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ROANOKE CITY COUNCIL
REGULAR SESSION

October 18, 2001
2:00 P.M.

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

1. Call to Order--Roll Call.

The Invocation will be delivered by The Reverend Carl T. Tinsley, Pastor, First Baptist Church, Buena Vista, Virginia.

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 Friday, October 19, 2001, at 7:00 p.m., and Saturday, October 20, 2001, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

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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 CITY COUNCIL AGENDA PACKAGE ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS THE 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 TO OBTAIN AN APPLICATION.

PRESENTATIONS:

Proclamation declaring the month of October 2001 as National Arts and Humanities Month.

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Recognition of Roanoke Citizen, the City of Roanoke Quarterly Magazine, as recipient of the National "3City/County Communications and Marketing Association Silver Award for Best Newsletter.

A resolution memorializing the late Mary Chisholm Pickett, a resident of the Roanoke Valley since 1934.

A resolution of congratulations to Allstate Insurance Company on the occasion of its anniversary in the Roanoke Valley.

2. 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 special and regular meetings of Council held on Tuesday, September 4, 2001; and the special and regular meetings held on Monday, September 17, 2001.

RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

C-2 A communication from Mayor Ralph K. Smith requesting a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended. P.21

RECOMMENDATION ACTION: Concur in request.

C-3 A communication from Mayor Ralph K. Smith requesting a Closed Meeting to discuss personnel matters, specifically interviews for appointments to the Architectural Review Board, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950) as amended. P.22

RECOMMENDATION ACTION: Concur in request.

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C-4 A communication from the City Manager requesting that Council convene in Closed Meeting to discuss acquisition of real property for a public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711(A)(3), Code of Virginia (1950), as amended. P.23

RECOMMENDATION ACTION: Concur in request.

C-5 A communication from the City Manager requesting that Council convene in Closed Meeting to discuss acquisition of real property for a public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711(A)(3), Code of Virginia (1950), as amended. P.24

RECOMMENDATION ACTION: Concur in request.

C-6 Minutes of the meeting of the Audit Committee held on Monday, October 1, 2001. P.25

RECOMMENDED ACTION: Receive and file.

C-7 Qualification of the following persons:

Edward S. Colonna as a member of the New Construction Code, Board of Appeals, for a term ending September 30, 2006;

Ben J. Fink as a Commissioner of the City of Roanoke Redevelopment and Housing Authority for a term ending August 31, 2005; and

Robert C. Poole as a member of the Roanoke Civic Center Commission for a term ending September 30, 2004.

RECOMMENDED ACTION: Receive and file.

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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.**

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REGULAR AGENDA

3. HEARING OF CITIZENS UPON PUBLIC MATTERS:

a. Request of the Roanoke Regional Chamber of Commerce to express support of and commendation for cooperative public safety efforts underway between the City of Roanoke and the County of Roanoke. Beth Doughty, President, Spokesperson. P.28

4. PETITIONS AND COMMUNICATIONS:

a. A communication from the Roanoke City School Board requesting that Council appropriate $8,480.00 for the Title I School Improvement Program; and $545,773.00 from the Capital Maintenance and Equipment Replacement Fund; and a report of the Director of Finance recommending that Council concur in the request. P.29

b. A communication from the Roanoke City School Board requesting that Council issue General Obligation Qualified Zone Academy Bonds, in an aggregate principal amount not to exceed $1,100,000.00, to rehabilitate, repair, and/or equip Lincoln Terrace Elementary School. P.33

c. A petition from the Boys and Girls Clubs of Roanoke Valley, Inc., requesting exemption from taxation of real property located at 1719 9th Street, S. E., in the City of Roanoke, pursuant to Section 30-19.04(B), Code of Virginia (1950), as amended. P.36

d. A communication from the General Registrar requesting that Council approve an emergency change in the polling place from the National Guard Armory, 33 Reserve Avenue, S. W., to the Roanoke City Schools Maintenance Building, 250 Reserve Avenue, S. W. P.40

5. REPORTS OF OFFICERS:

a. CITY MANAGER:

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BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

1. A communication recommending authorization to execute Amendment No. 2 to the 2000-01 Community Development Block Grant Funding Administration Agreement with the Roanoke Redevelopment and Housing Authority, to provide funds for infrastructure improvements associated with the Lincoln 2000/HOPE VI Community Revitalization Program Project ; and appropriation and transfer of funds in connection therewith. P.44

2. A communication recommending appropriation of $75,211.00 to Grant Fund accounts in connection with the Forfeited Asset Sharing Program. P.52

3. A communication recommending authorization to accept the bid submitted by Breakell, Inc., in the amount of $362,331.00, for improvements to seven City softball/baseball fields; and transfer of funds in connection therewith. P.54

4. A communication recommending appropriation of $132,624.00 in connection with carryover funds for the Fifth District Employment and Training Consortium. P.60

5. A communication recommending authorization to accept the bid submitted by Aramark Uniform and Career Apparel, Inc., in the amount of $119,080.88 for rental of uniforms for City employees, for a period of one year, with an option to renew for four additional one year periods; and reject all other bids received by the City. P.64

6. A communication with regard to special military leave pay. P.68

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7. A communication recommending amendment of the City Code to establish a residential parking permit program; and amendment of the City's Fee Compendium to provide for the permit fees. P.70

6. REPORTS OF COMMITTEES: NONE.

7. UNFINISHED BUSINESS: NONE.

8. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

a. A resolution reappointing William L. Bova as a Director of the Industrial Development Authority for a term of four years commencing on October 21, 2001, and expiring on October 20, 2005. P.78

b. A resolution reappointing S. Deborah Oyler as a Director of the Industrial Development Authority for a term of four years commencing on October 21, 2001, and expiring on October 20, 2005. P.79

c. A resolution electing and appointing Troy A. Harmon as Municipal Auditor for the City of Roanoke, and ratifying the terms and conditions of employment as Municipal Auditor offered to Mr. Harmon. P.80

9. MOTIONS AND MISCELLANEOUS BUSINESS:

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

b. Vacancies on various authorities, boards, commissions and committees appointed by Council. P.82

10. OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS:

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CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. IT IS A TIME FOR CITIZENS TO SPEAK AND A TIME FOR COUNCIL TO LISTEN. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

CERTIFICATION OF CLOSED SESSION.

THE MEETING OF COUNCIL WILL BE DECLARED IN RECESS TO BE RECONVENED AT 5:00 P. M., IN THE EMERGENCY OPERATIONS CENTER CONFERENCE ROOM, ROOM 159, NOEL C. TAYLOR MUNICIPAL BUILDING, FOR A JOINT MEETING OF COUNCIL AND THE ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY.

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JOINT MEETING
CITY COUNCIL/ROANOKE REDEVELOPMENT
AND HOUSING AUTHORITY

October 18, 2001
5:00 p.m.

EMERGENCY OPERATIONS CENTER
CONFERENCE ROOM

1. **Call to Order.**

2. **Roanoke Redevelopment and Housing Authority Roll Call.**

3. **Welcome. Mayor Smith.**

4. **Invocation. Council Member Harris.**

5. **Opening Remarks. Chairman Anderson.**

Dinner

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6. **Project Updates:**

- **South Jefferson Redevelopment Area. Ms. Meredith.**
- **Eight Jefferson Place (GOB South) (Shenandoah Crossing Apartments project). Mr.Lynn.**
- **Lincoln 2000. Ms. Bumbry.**
- **Market Rate Housing Efforts.**

7. **Recap and Recommended Action:**

- **What the RRHA Brings. Mr. Fink.**

8. **Comments by City Council/Roanoke Redevelopment and Housing Authority/Staffs.**

9. **Other Business.**

10. **Summary. Chairman Anderson.**

THE CITY COUNCIL MEETING WILL BE DECLARED IN RECESS TO BE RECONVENED AT 7:00 P. M., IN THE CITY COUNCIL CHAMBER, FOURTH FLOOR, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., CITY OF ROANOKE.

