THE TEN MONTHS ENDING APRIL 30, 2003

	Department of Technology	Fleet Management	Risk Management	TOTALS FY 2003	TOTALS FY 2002
Operating Revenues					
Charges for Services	$ 3,545,576	$ 3,928,540	$ 9,065,300	$ 16,539,416	$ 14,829,101
Total Operating Revenues	**3,545,576**	**3,928,540**	**9,065,300**	**16,539,416**	**14,829,101**
Operating Expenses					
Personal Services	1,791,716	1,050,506	122,942	2,965,164	2,992,128
Operating Expenses	1,139,706	1,600,456	9,569,916	12,310,078	10,607,900
Depreciation	586,215	1,656,127	-	2,242,342	2,097,956
Total Operating Expenses	**3,517,637**	**4,307,089**	**9,692,858**	**17,517,584**	**15,697,984**
Operating Income (Loss)	**27,939**	**(378,549)**	**(627,558)**	**(978,168)**	**(868,883)**
Nonoperating Revenues (Expenses)					
Interest Revenue	69,878	17,047	153,833	240,758	390,835
Interest Expense	(7,222)	(64,713)	-	(71,935)	(60,114)
Transfers From General Fund	629,229	829,338	250,000	1,708,567	3,405,886
Transfer From Water Fund	41,146	-	-	41,146	-
Transfer From Water Pollution Control Fund	27,248	-	-	27,248	-
Transfer From Capital Projects Fund	-	(41,940)	-	(41,940)	-
Transfer From Civic Center Fund	47,754	-	-	47,754	-
Transfer to Grant Fund	-	-	-	-	(41,350)
Loss on Disoposal of Fixed Assets	(26,080)	(1,504)	-	(27,584)	(44,034)
Other Revenue	-	-	-	-	10,183
Net Nonoperating Revenues	**781,953**	**738,228**	**403,833**	**1,924,014**	**3,661,406**
Net Income (Loss)	**$ 809,892**	**$ 359,679**	**$ (223,725)**	**$ 945,846**	**$ 2,792,523**

Note: Prior year financial statements have been restated to conform to current year presentation.

CITY OF ROANOKE, VIRGINIA
CITY TREASURER'S OFFICE
GENERAL STATEMENT OF ACCOUNTABILITY
FOR THE MONTH ENDED APRIL 30, 2003

TO THE DIRECTOR OF FINANCE:
GENERAL STATEMENT OF ACCOUNTABILITY OF THE CITY TREASURER OF THE CITY OF ROANOKE, VIRGINIA FOR THE FUNDS OF SAID CITY FOR THE MONTH ENDED APRIL 30, 2003.

FUND	BALANCE AT MAR 31, 2003	RECEIPTS	DISBURSEMENTS	BALANCE AT APR 30, 2003	BALANCE AT APR 30, 2002
GENERAL	($3,011,920.67)	$19,322,180.07	$16,381,593.59	**($71,334.19)**	($14,949.48)
WATER	3,712,941.87	554,536.28	153,254.88	**4,114,223.27**	11,499,612.67
WATER POLLUTION CONTROL	8,490,180.97	1,765,823.19	1,630,189.64	**8,625,814.52**	7,671,678.23
CIVIC FACILITIES	641,063.18	180,220.96	436,002.34	**385,281.80**	4,313,075.75
PARKING	332,153.86	189,004.71	114,474.27	**406,684.30**	374,367.10
CAPITAL PROJECTS	56,378,314.49	212,667.37	4,325,883.25	**52,265,098.61**	65,166,367.86
MARKET BUILDING OPERATIONS	342,609.73	23,777.67	44,162.52	**322,224.88**	0.00
CONFERENCE CENTER	3,863,413.68	62,693.61	15,333.69	**3,910,773.60**	4,260,259.41
RKE VALLEY DETENTION COMM	0.00	0.00	0.00	**0.00**	2,525,805.26
DEBT SERVICE	12,665,307.76	1,839,175.51	0.00	**14,504,483.27**	14,058,309.13
DEPT OF TECHNOLOGY	5,159,915.67	295,897.67	116,400.64	**5,339,412.70**	5,758,093.42
MATERIALS CONTROL	0.00	0.00	0.00	**0.00**	291,724.77
FLEET MANAGEMENT	1,406,662.18	446,906.43	159,623.83	**1,693,944.78**	1,122,225.83
PAYROLL	(13,710,693.98)	14,962,237.09	12,926,574.01	**(11,675,030.90)**	(11,892,765.61)
RISK MANAGEMENT	11,607,853.70	703,951.40	670,611.97	**11,641,193.13**	11,922,113.58
PENSION	528,398.05	1,357,128.15	1,491,620.30	**393,905.90**	966,830.46
SCHOOL FUND	9,563,853.00	5,756,234.37	6,481,841.45	**8,838,245.92**	5,569,636.15
SCHOOL CAPITAL PROJECTS	9,326,752.13	254,255.21	211,041.23	**9,369,966.11**	6,802,061.19
SCHOOL FOOD SERVICE	161,061.73	736,682.43	464,154.65	**433,589.51**	299,003.06
FDETC	91,846.48	79,552.37	93,952.67	**77,446.18**	120,116.93
GRANT	1,115,546.53	135,514.89	298,997.21	**952,064.21**	647,041.54
TOTAL	$108,665,260.36	$48,878,439.38	$46,015,712.14	**$111,527,987.60**	$131,460,607.25

CERTIFICATE

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE STATEMENT OF MY ACCOUNTABILITY TO THE CITY OF ROANOKE, VIRGINIA, FOR THE FUNDS OF THE VARIOUS ACCOUNTS THEREOF FOR THE MONTH ENDED APRIL 30, 2003.
THAT SAID FOREGOING:

CASH:	
CASH IN HAND	**$10,578.96**
CASH IN BANK	**1,990,338.70**
INVESTMENTS ACQUIRED FROM COMPETITIVE PROPOSALS:	
COMMERCIAL HIGH PERFORMANCE MONEY MARKET	**13,463,381.50**
LOCAL GOVERNMENT INVESTMENT POOL	**24,276,091.89**
MONEY MANAGEMENT ACCOUNT	**10,382,608.53**
REPURCHASE AGREEMENTS	**15,000,000.00**
U. S. AGENCIES	**6,924,375.00**
VIRGINIA AIM PROGRAM (U. S. SECURITIES)	**39,480,613.02**
TOTAL	**$111,527,987.60**

DATE: MAY 15, 2003

David C. Anderson
DAVID C. ANDERSON, TREASURER

CITY OF ROANOKE PENSION PLAN
STATEMENT OF CHANGES IN PLAN NET ASSETS
FOR THE TEN MONTHS ENDED APRIL 30, 2003

	FY 2003	FY 2002
Additions:		
Employer Contributions	$ 3,324,958	$ 3,398,534
Investment Income		
Net Appreciation (Depreciation) in Fair Value of Investments	(9,318,763)	(14,087,151)
Interest and Dividend Income	2,425,990	2,985,917
Total Investment Income (Loss)	(6,892,773)	(11,101,234)
Less Investment Expense	255,113	85,096
Net Investment Income (Loss)	(7,147,886)	(11,186,330)
Total Additions (Deductions)	**$ (3,822,928)**	**$ (7,787,796)**
Deductions		
Benefits Paid to Participants	$ 13,865,340	$ 12,400,859
Administrative Expenses	288,349	308,712
Total Deductions	14,153,689	12,709,571
Net Increase (Decrease)	**(17,976,617)**	**(20,497,367)**
Net Assets Held in Trust for Pension Benefits:		
Fund Balance, July 1	289,534,315	326,337,980
Fund Balance, April 30	**$271,557,698**	**$305,840,613**

CITY OF ROANOKE PENSION PLAN
BALANCE SHEET
APRIL 30, 2003

	FY 2003	FY 2002
Assets		
Cash	$ 368,380	$ 965,780
Investments, at Fair Value	272,606,184	306,143,523
Due from Other Funds	1,590	3,492
Other Assets	5,785	5,434
Total Assets	**$ 272,981,939**	**$ 307,118,229**
Liabilities and Fund Balance		
Liabilities:		
Due to Other Funds	$ 1,424,060	$ 1,273,962
Accounts Payable	181	3,654
Total Liabilities	1,424,241	1,277,616
Fund Balance:		
Fund Balance, July 1	289,534,315	326,337,980
Net Gain (Loss) - Year to Date	(17,976,617)	(20,497,367)
Total Fund Balance	271,557,698	305,840,613
Total Liabilities and Fund Balance	**$ 272,981,939**	**$ 307,118,229**

CITY OF ROANOKE
DEPARTMENT OF FINANCE

215 Church Avenue, S.W., Room 461
P.O. Box 1220
Roanoke, Virginia 24006-1220
Telephone: (540) 853-2821
Fax: (540) 853-6142

JESSE A. HALL
Director of Finance
email: jesse_hall@ci.roanoke.va.us

ANN H. SHAWVER
Deputy Director
email: ann_shawver@ci.roanoke.va.us

June 2, 2003

The Honorable Ralph K. Smith, Mayor
The Honorable C. Nelson Harris, Vice-Mayor
The Honorable William D. Bestpitch, Council Member
The Honorable M. Rupert Cutler, Council Member
The Honorable Alfred T. Dowe, Jr., Council Member
The Honorable Beverly T. Fitzpatrick, Jr., Council Member
The Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Authorization to Refund Bonds

Background:

The City issued $35.8 million of Series 1994 bonds dated January 1, 1994. The bonds were issued to fund various projects including an expansion of the City Jail, construction of the Hotel Roanoke Conference Center and other infrastructure projects. Interest rates on the callable maturities of these bonds range from 4.7% to 5.25%.

The City issued $26,020,000 of Series 1999A and $10,100,000 of Series 1999B bonds dated October 15, 1999. The bonds were issued to fund various projects including schools, buildings, storm drains, the Roanoke Higher Education Center, the Johnson and Johnson project and other infrastructure projects. Interest rates on the callable maturities of these bonds range from 5.0% to 6.0%.

Morgan Keegan and Company, Inc. has proposed to purchase bonds to refund our currently outstanding bonds via a negotiated sale.

Considerations:

Based on recent municipal bond interest rates, the City could potentially realize considerable savings by refunding a portion of the 1994 and/or 1999 bonds. Resulting savings would be contingent upon the combination of the interest rate received on the refunding bonds and the interest rate obtained on the Treasury certificates purchased to fund the escrow to be used to

pay the current outstanding bonds when those bonds become callable. Based upon discussions with the City's financial advisor, BB&T Capital Markets, we believe an appropriate level of savings to justify refunding the 1994 bonds would be a net present value amount of $750,000, provided that savings of at least 3% of net present value of the refunded bonds could also be achieved. An appropriate level of savings to justify refunding the 1999 bonds would be a net present value amount of $500,000, provided that savings of at least 4% of net present value of the refunded bonds could also be achieved. Since interest rates fluctuate daily, it is imperative to the success of a refunding that the City act quickly once interest rates enable us to achieve an acceptable level of savings. Thus, a negotiated sale, versus an open market competitive sale, can be accomplished in a much shorter timeframe and is deemed more practical in this situation.