RECESS - ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY.

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ROANOKE CITY COUNCIL
REGULAR SESSION

October 18, 2001
7:00 P.M.

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

Call to Order -- Roll Call.

The Invocation will be delivered by Council Member William D. Bestpitch.

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. Tonight's meeting will be replayed on Channel 3 on Friday, October 19, 2001, at 7:00 p.m., and Saturday, October 20, 2001, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

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A. PUBLIC HEARINGS:

1. Public hearing on the request of Sherman W. Chisom that an unused, unpaved and unimproved alleyway running in an east/west direction between 101/2 Street and 11th Street, S. E., between properties identified as Official Tax Nos. 4111317 and 4111303, for a distance of approximately 130 feet in a westerly direction from 11th Street, be permanently vacated, discontinued and closed. Sherman W. Chisom, Spokesperson. P.87

2. Public hearing on the request of the Times-World Corporation that a portion of Salem Avenue, S. W., near its intersection with Second Street, being approximately five feet wide and 35 feet long, lying on the south side of Salem Avenue, and shown on the "Right of Way Easement and Vacation Plat for The Roanoke Times," prepared by Caldwell White Associates, and dated August 22, 2001, be permanently vacated, discontinued and closed. Daniel F. Layman, Jr., Attorney. P.98

3. Public hearing on a request of the City of Roanoke to vacate a utility easement across four parcels of land along Second Street, S. W., identified as Official Tax Nos, 1011001-1011004, inclusive, in connection with the Times-World Corporation expansion. Darlene L. Burcham, City Manager. P.109

4. Public hearing on a request of the City of Roanoke to amend Section 36.1-206, Permitted Uses, Section 36.1-227, Permitted Uses, and 36.1-249, Permitted Uses, Chapter 36.1, Zoning, Code of the City of Roanoke (1979), as amended, to provide for commercial printing establishments including newspapers, publications and other printed materials as permitted uses in the C-2, General Commercial District, C-3, Central Business District, and LM, Light Manufacturing District, of the City of Roanoke. Darlene L. Burcham, City Manager. P.113

5. Public hearing on a request of the City Planning Commission to amend Section 36.1-723, Penalty for violations, Chapter 36.1, Zoning, Code of the City of Roanoke (1979), as amended, to revise penalties for violations of the Zoning Ordinance. D. Kent Chrisman, Chair. P.118

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6. Public hearing on a request of the City of Roanoke to amend Section 36.1-640, Appointment, membership, Division 2, Architectural Review Board, Article VII, Administration, Chapter 36.1, Zoning, Code of the City of Roanoke (1979), as amended, to eliminate certain qualifications for membership on the Architectural Review Board. Darlene L. Burcham, City Manager. P.122

7. Public hearing to consider the proposed renaming of Elmwood Park to honor the late Dr. Martin Luther King, Jr. P.127

B. OTHER HEARING OF CITIZENS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. IT IS A TIME FOR CITIZENS TO SPEAK AND A TIME FOR COUNCIL TO LISTEN. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

THE COUNCIL MEETING WILL BE DECLARED IN RECESS UNTIL FRIDAY, OCTOBER 19, 2001, AT 2:00 P.M., ON THE MEZZANINE OF THE ROANOKE CIVIC CENTER AUDITORIUM FOR A CONTINUATION OF CITY COUNCIL'S PLANNING RETREAT.

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IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

The 2nd day of July, 2001.

No. 35455-070201.

A RESOLUTION providing that the regular meeting of City Council scheduled to be held at 2:00 p.m. and 7:00 p.m., on Monday, October 15, 2001, shall be held at 2:00 p.m. and 7:00 p.m. on Thursday, October 18, 2001.

BE IT RESOLVED by the Council of the City of Roanoke that:

1. Due to the Virginia Municipal League Annual Conference scheduled to be held on October 10 - 16, 2001, in Virginia Beach, Virginia, which a majority of the members of City Council desire to attend, the meeting of City Council regularly scheduled to be held at 2:00 p.m. and 7:00 p.m. on Monday, October15, 2001, is hereby rescheduled to be held on Thursday, October 18, 2001, at 2:00 p.m. and 7:00 p.m., such meeting to be in the Council Chambers of the Noel C. Taylor Municipal Building, at 215 Church Avenue, S.W.

2. The City Clerk is directed to cause a copy of this resolution to be posted adjacent to the doors of the Council Chambers and inserted in a newspaper having general circulation in the City at least seven days prior to October 18, 2001.

ATTEST:

Mary F. Parker

City Clerk.

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Office of the Mayor

CITY OF ROANOKE

Proclamation

WHEREAS, *the arts and humanities enhance and enrich the lives of all Americans; and*

WHEREAS, *the arts and humanities affect every aspect of life in America today including the economy, social problem solving, job creation, education, creativity, and community livability; and*

WHEREAS, *cities and states, through their local and state arts agencies, representing more than 23,000 cultural organizations, have joined with the National Cultural Alliance for the last seven years to celebrate the value and importance of culture in the lives of Americans and the health of thriving communities during National Arts and Humanities Month; and*

WHEREAS, *the United States Conference of Mayors' arts partner, Americans for the Arts, will coordinate the national awareness campaign and activities for National Arts and Humanities Month this year; and*

WHEREAS, *the nation's 23,000 cultural organizations, the National Endowment for the Arts, the National Endowment for the Humanities, the nation's 4,000 local arts agencies, the arts and humanities councils of the 50 states and U. S. jurisdictions, and the President of the United States will be encouraged to participate in this national celebration and public awareness campaign; and*

WHEREAS, *the month of October, 2001, has been designated as National Arts and Humanities Month.*

NOW, THEREFORE, *I, Ralph K. Smith, Mayor of the City of Roanoke, Virginia, do hereby proclaim the month of October, 2001, throughout this great All-America City, as*

NATIONAL ARTS AND HUMANITIES MONTH.

Given under our hands and the Seal of the City of Roanoke this eighteenth day of October in the year two thousand and one.

ATTEST:

Mary F. Parker

Mary F. Parker
City Clerk

Ralph K. Smith

Ralph K. Smith
Mayor

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THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION memorializing the late Mary Chisholm Pickett, a resident of the Roanoke Valley since 1934.

WHEREAS, the members of Council learned with sorrow of the passing of Ms. Pickett on Tuesday, September 25; and

WHEREAS, Ms. Pickett was the first woman elected to Roanoke City Council and served as a member of Council from September 1953, through August 1960; and

WHEREAS, Ms. Pickett spearheaded the founding of the City's Juvenile Detention Home at Coyner Springs, and worked to change of the name of the City's facility for indigent elderly patients from the "Poor House" to the City Nursing Home; and

WHEREAS, Ms. Pickett was the City's official representative to the 1958 World's Fair in Belgium and Roanoke's Mother of the Year for Civic Affairs in 1959; and

WHEREAS, Ms. Pickett was the recipient of numerous awards and citations, and gave her time and talent to many community and civic organizations; and

WHEREAS, Ms. Pickett was a long-standing member of South Roanoke Methodist Church, where she served as President of Church Women United and was instrumental in that group's establishment of Bethany Hall, the first halfway house in the state for alcoholic women.

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THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke as follows

1. City Council adopts this resolution as a means of recording its deepest regret and sorrow at the passing of Mary Chisholm Pickett, and extends to her family its sincerest condolences.

2. The City Clerk is directed to forward an attested copy of this resolution to Ms. Pickett's son, Robert T. Pickett III, of Palmyra, Virginia; and her daughter, Mary Anne Wilbourne, of Richmond, Virginia.

ATTEST:

City Clerk

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IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION paying tribute to Allstate Insurance Company for 50 years of service in the Roanoke Valley.

WHEREAS, Allstate Insurance Company was founded in 1931 as part of Sears, Roebuck and Company; and

WHEREAS, the first Allstate facility in Roanoke opened on October 29, 1951 in the Carlton Terrace Building in downtown Roanoke; and

WHEREAS, the company's growth necessitated relocation to a larger building on Brandon Avenue five years later and, after two renovations and additional employee growth, the Company moved to its current location on Route 419 in 1970; and

WHEREAS, the Route 419 facility is called the National Support Center because the majority of the 1,200 employees who work there service customers and agents countrywide; in addition, there are more than 200 employees in other Allstate locations throughout Roanoke; and

WHEREAS, Allstate Insurance Company has been ranked the ninth largest employer in the Roanoke Valley in 2001 by the Chamber of Commerce; and

WHEREAS, the Company's commitment to the community has been demonstrated through The Allstate Foundation, which was established in 1952 as an independent corporation that awards funds to nonprofit organizations that seek to improve the quality of life in communities across the country; and

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WHEREAS, Allstate Insurance Company has shown its civic commitment by supporting organizations/programs such as America's Promise, the American Red Cross, the LOA Agency on Aging, the March of Dimes, the American Cancer Society, the Juvenile Diabetes Foundation, the United Way of the Roanoke Valley and the Roanoke Police Department's National Night Out; and

WHEREAS, on October 29, 2001, Allstate Insurance Company will celebrate its 50th anniversary in the Roanoke Valley.

THEREFORE, BE IT RESOLVED by Council of the City of Roanoke that:

1. Council adopts this resolution as a means of recognizing and commending Allstate Insurance Company for 50 years of outstanding service to the Roanoke Valley.

2. The City Clerk is directed to forward an attested copy of this resolution to Gerard F. McDermott, Support Center Vice President, Allstate Insurance Company.

ATTEST:

City Clerk

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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

October 18, 2001

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 various 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

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CITY OF ROANOKE

CITY COUNCIL
215 Church Avenue, S.W., Room 456
Roanoke, Virginia 24011-1536
Telephone: (540) 853-2541
Fax: (540) 853-1145

RALPH K. SMITH
Mayor

Council Members:
William D. Bestpitch
William H. Carder
C. Nelson Harris
W. Alvin Hudson, Jr.
William White, Sr.
Linda F. Wyatt

October 18, 2001

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 personnel matters, specifically interviews for appointments to the Architectural Review Board, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

Sincerely,

Ralph K. Smith
Mayor

RKS:sm

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RECEIVED
CITY CLERKS OFFICE

Office of the City Manager

'01 OCT -9 P4:15

October 18, 2001

The Honorable Mayor and Members
of City Council
Roanoke, Virginia

Re: Request for closed meeting

Dear Mayor Smith and Members of Council:

This is to request that City Council convene a closed meeting to discuss the acquisition of real property for a public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to §2.2-3711(A)(3), of the Code of Virginia (1950), as amended.

Sincerely,

Darlene L. Burcham
City Manager

DLB/f

c: City Attorney
Director of Finance
City Clerk

Room 364 Municipal South 215 Church Avenue, S.W. Roanoke, Virginia 24011-1591 (540) 853-2333 FAX (540) 853-1138
CityWeb:www.ci.roanoke.va.us

Office of the City Manager

RECEIVED
CITY CLERKS OFFICE

'01 OCT -9 P4:15

October 18, 2001

The Honorable Mayor and Members
of City Council
Roanoke, Virginia

Re: Request for closed meeting

Dear Mayor Smith and Members of Council:

This is to request that City Council convene a closed meeting to discuss the acquisition of real property for a public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to §2.2-3711(A)(3), of the Code of Virginia (1950), as amended.

Sincerely,

Darlene L. Burcham
City Manager

DLB/f

c: City Attorney
Director of Finance
City Clerk

Room 364 Municipal South 215 Church Avenue, S.W. Roanoke, Virginia 24011-1591 (540) 853-2333 FAX (540) 853-1138
CityWeb:www.ci.roanoke.va.us

MINUTES OF ROANOKE CITY COUNCIL AUDIT COMMITTEE

October 1, 2001

RECEIVED
CITY CLERKS OFFICE

'01 OCT 10 A10:04

1. CALL TO ORDER:

The meeting of the Roanoke City Audit Committee was called to order at 11:00 a.m. on Monday, October 1, 2001, with Chairman, William White, Sr., presiding.

- The roll was called by Mrs. Powers

Audit Committee Members Present: William White, Sr., Chairman
Mayor Ralph K. Smith
William H. Carder
W. Alvin Hudson
Linda F. Wyatt

Others Present: Drew Harmon, Acting Municipal Auditor
Darlene L. Burcham, City Manager
Chip Snead, Assistant City Manager for Operations
Rolanda Johnson, Assistant City Manager for Community Development
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
David C. Anderson, City Treasurer
Mike Tuck, Senior Auditor
Pamela C. Mosdell, Senior Auditor
Kevin A. Nicholson, Senior Auditor
Brian M. Garber, Auditor
Evelyn W. Powers, Administrative Assistant

2. FINANCIAL RELATED AUDITS:

A. Meter Replacement
B. Police Department Cash Funds
C. Audit Findings Follow-Up

Mr. White ordered that the financial audits be received and filed. There were no objections to the order. Mr. White recognized the Municipal Auditor's staff for comments. Mr. Tuck briefed the Committee on the Meter Replacement audit. Mr. White questioned if this audit was a Financial audit or a Performance audit. Mr. Harmon stated that the audit was a controls evaluation audit, which is a type of performance audit. Mr. White asked if performance audits address efficiency and effectiveness of operations. Mr. Harmon stated that was correct. There were no further questions.

Mr. Garber briefed the Committee on the Police Department Cash Fund. Mr. Hudson questioned how long it would take for the recommendations to be implemented regarding all of the audits presented today. Mr. Harmon explained that the Police Department audit was performed annually, and the recommendations on this year's audit would be evaluated during next year's audit. Mr. Hudson asked how long for the audits that are not performed annually? Mr. Harmon explained to the Committee that after each audit all reportable conditions are entered into a database and a target date for implementing corrective plans is placed into the database. Annually, a follow-up is done on each department to verify that all corrective plans were implemented. Mr. White called on Ms. Burcham to comment. Ms. Burcham reported that the departments should start taking care of the recommendations immediately. Ms. Burcham said that she had already talked with the City Attorney to prepare a resolution to correct the problem with the collection of fees stated in the Police audit. Social Services plans were held up due to negotiations with the software company to purchase software. Ms. Burcham explained that some departments could take longer to fix the problems due to funding. She also reported that there has been a great deal of progress made since last year regarding clearing departments from the annual findings follow-up.

Mr. Harmon briefed the Committee on the Audit Findings Follow-up audit. Mr. Harmon assured the Committee that the six departments that had not completed implementing their plans were making progress. There was a significant amount of discussion regarding the Fleet Management department, the past problems in that areas, and the possibilities for outsourcing. Mr. Harmon stated that another audit in Fleet Management is scheduled for this year. Mayor Smith and Mr. Carder raised an issue about the lack of data regarding costs to operate vehicles/equipment. Mr. Grisso, Ms. Burcham, and Mr. Harmon discussed the changes to fleet systems and informed the Committee that a new team is looking at the feasibility of enterprise systems that would provide better cost accounting information.

3. UNFINISHED BUSINESS:

None.

4. NEW BUSINESS:

A. Municipal Auditing 2002 Audit Plan
B. Briefing on Management Assistance Work
   - City Market Building
   - Warehouse Closing
C. D.A.R.E. Account

Mr. White ordered that the Municipal Auditing 2002 Audit Plan be received and filed. There were no objections to the order. Mr. Harmon briefed the Committee on the 2002 Audit Plan. The Committee discussed the number of audit hours assigned for school audits and school activity funds. The Mayor noted that the number of audit hours

assigned to activity fund audits versus other school audit work translates into a higher audit cost per budget dollar covered. The Committee expressed an interest in using unassigned hours to perform additional school audits. Mr. White noted that a joint meeting with the School Board Audit Committee would occur soon; at which time the school audit plan will be set. It was noted that the auditing department had not undertaken any audit work in the schools since the August 20th Council meeting, pending development of the annual audit plan by the City and School Board.