Refunding bonds will be considered additional debt in the context of the City's debt policy and from the rating agencies' perspective only to the extent that a slightly higher level of principal would need to be issued than the amount of bonds being refunded.

Recommendation:

We recommend City Council adopt the accompanying resolution authorizing the City Manager and the Director of Finance to issue up to $53 million in refunding bonds to be purchased by Morgan Keegan and Company, Inc. Refunding bonds shall be issued to refund the 1994 bonds if net present value savings of $750,000 and a minimum of 3% of the net present value of the 1994 refunded bonds can be achieved. Refunding bonds shall be issued to refund the 1999 bonds if net present value savings of $500,000 and a minimum of 4% of the net present value of the 1999 refunded bonds can be achieved.

We would be pleased to answer any questions you may have.

Sincerely,

Darlene L. Burcham
City Manager

Jesse A. Hall
Director of Finance

JAH/ca

c: William M. Hackworth, City Attorney
Mary F. Parker, City Clerk

WMK

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED FIFTY-THREE MILLION DOLLARS ($53,000,000) PRINCIPAL AMOUNT OF CITY OF ROANOKE, VIRGINIA, GENERAL OBLIGATION PUBLIC IMPROVEMENT REFUNDING BONDS TO MORGAN KEEGAN & COMPANY, INC., AS UNDERWRITER; FIXING THE FORM, DENOMINATION AND CERTAIN OTHER DETAILS OF SUCH BONDS AND DELEGATING TO THE CITY MANAGER AND THE DIRECTOR OF FINANCE AUTHORITY, AMONG OTHER THINGS, TO EXECUTE AND DELIVER TO SUCH UNDERWRITER A BOND PURCHASE CONTRACT BY AND BETWEEN THE CITY AND SUCH UNDERWRITER, TO DETERMINE THE AGGREGATE PRINCIPAL AMOUNT OF SUCH BONDS, THE MATURITY DATES OF SUCH BONDS AND THE PRINCIPAL AMOUNTS OF SUCH BONDS MATURING IN EACH YEAR, THE INTEREST PAYMENT DATES FOR SUCH BONDS AND THE RATES OF INTEREST TO BE BORNE BY SUCH BONDS, THE REDEMPTION PROVISIONS AND REDEMPTION PREMIUMS, IF ANY, APPLICABLE TO SUCH BONDS AND TO APPOINT AN ESCROW AGENT FOR THE BONDS TO BE REFUNDED FROM THE PROCEEDS OF SUCH BONDS; AUTHORIZING THE PREPARATION OF A PRELIMINARY OFFICIAL STATEMENT AND AN OFFICIAL STATEMENT AND THE DELIVERY THEREOF TO SUCH UNDERWRITER; AUTHORIZING THE EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE CERTIFICATE RELATING TO SUCH BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW DEPOSIT AGREEMENT RELATING TO THE REFUNDED BONDS; AUTHORIZING THE CITY MANAGER AND THE DIRECTOR OF FINANCE TO APPOINT A VERIFICATION AGENT; AUTHORIZING THE CITY MANAGER AND THE DIRECTOR OF FINANCE TO DESIGNATE THE REFUNDED BONDS FOR REDEMPTION; AND OTHERWISE PROVIDING WITH RESPECT TO THE ISSUANCE, SALE AND DELIVERY OF SUCH BONDS AND THE REFUNDING OF THE REFUNDED BONDS

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA:

SECTION 1. (a) (i) Pursuant to Chapter 5.1 of Title 15.1 of the Code of Virginia, 1950, being the Public Finance Act of 1991 as then in effect, and Ordinance No 31375-040593 adopted by this Council on April 5, 1993, there were authorized to be issued, sold and delivered general obligation bonds of the City in the principal amount of $20,100,000, for the purposes specified in such ordinance.

(ii) Pursuant to the Public Finance Act of 1991 and Ordinance No. 31782-122093 adopted by this Council on December 20, 1993, there were authorized to be issued sold and delivered general obligation bonds of the City in the principal amount of $15,700,000, for the purposes specified in such ordinance.

(iii) Pursuant to Ordinance No. 31844-011894 adopted by this Council on January 18, 1994, the City authorized and approved the issuance and sale of the general obligation bonds referred to in Section 1(a)(i) and (ii) hereof, such bonds having been issued in the principal amount of $35,800,000, designated as the "City of Roanoke, Virginia, General Obligation Public Improvement Bonds, Series 1994" (the "Series 1994 Bonds"), dated January 1, 1994 and maturing in varying principal amounts on August 1 in each of the years 1995 through 2016, both inclusive, on August 1, 2019 and on August 1, 2024.

(b) (i) Pursuant to Section 47 of the Charter of the City an election duly called and held in the City on November 4, 1997, and Ordinances Nos. 33497-072197 and 33498-072197 adopted by this Council on July 27, 1997, there were authorized to be issued, sold and delivered general obligation bonds of the City in the principal amount of $39,030,000, for the purposes specified in such ordinances.

(ii) Pursuant to Resolution No. 34476-090799 adopted by this Council on September 7, 1999, the City authorized and approved the issuance and sale of a portion of the general obligation bonds referred to in Section 1(b)(i) hereof, such bonds having been issued in the principal amount of $26,020,000, designated as the "City of Roanoke, Virginia, General Obligation Public Improvement Bonds, Series 1999A" (the "Series 1999A Bonds"), dated October 1, 1999 and maturing in varying principal amounts on October 1 in each of the years 2000 through 2017, both inclusive, and on October 1, 2019.