Mr. Harmon briefed the Committee on the Management Assistance Work. Mr. Harmon stated that Economic Development staff had asked that he take a look at the City Market Lease. Ms. Burcham said that there have been some concerns by the tenants in the Market Building. She said she would use this information to help negotiate a new, more equitable contract. She said that this type of work by the audit department was most helpful in assisting management in making good decisions.

Mr. Harmon reported to the Committee that the Warehouse would be closing and that audit has looked at the procedures for moving forward with this decision.

Mr. Harmon reported to the Committee that the department had received an anonymous letter regarding the D.A.R.E. donations. The department has done some preliminary work and the problem seems to be an accounting issue with the donated money. Auditing will keep you informed as we have more accurate details. There seems to be no fraud or misappropriation of funds, strictly an accounting issue.

5. ADJOURNMENT:

There being no further business, the meeting adjourned at 11:50 a.m.

William White, Sr., Chairman

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ROANOKE
REGIONAL
CHAMBER OF
COMMERCE

September 25, 2001

The Honorable Ralph Smith
Mayor
Roanoke City
215 Church Avenue SW Room 452
Roanoke, VA 24011-1594

Dear Mayor Smith and Members of Roanoke City Council:

On behalf of the Roanoke Regional Chamber of Commerce, we want to express support and commendation for the cooperative public safety efforts underway between the City of Roanoke and County of Roanoke. Never has it been more important to recognize that safety and responsive service are the foundations of fire and emergency medical services. Through regional cooperation, Roanoke City and Roanoke County are ensuring that the legacy of commitment to safety and responsiveness remains.

The Chamber has over1,500 members who consider enhanced cooperation among jurisdictions one of the most important issues facing the region. Taking advantage of opportunities to work together, such as jointly staffing the Clearbrook station, creates cost-efficiency without sacrificing the quality of such a crucial public service.

Illustrating how local governments work together enhances the region's ability to keep and attract business. The efforts in public safety are an excellent first step that will hopefully open the door for greater cooperation, service, and efficiency in the future.

The Roanoke Regional Chamber supports such regional efforts and encourages their continuance.

Sincerely,

Beth Doughty
President

Sherman P. Lea, Chairman
Ruth C. Willson, Vice Chairman
Charles W. Day

Marsha W. Ellison
Gloria P. Manns
Melinda J. Payne

Brian J. Wishneff
E. Wayne Harris, Ed.D., Superintendent
Cindy H. Lee, Clerk of the Board

Roanoke City School Board P.O. Box 13145, Roanoke, Virginia 24031 • 540-853-2381 • Fax: 540-853-2951

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October 18, 2001

The Honorable Ralph K. Smith, Mayor
and Members of Roanoke City Council
Roanoke, VA 24011

Dear Members of Council:

The School Board at its October 9 meeting voted to request the Roanoke City Council to appropriate the following funds:

$8,480.00 for the Title I School Improvement program to provide funds for Preston Park Primary, Westside Elementary, Roanoke Academy for Mathematics and Science, and Lincoln Terrace. These schools have been identified for Title I School Improvement - an identification synonymous with a school's accredited with warning status for school year 2000-01 in English, Math, or both. This new program will be one hundred percent reimbursed by federal funds.

$391,049.00 from the Capital Maintenance and Equipment Replacement Fund to provide funds for instructional technology equipment, facility maintenance equipment, physical education equipment, handicap access, middle and high school improvements, and food service vehicle replacement.

The Board appreciates the approval of this request.

Sincerely,

Cindy H. Lee

Cindy H. Lee, Clerk

re

cc: Mr. Sherman P. Lea
Dr. E. Wayne Harris
Mr. Richard L. Kelley
Mr. Kenneth F. Mundy
Mr. William L. Murray
Mrs. Darlene L. Burcham
Mr. William M. Hackworth
Mr. James D. Grisso
Mrs. Ann H. Shawver (with accounting details)

Preparing Students for Success

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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

JAMES D. GRISSO
Director of Finance

JESSE A. HALL
Deputy Director

October 18, 2001

The Honorable Ralph K. Smith, Mayor
The Honorable William H. Carder, Vice Mayor
The Honorable William D. Bestpitch, Council Member
The Honorable C. Nelson Harris, Council Member
The Honorable W. Alvin Hudson, Council Member
The Honorable William White, Sr., Council Member
The Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

We have reviewed the attached request to appropriate funding for the School Board. This report will appropriate the following:

$8,480 for the Title I School Improvement program to provide funds for Preston Park Primary, Westside Elementary, Roanoke Academy for Mathematics and Science, and Lincoln Terrace. These schools have been identified for Title I School Improvement - an identification synonymous with a school's accredited with warning status for school year 2000-01 in English, Math, or both. This new program will be one hundred percent reimbursed by federal funds.

$391,049 from the Capital Maintenance and Equipment Replacement Fund to provide funds for instructional technology equipment, facility maintenance equipment, physical education equipment, handicap access, middle and high school improvements, food service vehicle replacement.

We recommend that you concur with this request of the School Board.

Sincerely,

James D. Grisso
Director of Finance

JDG/JSY/pac

Attachment

c: Darlene L. Burcham, City Manager
William M. Hackworth, City Attorney
Mary F. parker, City Clerk
E. Wayne Harris, Superintendent of City Schools

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AHS

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2001-2002 School and School Food Services Funds Appropriations, and providing for an emergency.

WHEREAS, for the usual daily operation of the Municipal Government of the City of Roanoke, an emergency is declared to exist.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2001-2002 School and School Food Services Funds Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

School Fund

Appropriations

Education	$ 140,318,283
Title I School Improvement 2001-02 (1)	8,480
Facilities (2-6)	1,437,333

Revenues

Education	$ 139,302,954
Title I School Improvement 2001-02 (7)	8,480

Fund Balance

Reserved for CMERP - Schools (8)	$ 183,801

School Food Services Fund

Appropriations

Education	$ 4,562,987
Food Services (9)	4,562,987

Fund Balance

Reserved Fund Balance - Unappropriated (10)	$ 69,240

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1) Educational and Recreational Supplies	(030-061-6192-6000-0614)	$ 8,480
2) Replacement - Machinery and Equipment	(030-065-6006-6318-0801)	192,556
3) Additions - Machinery and Equipment	(030-065-6006-6681-0821)	127,490
4) Additions - Other Capital Outlay	(030-065-6006-6682-0829)	26,154
5) Additions - Other Capital Outlay	(030-065-6006-6896-0829)	13,600
6) Buildings	(030-065-6006-6896-0851)	14,271
7) Federal Grant Receipts	(030-061-6192-1102)	8,480
8) Reserved for CMERP - Schools	(030-3324)	(374,071)
9) Additions - Machinery and Equipment	(032-065-6006-6788-0824)	16,978
10) Reserved Fund Balance - Unappropriated	(032-3325)	(16,978)

BE IT FURTHER ORDAINED that, an emergency existing, this Ordinance shall be in effect from its passage.

ATTEST:

City Clerk.

Sherman P. Lea, Chairman
Ruth C. Willson, Vice Chairman
Charles W. Day

Marsha W. Ellison
Gloria P. Manns
Melinda J. Payne

Brian J. Wishneff
E. Wayne Harris, Ed.D., Superintendent
Cindy H. Lee, Clerk of the Board

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October 18, 2001

The Honorable Ralph K. Smith, Mayor
and Members of Roanoke City Council
Roanoke, VA 24011

Dear Members of Council:

The School Board at its October 9 meeting approved the enclosed Resolution to request Roanoke City Council to issue General Obligation Qualified Zone Academy Bonds (QZAB) in an aggregate principal amount not to exceed $1,100,000. The funds will be used to rehabilitate, repair, and/or equip Lincoln Terrace Elementary School.

The QZAB initiative is a federal program that allows lending institutions and schools to form a mutually beneficial partnership to support education. The program offers bonds interest-free and allows a bank or other lending institution to purchase the special no-interest bond on behalf of a school. Schools qualify based on their percentage of free lunch students.

The School Board thanks you for your continued support of our students and programs.

Sincerely,

Cindy H. Lee

Cindy H. Lee, Clerk

re

Enc.

cc: Mr. Sherman P. Lea
Dr. E. Wayne Harris
Mr. Richard L. Kelley
Mr. Kenneth F. Mundy
Mr. William L. Murray
Mrs. Darlene L. Burcham
Mr. William M. Hackworth
Mr. James D. Grisso

Preparing Students for Success

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IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION (i) authorizing the School Board for the City of Roanoke to rehabilitate the present school building at Lincoln Terrace Elementary School; (ii) authorizing and directing the City Manager to file an application with the Virginia Department of Education seeking an allocation of authority to issue the City's general obligation qualified zone academy bonds in an amount not to exceed $1,100,000 to finance certain renovations to Lincoln Terrace Elementary School, and (iii) authorizing and directing publication of a notice of public hearing to be held in connection with the proposed bond issuance.

WHEREAS, the School Board (the "School Board") for the City of Roanoke (the "City") has determined that it is necessary to rehabilitate Lincoln Terrace Elementary School ("LTES"); and

WHEREAS, in order to finance the above-referenced project, the City of Roanoke, Virginia reasonably expects to issue debt obligations; and

WHEREAS, the City intends to issue a portion of the debt obligations for the project as "qualified zone academy bonds" within the meaning of Section 1397E of the Internal Revenue Code.

BE IT RESOLVED by the Council of the City of Roanoke that:

1. The School Board is authorized to rehabilitate the present school building at LTES (the "Project").

2. The City Manager or an Assistant City Manager is hereby authorized and directed to file an application with the Virginia Department of Education seeking an allocation of authority to issue the City's general obligation qualified zone academy bonds pursuant to the Public Finance Act

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and Section 1397E of the Internal Revenue Code in an amount not to exceed $1,100,000 (the "QZA Bonds") to finance a portion of the cost of the Project.

3. The City Clerk is hereby authorized and directed to publish in accordance with applicable law a public notice of hearing in connection with the proposed QZA Bonds to be held on November 5, 2001.

4. This resolution shall take effect immediately.

The foregoing resolution was adopted by the following recorded vote:

	AYE	NAY
Ralph K. Smith, Mayor	___	___
William H. Carder, Vice-Mayor	___	___
William D. Bestpitch	___	___
C. Nelson Harris	___	___
W. Alvin Hudson, Jr.	___	___
William White, Sr.	___	___
Linda F. Wyatt	___	___

Attest:

City Clerk

I:\Clerk\qzab resolution

VIRGINIA:

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IN THE COUNCIL OF THE CITY OF ROANOKE

RE: PETITION FOR A RESOLUTION SUPPORTING THE EXEMPTION FROM TAXATION OF CERTAIN PROPERTY PURSUANT TO ARTICLE X. SECTION 6(a)(6) OF THE CONSTITUTION OF VIRGINIA

TO THE HONORABLE MAYOR AND MEMBERS OF COUNCIL OF THE CITY OF ROANOKE:

1. Your Petitioner, Boys & Girls Clubs of Roanoke Valley, Inc., 1714 9th Street S.E., Roanoke, Virginia 24013, a Virginia, non-stock, not for profit corporation has purchased a certain real property located at 1714 9th Street S.E., in the City of Roanoke, Virginia, which property is City of Roanoke Tax Map ID # 4240101. After significant rehabilitation, the building will be used for the purpose of housing the administrative offices and providing daily after school and summer activities for youth members of your Petitioner.

2. Your Petitioner desires to be an organization designated by a section within Article Section 58.1-3650 et seq. of the Code of Virginia, as amended, in order that the referenced real estate, to be used exclusively for charitable and benevolent purposes in responding to the after school and summer programs needs of the low to moderate income individuals and families, be exempt from taxation under the provisions of Article X, Section 6 (a)(6) of the Constitution of Virginia so long as your Petitioner is operated not for profit and the property so exempted is used in accordance with the purpose for which the Petitioner is classified.

3. Your Petitioner agrees to pay to the City of Roanoke, an annual service charge in an

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amount equal to twenty percent (20%) of the City of Roanoke tax levy, which would be applicable to this real estate, were our organization not be tax exempt, for as long as this exemption continues.

4. Your Petitioner respectfully request that the Council of the City of Roanoke adopt a resolution in accordance with the requirements of Section 30-19.04 (B) of the 1950 Code of Virginia, as amended, after holding a public hearing with respect thereto where citizens shall have an opportunity to be heard in order that legislation involving the designation of property to be exempt from taxation pursuant to Article X, Section 6 (a)(6) of the Constitution of Virginia may be presented to General Assembly of Virginia.

In Compliance with Section 30-19.04 (B) the following questions are submitted for consideration:

1. **(Q): Whether the organization is exempt from taxation pursuant to Section 501 (c)(3) of the Internal Revenue Code of the 1954.**

   (A): You Petitioner was granted exemption from taxation pursuant to Section 501 (c)(3) of the Internal Revenue Code of 1954 on March 24, 1992.

2. **(Q): Whether a current alcoholic beverage license for serving alcoholic beverages has been issued by the Alcohol Beverage Control Board to such organization for such use on such property.**

   (A): No alcoholic beverage license has been, or will be, requested or issued to your Petitioner for such use on such property.

3. **(Q): Whether any director or officer of the organization has been paid compensation in excess of reasonable allowances for salaried or other compensation for personal services which director or officer actually renders.**

   (A): No officers or directors of your Petitioner are paid compensation in excess of reasonable allowances for salaries or other compensation for personal services actually rendered. Your Petitioner has six salaries employees, none of whom is an officer or director.

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4. **(Q): Whether any part of the net earnings of such organization inures to the benefit of any individual and whether any significant portion of the services provided by such organization is generated by funds received by donations, contributions or local, state or federal grants. As used in the subsection donations shall include the providing of personal services or the contribution of in-kind or other material services.**

   (A): No part of the net earnings of your Petitioner insures to the benefit of any individual and only a modest portion of the service provided by your Petitioner is generated by local, state or federal grants. Your Petitioner provides services primarily through the generation of developer fees and service contracts with other organizations.

5. **(Q): Whether the organization provides services for the common good of the public.**

   (A): Your Petitioner provides services for the common good of the public in as much as it inspires and enables all youth, especially those from disadvantaged circumstances, to realize their full potential as productive, responsible and caring citizens.

6. **(Q): Whether a substantial part of the activities of the organization involves carrying on propaganda, or otherwise attempting, to influence legislation and whether the organization participates in, or intervenes in, any political campaign on behalf of any candidate for public office.**

   (A): Your Petitioner is not involved in propaganda, influencing legislation or any political campaign on behalf of any candidate for public office.

7. **(Q): No rule, regulation, policy of practice of the organization discriminates on the basis of religious conviction, race, color, sex or national origin.**

   (A): No rule, regulation, policy or practice of your Petitioner discriminates on the basis of religious conviction, race, color, sex or national origin.

8. **(Q): The revenue impact to the locality and its taxpayers of exempting the property.**

   (A): No significant impact is anticipated as a result of the exemption, indeed the homes we build and rehabilitate will be additions to the current tax roles of the City of Roanoke and this will enhance the tax revenue of the City of Roanoke.