(c) (i) Pursuant to Chapter 26 of Title 15.2 of the Code of Virginia, 1950, being the Public Finance Act of 1991 (the "Public Finance Act of 1991"), and Ordinance No 34255-041999 adopted by this Council on April 19, 1999, there were authorized to be issued, sold and delivered general obligation bonds of the City in the principal amount of $7,600,000, for the purposes specified in such ordinance.

(ii) Pursuant to the Public Finance Act of 1991 and Ordinance No. 34362-062199 adopted by this Council on June 21, 1999, there were authorized to be issued sold and delivered general obligation bonds of the City in the principal amount of $2,500,000, for the purposes specified in such ordinance.

(iii) Pursuant to Resolution No. 34476-090799 adopted by this Council on September 7, 1999, the City authorized and approved the issuance and sale of the general obligation bonds referred to in Section 1(c)(i) and (ii) hereof, such bonds having been issued in the principal amount of $10,100,000, designated as the "City of Roanoke, Virginia, General Obligation Public Improvement Bonds, Series 1999B (the "Series 1999B Bonds"), dated October 1, 1999 and maturing in varying principal amounts on October 1 in each of the years 2000 through 2017, both inclusive, and on October 1, 2019.

(d) This Council deems it advisable and in the best interest of the City to authorize and provide for the issuance, sale and delivery of an issue of general obligation public improvement refunding bonds for the purpose of providing for the refunding of all or a portion of $26,800,000 principal amount of the Series 1994 Bonds maturing on or after August 1, 2005 (the "Refunded 1994 Bonds"), all or a portion of $17,575,000 principal amount of the Series 1999A Bonds maturing on and after October 1, 2010 (the "Refunded 1999A Bonds") and all or a portion of $1,615,000 principal amount of the Series 1999B Bonds maturing on and after October 1, 2010 (the "Refunded 1999B Bonds"). The Refunded 1999A Bonds and the Refunded 1999B Bonds are hereinafter referred to collectively as the "Refunded 1999 Bonds", and the Refunded 1994 Bonds and the Refunded 1999 Bonds are hereinafter referred to collectively as the "Refunded Bonds".

SECTION 2. (a) Pursuant to the Public Finance Act of 1991, including in particular Title 15.2, Chapter 26, Article 5, Section 15.2-2643 *et seq.*, of the Code of Virginia, 1950, for the purpose of providing funds to refund the Refunded Bonds in advance of their stated maturities and to pay the costs of issuance of the Bonds, there are hereby authorized to be issued, sold and delivered not to exceed Fifty-Three Million Dollars ($53,000,000) principal amount of general obligation refunding bonds of the City which shall be designated and known as "City of Roanoke, Virginia, General Obligation Public Improvement Refunding Bonds" (referred to herein as the "Bonds").

(b) The Bonds shall be issued and sold in their entirety at one time, or from time to time in part in series, as shall be determined by the Director of Finance. There shall be added to the designation of the Bonds a series designation determined by the Director of Finance. The Bonds shall be issued in fully registered form in the denomination of $5,000 each or any integral multiple thereof. The Bonds of a given series shall be numbered from No. R-1 upwards in order of issuance. The Bonds shall bear interest from their date payable on such date and semiannually thereafter as shall be determined by the City Manager and the Director of Finance in accordance with the provisions of Section 8 hereof. The Bonds shall be issued in such aggregate principal amount (not exceeding in the aggregate the principal amount specified in Section 2(a) hereof); and shall mature on such dates and in such years (but in no event later than July 1, 2025), and in the principal amount in each such year, determined by the City Manager and the Director of Finance in accordance with the provisions of Section 8 hereof. Interest on the Bonds shall be calculated on the basis of a three hundred and sixty (360) day year comprised of twelve (12) thirty (30) day months.

(c) The Bonds (or portions thereof in installments of $5,000) may be made subject to redemption at the option of the City prior to their stated maturities, in whole or in part from time to time on any date, in such order as may be determined by the City (except that if at any time less than all of the Bonds of a given maturity are called for redemption, the particular Bonds or portions thereof in installments of $5,000 of such maturity to be redeemed shall be selected by lot), upon payment of such redemption prices (expressed as a percentage of the principal amount of the Bonds to be redeemed), together with the interest accrued thereon to the date fixed for the redemption thereof, as shall be determined by the City Manager and the Director of Finance in accordance with the provisions of Section 8 hereof.

(d) (i) If any Bond (or any portion of the principal amount thereof in installments of $5,000) shall be called for redemption, notice of the redemption thereof, specifying the date, number and maturity of such Bond, the date and place or places fixed for its redemption, the premium, if any, payable upon such redemption, and if less than the entire principal amount of such Bond is to be redeemed, that such Bond must be surrendered in exchange for the principal amount thereof to be redeemed and a new Bond or Bonds issued equalling in principal amount that portion of the principal amount thereof not to be redeemed, shall be mailed not less than thirty (30) days prior to the date fixed for redemption, by first class mail, postage prepaid, to the registered owner thereof at his address as it appears on the books of registry kept by the Registrar as of the close of business on the forty-fifth (45th) day next preceding the date fixed for redemption. If notice of the redemption of any Bond shall have been given as aforesaid, and payment of the principal amount of such Bond (or the portion of the principal amount thereof to be redeemed) and of the accrued interest and premium, if any, payable upon such redemption shall have been duly made or provided for, interest thereon shall cease to accrue from and after the date so specified for the redemption thereof.