9. **(Q): Any other criteria, facts and circumstances, which the governing body deems pertinent to the adoption of such resolution.**

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(A): Your Petitioner provides after school and summer programming to primarily disadvantaged youth ages 5-18.

Note: A copy of this Petition is being delivered this day to the City Manager of the City of Roanoke, Virginia.

THEREFORE, your Petitioner, Boys & Girls Club of Roanoke Valley, Inc., respectfully requests to the Council of the City of Roanoke (1) that a resolution be adopted pursuant to Section 30-19.04 of the Code of Virginia stating that the provisions of subsection B of that Code section have been examined and considered in conjunction with this petition seeking the designation of property to be exempted from taxation pursuant to Article X, Section 6 (a)(6) of the Constitution of Virginia at a public hearing at which citizens have had an opportunity to be heard and (2) that a recommendation be made to the General Assembly of Virginia that this real property of your Petitioner from taxation so long as your Petitioner is operated not for profit and the property so exempt is used for the particular purposes of providing after school and summer programming to primarily disadvantaged youth ages 5-18.

Respectfully submitting this 26th day
September, 2001

BOYS & GIRLS CLUB OF ROANOKE VALLEY, INC.

By: _____
President

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CITY OF ROANOKE

RECEIVED
CITY CLERKS OFFICE
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INTERDEPARTMENT COMMUNICATION

TO: Mary F. Parker, City Clerk

FROM: Beryl Y. Brooks, General Registrar

DATE: October 9, 2001

SUBJECT: Emergency Change of Polling Place

Due to the "National Emergency", it has become necessary to move our Jefferson #2 precinct, located at the National Guard Armory to the Roanoke City Schools Maintenance Building.
(See resolution attached).

Normally Section 24.2-306, which prohibits us from moving a polling place 60 days before an election and without prior approval of the Justice Department, would be in affect. Due to the reason for the change the time constraints cannot be met and it is necessary to handle this temporary change as an emergency change of polling place. Under Section 24.2-310D in the event of an emergency situation the Electoral Board is required to find a new location with prior approval of the State Board of Elections.

We are requesting that this matter be brought before City Council at the October 18, 2001 meeting. The law requires that I notify the public of any change, no later than 15 days prior to election. Although I am still required to submit for expedited approval from the Justice Department, I have to proceed with the move as approved by State Board.

Thank you, for your cooperation and if you have questions or suggestions, please call me at X1037.

BYB:

Attachment

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ROANOKE
VIRGINIA, CHARTERED 1882

Roanoke City Electoral Board
Carl T. Tinsley, Sr., Chairman
Frances V. Garland, Vice Chairman
Gilbert E. Butler, Jr., Secretary

RESOLUTION

ROANOKE CITY ELECTORAL BOARD

October 2, 2001

Due to the "National Emergency" we have been forced to make an emergency change of polling place. Precinct #008, Jefferson #2 located at the National Guard Armory, is now at Priority Alert status, which renders it inaccessible to civilian activities. Since we do not know what the status of the Armory will be in November the Roanoke City Electoral Board has unanimously agreed to seek approval for the following temporary change of polling place for the November 6, 2001, General Election.

Temporary Change - From: National Guard Armory
33 Reserve Ave., S.W.
Roanoke, VA 24016

To: Roanoke City Schools Maintenance Bldg.
250 Reserve Ave., S.W.
Roanoke, VA 24016

The new location is located in the same block as the old, and will be made compliant with Section 24.2-310C of the Virginia Election Laws by the day of election. The City Attorney will be asked to prepare submission for Justice Department approval.

Gilbert E. Butler, Jr., Secretary
Roanoke City Electoral Board

Room 109, Municipal North 215 Church Avenue, S.W., Roanoke, Virginia 24011 (540) 853-2281 Fax (540) 853-1025
P.O. Box 1095, Roanoke, Virginia 24005

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WHH

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE temporarily changing the polling place for Jefferson Precinct No. 2 from the National Guard Armory Building on Reserve Avenue, S. W., to the Roanoke City Schools Maintenance Building, at 250 Reserve Avenue, S. W.; and providing for an emergency.

WHEREAS, the National Guard Armory Building , the polling place for Jefferson Precinct No. 2 is located on Reserve Avenue, S. W., and the heightened security measures due to our national emergency have caused the National Guard to close the Armory to the public;

WHEREAS, by Resolution adopted October 2, 2001, the Roanoke City Electoral Board has recommended the establishment of a temporary polling place for Jefferson Precinct No. 2 at the Roanoke City Schools Maintenance Building at 250 Reserve Avenue, S. W., and such temporary polling place is located within the such precinct as required by §24.2-310, Code of Virginia (1950), as amended; and

WHEREAS, the Electoral Board has given notice of such emergency relocation of polling place to the State Board of Elections and has obtained approval of such change from the Board pursuant to §24.2-310.D., Code of Virginia (1950), as amended, and the Electoral Board will give notice of this change in polling place by mail to all registered voters in the

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Jefferson Precinct No. 2 at least fifteen (15) days prior to the November 6, 2001, general election, pursuant to §24.2-306.B., Code of Virginia (1950), as amended;

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. Notwithstanding §10-26, Code of the City of Roanoke (1979), as amended, the polling place for Jefferson Precinct No. 2 shall be relocated from the National Guard Armory Building to the Roanoke City Schools Maintenance Building, 250 Reserve Avenue, S. W., City, for the November 6, 2001, general election.

2. Such temporarily relocated polling place shall be applicable for the November 6, 2001, general election only.

3. The City Clerk is directed to forward attested copies of this ordinance to Beryl Y. Brooks, General Registrar, so that notice of this change in polling place can be mailed to all registered voters of Jefferson Precinct No. 2., and to the Chief, Voting Section, Civil Rights Division, United States Department of Justice.

4. In order to provide for the usual daily operation of the municipal government, an emergency is deemed to exist, and this ordinance shall be in full force and effect upon its passage.

ATTEST:

City Clerk.

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Office of the City Manager

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October 18, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable W. Alvin Hudson, Council Member
Honorable William D. Bestpitch, Council Member
Honorable William White, Sr., Council Member
Honorable C. Nelson Harris, Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Amendment No. 2 to Community Development Block Grant (CDBG) Funding Administration Agreement with the Roanoke Redevelopment and Housing Authority (RRHA)

Background:

As part of its ongoing efforts to improve public housing at the Lincoln Terrace Development, the RRHA applied for and has been awarded a $15.1 million HOPE VI Revitalization Grant from the U.S. Department of Housing and Urban Development ("HUD"). In support of the RRHA HOPE VI application, the City committed to provide up to $3 million in financial assistance from federal and local funding sources for (1) infrastructure costs ($2.1 million) of the Lincoln 2000/HOPE VI Project and (2) housing rehabilitation and construction funding ($900,000) in the Washington Park neighborhood. (The $900,000 for housing assistance is being handled through separate agreements with the Authority). Infrastructure funding to be provided by the City will support improvements in public rights-of-way and publicly dedicated easements, including, but not limited to, construction and reconstruction of streets, curbs, gutters and sidewalks and water and sewer utilities. Such improvements are described in detail in the comprehensive development plans approved by the City and incorporated by reference into the Agreement. By Budget Ordinance 35262-040201 and Resolution No. 35263-040201, City Council approved the execution of the original Agreement dated July 1, 2000, providing $600,000.00 from federal and local funding sources. Amendment No. 1 extended the Agreement period from September 30, 2001 to December 30, 2001.