(ii) So long as the Bonds are in book-entry only form, any notice of redemption shall be given only to The Depository Trust Company, New York, New York ("DTC"), or to its nominee. The City shall not be responsible for providing any beneficial owner of the Bonds any notice of redemption.

SECTION 3. The full faith and credit of the City shall be and is irrevocably pledged to the punctual payment of the principal of and premium, if any, and interest on the Bonds as the same become due. In each year while the Bonds, or any of them, are outstanding and unpaid, this Council is authorized and required to levy and collect annually, at the same time and in the same manner as other taxes of the City are assessed, levied and collected, a tax upon all taxable property within the City, over and above all other taxes, authorized or limited by law and without limitation as to rate or amount, sufficient to pay when due the principal of and premium, if any, and interest on the Bonds to the extent other funds of the City are not lawfully available and appropriated for such purpose.

SECTION 4. (a) The Bonds shall be executed, for and on behalf of the City, by the manual or facsimile signatures of the Mayor and City Treasurer of the City and shall have a facsimile of the corporate seal of the City imprinted thereon, attested by the manual or facsimile signature of the City Clerk of the City.

(b) The Director of Finance is hereby authorized to appoint a Registrar and Paying Agent for the Bonds.

(c) The Director of Finance shall direct the Registrar to authenticate the Bonds and no Bond shall be valid or obligatory for any purpose unless and until the certificate of authentication endorsed on each Bond shall have been manually executed by an authorized signator of the Registrar. Upon the authentication of any Bonds the Registrar shall insert in the certificate of authentication the date as of which such Bonds are authenticated as follows: (i) if a Bond is authenticated prior to the first interest payment date, the certificate shall be dated as of the date of the initial issuance and delivery of the Bonds of the series of Bonds of which such Bond is one; (ii) if a Bond is authenticated upon an interest payment date, the certificate shall be dated as of such interest payment date; (iii) if a Bond is authenticated after the fifteenth (15th) day of the calendar month next preceding an interest payment date and prior to such interest payment date, the certificate shall be dated as of such interest payment date; and (iv) in all other instances the certificate shall be dated as of the interest payment date next preceding the date upon which the Bond is authenticated. In the event the Bonds of any series shall be dated as of a date other than the first day of a calendar month or the dates on which interest is payable on such series are other than the first days of calendar months, the provisions of this Section 4(c) with regard to the authentication of such Bonds and of Section 9 with regard to the form of such Bonds shall be modified as the Director of Finance shall determine to be necessary or appropriate.

(d) The execution and authentication of the Bonds in the manner above set forth is adopted as a due and sufficient authentication of the Bonds.

SECTION 5. (a) The principal of and premium, if any, and interest on the Bonds shall be payable in such coin or currency of the United States of America as at the respective dates of payment thereof is legal tender for public and private debts at the office of the Registrar. Interest on the Bonds shall be payable by check mailed by the Registrar to the registered owners of such Bonds at their respective addresses as such addresses appear on the books of registry kept pursuant to this Section 5.

(b) At all times during which any Bond of any series remains outstanding and unpaid, the Registrar for such series shall keep or cause to be kept at its office books of registry for the registration, exchange and transfer of Bonds of such series. Upon presentation at its office for such purpose the Registrar, under such reasonable regulations as it may prescribe, shall register, exchange, transfer, or cause to be registered, exchanged or transferred, on the books of registry the Bonds as hereinbefore set forth.

(c) The books of registry shall at all times be open for inspection by the City or any duly authorized officer thereof.

(d) Any Bond may be exchanged at the office of the Registrar for such series of Bonds for a like aggregate principal amount of such Bonds in other authorized principal sums of the same series, interest rate and maturity.

(e) Any Bond of any series may, in accordance with its terms, be transferred upon the books of registry by the person in whose name it is registered, in person or by his duly authorized agent, upon surrender of such Bond to the Registrar for cancellation, accompanied by a written instrument of transfer duly executed by the registered owner in person or by his duly authorized attorney, in form satisfactory to the Registrar.

(f) All transfers or exchanges pursuant to this Section 5 shall be made without expense to the registered owners of such Bonds, except as otherwise herein provided, and except that the Registrar for such series of Bonds shall require the payment by the registered owner of the Bond requesting such transfer or exchange of any tax or other governmental charges required to be paid with respect to such transfer or exchange. All Bonds surrendered pursuant to this Section 5 shall be cancelled.

(g) (i) The Bonds shall be issued in full book-entry form. One Bond representing each maturity of the Bonds will be issued to and registered in the name of Cede & Co., as nominee of DTC, as registered owner of the Bonds, and each such Bond will be immobilized in the custody of DTC. DTC will act as securities depository for the Bonds. Individual purchases will be made in book-entry form only, in the principal amount of $5,000 or any integral multiple thereof. Purchasers will not receive physical delivery of certificates representing their interest in the Bonds purchased.

(ii) Principal, premium, if any, and interest payments on the Bonds will be made by the Registrar to DTC or its nominee, Cede & Co., as registered owner of the Bonds, which will in turn remit such payments to the DTC participants for subsequent disbursal to the beneficial owners of the Bonds. Transfers of principal, premium, if any, and interest payments to DTC participants will be the responsibility of DTC. Transfers of such payments to beneficial owners of the Bonds by DTC participants will be the responsibility of such participants and other nominees of such beneficial owners. Transfers of ownership interests in the Bonds will be accomplished by book entries made by DTC and, in turn, by the DTC participants who act on behalf of the indirect participants of DTC and the beneficial owners of the Bonds.

(iii) The City will not be responsible or liable for sending transaction statements or for maintaining, supervising or reviewing records maintained by DTC, its participants or persons acting through such participants or for transmitting payments to, communicating with, notifying, or otherwise dealing with any beneficial owner of the Bonds.

SECTION 6. (a) CUSIP identification numbers may be printed on the Bonds, but no such number shall constitute a part of the contract evidenced by the particular Bond upon which it is printed; no liability shall attach to the City or any officer or agent thereof (including any paying agent for the Bonds) by reason of such numbers or any use made thereof (including any use thereof made by the City, any such officer or any such agent) or by reason of any inaccuracy, error or omission with respect thereto or in such use; and any inaccuracy, error or omission with respect to such numbers shall not constitute cause for failure or refusal by a purchaser of any Bonds to accept delivery of and pay for such Bonds. All expenses in connection with the assignment and printing of CUSIP numbers on the Bonds shall be paid by

the City; *provided, however*, that the CUSIP Service Bureau charge for the assignment of such numbers shall be the responsibility of the Underwriter (as such term is defined in Section 8(a)).

(b) A copy of the final legal opinion with respect to the Bonds, with the name of the attorney or attorneys rendering the same, together with a certification of the City Clerk, executed by a facsimile signature of that officer, to the effect that such copy is a true and complete copy (except for letterhead and date) of the legal opinion which was dated as of the date of delivery of and payment for the Bonds, may be printed on the Bonds.

SECTION 7. The City covenants and agrees to comply with the provisions of Sections 103 and 141-150 of the Internal Revenue Code of 1986 and the applicable Treasury Regulations promulgated thereunder throughout the term of the Bonds.

SECTION 8. (a) Pursuant to the authority of and for the purposes specified herein, this Council hereby authorizes the City Manager and the Director of Finance, without further action of this Council, to sell the Bonds at a negotiated sale to Morgan Keegan & Company, Inc., as underwriter (the "Underwriter"), at a price not less than ninety-five percent (95%) of the principal amount of the Bonds, plus accrued interest from the date of the Bonds to the date of delivery thereof and payment therefor; *provided, however,* that the Bonds allocable to the refunding of the Refunded 1994 Bonds may be sold to the Underwriter only if the refunding of the Refunded 1994 Bonds will result in net present value savings to the City of not less than $750,000 and a net present value savings ratio of not less than three percent (3%), in each case based on the debt service on the Refunded 1994 Bonds, and that the Bonds allocable to the refunding of the Refunded 1999 Bonds may be sold to the Underwriter only if the refunding of the Refunded 1999 Bonds will result in net present value savings to the City of not less than $500,000 and a net present value savings ratio of not less than four percent (4%), in each case based on the debt service on the Refunded 1999 Bonds, and *provided further* in no event shall the underwriting compensation to the Underwriter exceed three-quarters of one percent (3/4 of 1%) of the principal amount of the Bonds. This Council hereby further authorizes the City Manager and the Director of Finance to execute and deliver to the Underwriter a Bond Purchase Contract relating to the sale of the Bonds by the City to the Underwriter in such form as shall be approved by the City Manager and the Director of Finance upon the advice of counsel (including the City Attorney and Bond Counsel to the City), such approval to be conclusively evidenced by their execution and delivery thereof. The Bonds shall bear interest at such rates per annum as shall be approved by the City Manager and the Director of Finance; *provided, however,* in no event shall the true interest rate for the Bonds exceed five and one-half percent (5 1/2%) and *provided further* in no event shall the premium payable by the City upon the redemption of the Bonds exceed two percent (2%) of the principal amount thereof.

(b) The City Manager and the Director of Finance are hereby authorized to cause to be prepared and deliver to the Underwriter a Preliminary Official Statement and a final Official Statement relating the Bonds on or before the dates specified in the Bond Purchase Contract. The City Manager and the Director of Finance are hereby further authorized to certify that the Preliminary Official Statement for the Bonds authorized hereunder is "deemed final" for purposes of Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to

the Securities Exchange Act of 1934 ("Rule 15c2-12). The Mayor of the City is hereby authorized to execute the final Official Statement on behalf of the City.

(c) The City Manager and the Director of Finance are hereby authorized to execute and deliver to the purchasers of the Bonds a Continuing Disclosure Certificate relating to the Bonds evidencing the City's undertaking to comply with the continuing disclosure requirements of Paragraph (b)(5) of Rule 15c2-12 in such form as shall be approved by the City Manager and the Director of Finance upon advice of counsel (including the City Attorney or Bond Counsel), such approval to be conclusively evidenced by their execution and delivery thereof.

(d) All actions and proceedings heretofore taken by this Council, the City Manager, the Director of Finance and the other officers, employees, agents and attorneys of and for the City in connection with the issuance and sale of the Bonds are hereby ratified and confirmed.

SECTION 9. (a) The City Manager and the Director of Finance are hereby authorized to enter into an Escrow Deposit Agreement in the form customarily entered into by the City in connection with advance refunding transactions providing for the redemption of the Refunded Bonds (the "Escrow Deposit Agreement") and to appoint an Escrow Agent to serve under the Escrow Deposit Agreement. The City Manager and the Director of Finance are hereby authorized to appoint a verification agent to verify the mathematical accuracy of computations relating to the Bonds and the Refunded Bonds.

(b) The City Manager and the Director of Finance, or either of them, are hereby authorized to execute, on behalf of the City, subscriptions or purchase agreements for the securities to be purchased by the Escrow Agent from moneys deposited in the Escrow Deposit Fund created and established under the Escrow Deposit Agreement. Such securities so purchased shall be held by the Escrow Agent under and in accordance with the provisions of the Escrow Deposit Agreement.