Considerations:

The City will provide the RRHA a total of $2.1 million for infrastructure improvements in three yearly installments, with the $750,000 covered by this letter being the second installment. Funds for this second installment have been identified in the General Fund

Room 364 Municipal South 215 Church Avenue, S.W. Roanoke, Virginia 24011-1591 (540) 853-2333 FAX (540) 853-1138
CityWeb:www.ci.roanoke.va.us

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and Community Development Block Grant ("CDBG") program funds and from retained earnings in the Water Fund and Sewer Fund. The specific amounts and sources are as follows:

Source	Account Name	Amount
CDBG	Infrastructure	$265,000
General Fund	Street Paving	$100,000
Sewer Fund	Retained earnings	$336,000
Water Fund	Retained earnings	$ 49,000

Recommended Action:

Authorize the City Manager to execute Amendment No. 2 to the 2000/01 CDBG Agreement with the RRHA, similar in form and content to the agreement attached to this Report, approved as to form by the City Attorney.

Appropriate funding in the amount of $336,000 from the Sewer Fund retained earnings and $49,000 from the Water Fund retained earnings to accounts in each respective fund entitled "Lincoln 2000/HOPE VI Infrastructure". CDBG funds have been previously appropriated to the proper account.

Transfer $100,000 from Street Paving Account No. 001-530-4120-2010 to Transfer to Capital Projects Fund account 001-250-9310-9508. In the Capital Projects Fund, appropriate this funding to Account No. 008-410-9626-9003.

Respectfully submitted,

Darlene L. Burcham
City Manager

Attachment

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Vickie S. Tregubov, Budget/Management Analyst

#CM01-00236

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AMENDMENT No. 2

This Amendment No. 2 is entered into this ___ day of October 2001, by and between the City of Roanoke (the Grantee) and the City of Roanoke Redevelopment and Housing Authority (the Subgrantee).

WITNESSETH:

WHEREAS, by Resolution No. 35263-040201 Council approved the execution of a subgrant agreement ("Agreement") between the Grantee and the Subgrantee and appropriated funds therefor; and

WHEREAS, by Resolution No. 3185, the RRHA Board of Commissioners approved the execution of this Agreement between the City and the RRHA; and

WHEREAS, the Grantee and the Subgrantee mutually desire to continue infrastructure improvements associated with the Lincoln 2000 Infrastructure Improvements project; and

WHEREAS, the Grantee and the Subgrantee mutually agreed to Amendment No. 1 to the Agreement, which extended the time period of the Agreement to December 30, 2001;

NOW THEREFORE, the Grantee and the Subgrantee do mutually agree to amend the Agreement dated July 1, 2000, and Amendment No. 1 dated September 24, 2001, by this Amendment No. 2 as follows:

1. SCOPE OF SERVICES:

   a. General -- The RRHA shall use the funds provided by the City under this Agreement for infrastructure improvements within public rights-of-way or publicly dedicated easements, including, but not necessarily limited to, construction and reconstruction of streets, curb, gutters, and sidewalks and water and sewer utilities, associated with the Project. Such imfrastructure improvements eligible for reimbursement are shown in the comprehensive development plans entitled, Lincoln 2000 Phase One Site Construction at Lincoln Terrace VA11-2 and dated June 30, 2000 (approved on September 21, 2000), and the comprehensive development plans entitled, Lincoln 2000 Phase Two Site Construction at Lincoln Terrace VA11-2 and dated October 4, 2000 (approved January 18, 2001), such plans being incorporated into this Agreement by reference.

   b. Limitations -- The following limitations will apply to the indicated funding sources under this Agreement:

      (1) CDBG Funds shall be used solely for costs of new infrastructure improvements in publicly dedicated rights-of-way or easements and shall not be used to repair or maintain existing infrastructure.

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(2) General Funds shall be used solely for public streets, curbs, gutters or sidewalks in publicly dedicated rights-of-way.

(3) Sewer Funds shall be used solely for sanitary sewer mains, excluding service laterals, located in public streets or publicly dedicated sanitary sewer easements.

(4) Water Funds shall be used solely for public water facilities, with the exception of water meters, in public rights-of-ways or on publicly dedicated easements.

3. BUDGET -- The total funding provided by the City under this agreement shall not, without amendment of the Agreement, exceed $1,350,000. Funding sources and amounts are as follows:

Source	Amount
CDBG Funds	$518,000.00
General Funds	200,000.00
Sewer Funds	445,000.00
Water Funds	187,000.00
TOTAL	$1,350,000.00

Expenditures from each funding source will be in accordance with the use limitations given in section 1.b.

The Agreement dated July 1, 2000 and Amendment No. 1, dated September 24, 2001, shall remain unchanged in all other terms and provisions.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 2 as of the day and year hereinabove written:

ATTEST:

By _____
Mary F. Parker, City Clerk

FOR THE GRANTEE:

By _____
Darlene L. Burcham, City Manager

ATTEST:

By _____
Secretary of the Board

FOR THE SUBGRANTEE:

By _____
John P. Baker, Executive Director

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APPROVED AS TO CDBG/HOME ELIGIBILITY

Department of Management and Budget

APPROVED AS TO FORM

Assistant City Attorney

APPROVED AS TO EXECUTION

Assistant City Attorney

APPROPRIATION AND FUNDS REQUIRED FOR THIS CONTRACT CERTIFIED

Director of Finance

Date

Account # 008-410-9626-9003 ($200,000)
003-410-9628-9003 ($445,000)
002-410-9627-9003 ($187,000)
035-G01-0137-5296 ($253,000)
035-G02-0237-5293 ($265,000)

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AHS

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2001-2002 General, Water, Sewage Treatment, and Capital Projects Funds Appropriations, and providing for an emergency.

WHEREAS, for the usual daily operation of the Municipal Government of the City of Roanoke, an emergency is declared to exist.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2001-2002 General, Water, Sewage Treatment and Capital Projects Funds Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

General Fund

Appropriations

Public Works	$	25,052,040
Paving Program (1)		2,693,144
Nondepartmental	$	71,284,871
Transfers to Other Funds (2)		70,629,166

Water Fund

Appropriations

Capital Outlay	$	2,320,478
HOPE VI Infrastructure Improvements (3)		187,000

Retained Earnings

Retained Earnings Available for Appropriation (4)	$	4,731,000

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Sewage Treatment Fund

Appropriations

Capital Outlay	$	60,614,448
HOPE VI Infrastructure Improvements (5).		445,000

Retained Earnings

Retained Earnings Available for Appropriation (6).	$	3,435,000

Capital Projects Fund

Appropriations

General Government	$	19,578,420
HOPE VI Infrastructure Improvements (7).		200,000

Revenues

Nonoperating	$	5,147,517
Transfers from Other Funds (8).		5,147,517

1) Fees for Professional Services	(001-530-4120-2010)	$ (100,000)
2) Transfers to Capital Projects Fund	(001-250-9310-9508)	100,000
3) Appropriated from General Revenue	(002-410-9627-9003)	49,000
4) Retained Earnings Available for Appropriation	(002-3348)	(49,000)
5) Appropriated from General Revenue	(003-410-9628-9003)	336,000
6) Retained Earnings Available for Appropriation	(003-3348)	(336,000)
7) Appropriated from General Revenue	(008-410-9626-9003)	100,000
8) Transfer from General Fund	(008-110-1234-1077)	100,000

BE IT FURTHER ORDAINED that, an emergency existing, this Ordinance shall be in effect from its passage.

ATTEST:

City Clerk.

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SJT
10/10/01

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION authorizing the appropriate City officials to execute Amendment No. 2 to the 2000-2001 Agreement with the City of Roanoke Redevelopment and Housing Authority, providing funding for infrastructure improvements associated with the Lincoln 2000/HOPE VI Community Revitalization Program Project, upon certain terms and conditions, and describing the scope of services in greater detail.

BE IT RESOLVED by the Council of the City of Roanoke that the City Manager and City Clerk are hereby authorized to execute, seal and attest, respectively, on behalf of the City, Amendment No. 2 to the 2000-2001 Agreement with the City of Roanoke Redevelopment and Housing Authority, providing funding for infrastructure improvements associated with the Lincoln/ 2000 HOPE VI Community Revitalization Program Project, and describing the scope of services in greater detail, approved as to form by the City Attorney, within the limits of funds and for the purposes as are more particularly set forth in the City Manager's letter to this Council dated October 18, 2001.