(c) Subject to the sale and receipt of the proceeds of the Bonds, the City Manager and the Director of Finance are hereby authorized to designate the Refunded Bonds for redemption on such date or dates as they shall determine and are hereby further authorized to direct the Escrow Agent to cause notices of the redemption of the Refunded Bonds on such date or dates to be given in accordance with the provisions of the proceedings authorizing the issuance of the Refunded Bonds.

SECTION 10. The Bonds, the certificate of authentication of the Registrar, and the assignment endorsed on the Bonds, shall be substantially in the forms set forth in Exhibit A attached hereto.

SECTION 11. The City Clerk is hereby directed to file a copy of this Resolution, certified by such City Clerk to be a true copy hereof, with the Circuit Court of the

City of Roanoke, Virginia, all in accordance with Section 15.2-2607 of the Code of Virginia, 1950.

SECTION 12. All ordinances, resolutions and proceedings in conflict herewith are, to the extent of such conflict, repealed.

ATTEST:

City Clerk.

EXHIBIT A

UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA
CITY OF ROANOKE
GENERAL OBLIGATION PUBLIC
IMPROVEMENT REFUNDING BOND
SERIES _____

No. R-__ $_____

MATURITY DATE:	INTEREST RATE:	DATE OF BOND:	CUSIP NO:

REGISTERED OWNER:

PRINCIPAL SUM: DOLLARS

KNOW ALL MEN BY THESE PRESENTS, that the City of Roanoke, in the Commonwealth of Virginia (the "City"), for value received, acknowledges itself indebted and hereby promises to pay to the Registered Owner (named above), or registered assigns, on the Maturity Date (specified above) (unless this Bond shall be subject to prior redemption and shall have been duly called for previous redemption and payment of the redemption price duly made or provided for), the Principal Sum (specified above), and to pay interest on such Principal Sum on _____ and semiannually on each _____ and _____ thereafter (each such date is hereinafter referred to as an "interest payment date"), from the date hereof or from the interest payment date next preceding the date of authentication hereof to which interest shall have been paid, unless such date of authentication is an interest payment date, in which case from such interest payment date, or unless such date of authentication is within the period from the sixteenth (16th) day to the last day of the calendar month next preceding the following interest payment date, in which case from such following interest payment date, such interest to be paid until the maturity or redemption hereof at the Interest Rate (specified above) per annum, by check mailed by the Paying Agent hereinafter mentioned to the Registered Owner in whose name this Bond is registered upon the books of registry, as of the close of business on the fifteenth (15th) day (whether or not a business day) of the calendar month next preceding each interest payment date. Interest on this Bond shall be calculated on the basis of a three hundred and sixty (360) day year comprised of twelve (12) thirty (30) day months.

The principal of and premium, if any, on this Bond are payable on presentation and surrender hereof, at the office of _____, as the Registrar and Paying Agent, in the City of _____, _____. Principal of and premium, if any, and interest on this Bond are payable in any coin or currency of the United States of America which, on the respective dates of payment thereof, shall be legal tender for public and private debts.

This Bond is one of a series of Bonds of like date, denomination and tenor except as to number, interest rate and maturity, and is issued for the purpose of providing funds to refund in advance of their stated maturities certain general obligation public improvement bonds heretofore issued by the City to pay the costs of public improvement projects of and for the City. This Bond is issued under and pursuant to and in full compliance with the Constitution and statutes of the Commonwealth of Virginia, including Chapter 26 of Title 15.2 of the Code of Virginia, 1950 (the same being the Public Finance Act of 1991), and a resolution and other proceedings of the Council of the City duly adopted and taken under the Public Finance Act of 1991.

The Bonds of the series of which this Bond is one (or portions thereof in installments of $5,000) maturing on and after _____ are subject to redemption at the option of the City prior to their stated maturities, on or after _____ in whole or in part from time to time on any date, in such order as may be determined by the City (except that if at any time less than all of the Bonds of a given maturity are called for redemption, the particular Bonds or portions thereof in installments of $5,000 of such maturity to be redeemed shall be selected by lot), upon payment of the following redemption prices (expressed as a percentage of the principal amount of the Bonds to be redeemed), together with the interest accrued thereon to the date fixed for the redemption thereof:

Redemption Dates (Both Dates Inclusive)	Redemption Prices (Percentages of Principal Amount)
_____ __, ____ to _____ __, ____	%
_____ __, ____ to _____ __, ____	
_____ __, ____ and thereafter	

[The Bonds of the series of which this Bond is one maturing on _____ __, ____ are subject to mandatory sinking fund redemption on _____ __, ____ and on each _____ __ thereafter and to payment at maturity on _____ __, ____ in the principal amounts in each year set forth below, in the case of redemption with the particular Bonds or Bonds or portions thereof to be redeemed to be selected by lot, upon payment of the principal amount of the Bonds to be redeemed, together with the interest accrued on the principal amount to be redeemed to the date fixed for the redemption thereof:

Year (____)	Principal Amount

The City, at its option, may credit against such mandatory sinking fund redemption requirement the principal amount of any Bonds maturing on _____ __, ____ which have been purchased and cancelled by the City or which have been redeemed and not theretofore applied as a credit against such mandatory sinking fund redemption requirement.]

If this Bond is redeemable and this Bond (or any portion of the principal amount hereof in installments of $5,000) shall be called for redemption, notice of the redemption hereof, specifying the date, number and maturity of this Bond, the date and place or places fixed for its redemption, the premium, if any, payable upon such redemption, and if less than the entire principal amount of this Bond is to be redeemed, that this Bond must be surrendered in exchange for the principal amount hereof to be redeemed and a new Bond or Bonds issued equalling in principal amount that portion of the principal amount hereof not to be redeemed, shall be mailed not less than thirty (30) days prior to the date fixed for redemption, by first class mail, postage prepaid, to the Registered Owner hereof at his address as it appears on the books of registry kept by the Registrar as of the close of business on the forty-fifth (45th) day next preceding the date fixed for redemption. If notice of the redemption of this Bond (or the portion of the principal amount hereof to be redeemed) shall have been given as aforesaid, and payment of the principal amount of this Bond (or the portion of the principal amount hereof to be redeemed) and of the accrued interest and premium, if any, payable upon such redemption shall have been duly made or provided for, interest hereon shall cease to accrue from and after the date so specified for the redemption hereof.

Subject to the limitations and upon payment of the charges, if any, provided in the proceedings authorizing the Bonds of the series of which this Bond is one, this Bond may be exchanged at the office of the Registrar for a like aggregate principal amount of Bonds of other authorized principal amounts and of the same series, interest rate and maturity. This Bond is transferable by the Registered Owner hereof, in person or by his attorney duly authorized in writing, on the books of registry kept by the Registrar for such purpose at the office of the Registrar but only in the manner, subject to the limitations and upon payment of the charges, if any, provided in the proceedings authorizing the Bonds of the series of which this Bond is one, and upon the surrender hereof for cancellation. Upon such transfer a new Bond or Bonds of authorized denominations and of the same aggregate principal amount, series, interest rate and maturity as the Bond surrendered, will be issued to the transferee in exchange herefor.

This Bond shall not be valid or obligatory unless the certificate of authentication hereon shall have been manually signed by the Registrar.

The full faith and credit of the City are irrevocably pledged to the punctual payment of the principal of and premium, if any, and interest on this Bond as the same become due. In each year while this Bond is outstanding and unpaid, the Council of the City is authorized and required to levy and collect annually, at the same time and in the same manner as other taxes of the City are assessed, levied and collected, a tax upon all property within the City, over and above all other taxes, authorized or limited by law and without limitation as to rate or amount, sufficient to pay the principal of and premium, if any, and interest on this Bond to the extent other funds of the City are not lawfully available and appropriated for such purpose.

It is certified, recited and declared that all acts, conditions and things required to exist, happen or be performed precedent to and in the issuance of this Bond do exist, have happened and have been performed in due time, form and manner as required by law, and that the amount of this Bond, together with all other indebtedness of the City does not exceed any

limitation of indebtedness prescribed by the Constitution or statutes of the Commonwealth of Virginia or the Charter of the City.

IN WITNESS WHEREOF, the City has caused this Bond to be executed by the manual or facsimile signatures of its Mayor and its City Treasurer; a facsimile of the corporate seal of the City to be imprinted hereon attested by the manual or facsimile signature of the City Clerk of the City; and this Bond to be dated as of the _____ day of _____, 200_.

CITY OF ROANOKE, VIRGINIA

_____
Mayor

[SEAL]

_____
City Treasurer

Attest:

_____
City Clerk

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds delivered pursuant to the within-mentioned proceedings.

[_____],
as Registrar

By: _____
Authorized Signator

Date of Authentication: _____

ASSIGNMENT

FOR VALUED RECEIVED the undersigned hereby sell(s), assign(s) and transfer(s) unto _____

_____

(Please print or type name and address, including postal zip code of Transferee)

PLEASE INSERT SOCIAL SECURITY OR OTHER IDENTIFYING NUMBER OF TRANSFEREE

the within Bond and all rights thereunder, hereby irrevocably constituting and appointing _____, Attorney, to transfer such Bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated: _____

_____
(Signature of Registered Owner)

NOTICE: Signature(s) must be guaranteed by a member firm of The New York Stock Exchange, Inc. or a commercial bank or trust company

_____
(Signature of Registered Owner)

NOTICE: The signature above must correspond with the name of the Registered Owner as it appears on the front of this Bond in every particular, without alteration or enlargement or any change whatsoever.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE establishing compensation for the City Manager, City Attorney, Director of Finance, Municipal Auditor, and City Clerk, for the fiscal year beginning July 1, 2003; and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. For the fiscal year beginning July 1, 2003, and ending June 30, 2004, and for succeeding fiscal years unless modified by ordinance duly adopted by this Council, the annual salaries of Council-appointed officers shall be as follows:

City Manager	-	Current salary plus 2.25%
City Attorney	-	Current salary plus 2.25%
Municipal Auditor	-	Current salary plus 2.25%
City Clerk	-	Current salary plus 2.25%
Director of Finance	-	$120,000.00

2. Any increase in compensation due to any officer or employee under this Ordinance shall be first paid with the paycheck of July 2, 2003.

3. The Director of Finance shall continue to pay on an installment basis the sum of $8,000.00 per calendar year to ICMA as deferred compensation on behalf of the five incumbent Council-appointed officers. The sum shall be paid in equal quarterly installments.

4. In no calendar year shall amounts of deferred compensation contributed by the City to ICMA on behalf of the Council-appointed officers exceed the maximum amount permitted by the

Internal Revenue Code and IRS regulations to be deferred on a tax-free basis annually.

5. The Director of Finance shall be authorized, for and on behalf of the City, to execute any documents required by ICMA to implement this ordinance.

6. This ordinance shall remain in effect until amended or repealed by ordinance duly adopted by City Council.

7. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.