ATTEST:

City Clerk.

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ROANOKE
VIRGINIA, CHARTERED 1882

RECEIVED
CITY CLERKS OFFICE

Office of the City Manager

October 18, 2001 OCT 4 P 4:00

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor and Members of City Council:

Subject: State Asset Sharing

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 these forfeited properties. 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. Property, including funds shared with State and local agencies may be used only for Law Enforcement purposes. Program requirements include that these funds be placed in an interest bearing account and the interest earned be used in accordance with program guidelines.

Revenues collected for this grant are recorded in Grant Fund account numbers 035-035-1234-7133 and 035-035-1234-7270. Funding received in excess of the estimated and totaling $75,211 needs to be appropriated at this time.

Recommended Action:

Appropriate $75,211 to Grant Fund accounts to be established by the Director of Finance. Establish revenue estimates of $75,211 as well.

Respectfully submitted,

Darlene L. Burcham
City Manager

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Joe Gaskins, Chief of Police

#CM01-00228

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AHS

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Grant Fund Appropriations, and providing for an emergency.

WHEREAS, for the usual daily operation of the Municipal Government of the City of Roanoke, an emergency is declared to exist.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2001-2002 Grant Fund Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Public Safety	$	2,667,505
Police State Asset Forfeiture (1-2)		219,018

Revenues

Public Safety	$	2,667,505
Police State Asset Forfeiture (3-4).		219,018

1) Expendable Equipment <$5,000	(035-640-3302-2035)	$	5,211
2) Other Equipment	(035-640-3302-9015)		70,000
3) State Asset Forfeiture Proceeds	(035-640-3302-3301)		63,606
4) Interest	(035-640-3302-3299)		11,605

BE IT FURTHER ORDAINED that, an emergency existing, this Ordinance shall be in effect from its passage.

ATTEST:

City Clerk.

Office of the City Manager

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October 18, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Contract Award
Ballfield Improvements at
Seven Ballfields
Bid No. 01-08-19

This project consists of improvements to seven City park softball/baseball fields (Huff Lane Park – Fields 1 and 2, Strauss Park, Westside Ballfield – Field 1, Garden City Park, Norwich Park, Jackson Park and Preston Park).

After proper advertisement, one bid was received on Wednesday, August 29, 2001 with Breakell, Inc., 2314 Patterson Avenue, S.W., Roanoke, Virginia 24016, submitting a base bid in the amount of $313,749. Bids were received for five additive bid items, with items 1, 2 and 4, in the amount of $48,582, to be included in the project. The additive bid items are as follows:

Additive Bid Item No. 1: Provide Baseball/Softball Field #2 at Preston Park in the amount of $29,318.

Additive Bid Item No. 2: Provide concrete stairs for field access at Preston Park in the amount of $5,591.

Additive Bid Item No. 4: Provide an irrigation system for new Ballfield #2 at Huff Lane Park in the amount of $13,673.

Funding is available in Baseball/Softball Field Improvements account number 008-620-9737 in the amount of $255,000. The project will require additional funding in the amount of $142,000 from Baseball/Softball Lighting account number 008-620-9736-9001. Total funding required for the project is $397,000. Additional funding in excess of the contract amount will be used for miscellaneous project expenses including advertising, printing, testing services, minor variations in bid quantities and unforeseen project expenses.

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Recommended Action:

Accept the above bid and authorize the City Manager to execute a contract for the above work with Breakell, Inc. in amount of $362,331 (which consists of $313,749 for the Base Bid, $29,318 for Additive Bid Item No. 1, $5,591 for Additive Bid Item No. 2 and $13,673 for Additive Bid Item No. 4) with 190 consecutive calendar days of contract time.

Transfer $142,000 from Baseball/Softball Lighting account number 008-620-9736-9001 to Baseball/Softball Field Improvements account number 008-620-9737-9001.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB/TWK/bls

Attachment

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
D. Darwin Roupe, Director of General Services

#CM01-00231

TABULATION OF BIDS

**BALLFIELD IMPROVEMENTS AT
HUFF LANE PARK - FIELDS 1 AND 2,
STRAUSS PARK, WESTSIDE BALLFIELD,
GARDEN CITY PARK, NORWICH PARK,
JACKSON PARK AND PRESTON PARK
BID NO. 01-08-19**

Bids were opened by Robert L. White, Manager, Purchasing Department, on Wednesday, August 29, 2001, at 2:00 p.m.

BIDDER	ADDENDUM I	BASE BID	ADDITIVE BID ITEM 1	ADDITIVE BID ITEM 2	ADDITIVE BID ITEM 3	ADDITIVE BID ITEM 4	ADDITIVE BID ITEM 5
Breakell, Inc.	Yes	$313,749	$29,318	$5,591	$1,368	$13,673	$7,892

Office of the City Engineer
Roanoke, Virginia
October 18, 2001

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AHS

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Capital Projects Fund Appropriations, and providing for an emergency.

WHEREAS, for the usual daily operation of the Municipal Government of the City of Roanoke, an emergency is declared to exist.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2001-2002 Capital Projects Fund Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Parks, Recreation and Cultural	$ 9,239,237
Baseball/Softball Lighting (1)	679,215
Baseball/Softball Field Improvements (2)	635,253

1) Appropriated from Bond Funds - Series 1999	(008-620-9736-9001)	$ (142,000)
2) Appropriated from Bond Funds - Series 1999	(008-620-9737-9001)	142,000

BE IT FURTHER ORDAINED that, an emergency existing, this Ordinance shall be in effect from its passage.

ATTEST:

City Clerk.

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ST 9/3/01

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE accepting the bid of Breakell, Inc., for improvements to City softball/baseball fields, upon certain terms and conditions and awarding a contract therefor; authorizing the proper City officials to execute the requisite contract for such work; 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 bid of Breakell, Inc., in the amount of $362,331.00 which consists of $313,749.00 for the Base Bid, $29,318.00 for Additive Bid Item No. 1, $5,591.00 for Additive Bid Item No. 2, and $13,673.00 for Additive Bid Item No. 4, for improvements to City softball/baseball fields, as is more particularly set forth in the City Manager's letter dated October 18, 2001, to this Council, such bid being in full compliance with the City's plans and specifications made therefor and as provided in the contract documents offered the bidder, which bid is on file in the Purchasing Department, be and is hereby ACCEPTED.

2. The City Manager and the City Clerk are hereby authorized, on behalf of the City, to execute and attest, respectively, the requisite contract with the successful bidder, based on its proposal made therefor and the City's specifications made therefor, the contract to be in such form as is approved by the City Attorney, and the cost of the work to be paid for out of funds heretofore or simultaneously appropriated by Council.

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3. Pursuant to the provisions of §12 of the Roanoke Charter, the second ready of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

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Office of the City Manager

October 18, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: JTPA Carry over Funding for Fifth District Employment and Training Consortium

Background:

The Fifth District Employment and Training Consortium (FDETC) administers the federally funded Workforce Investment Act (WIA) for the region, which encompasses the counties of Alleghany, Botetourt, Craig, Franklin and Roanoke as well as the cities of Covington, Roanoke, and Salem. WIA funding is for two primary client populations:

- dislocated workers who have been laid off from employment through no fault of their own, and
- economically disadvantaged individuals as determined by household income guidelines set up by the U.S. Department of Labor.

The City of Roanoke is the grant recipient and fiscal agent for FDETC funding, thus, City Council must appropriate the funding for all grants and other monies the FDETC receives.

1. The state office of the Virginia Employment Commission (VEC) has sent the Consortium Notice of Obligation (NOO) for carry over Job Training Partnership Act (JTPA) funds for Program Year 1999, for WIA programs. These carry over funds converted to WIA on July 1, 2000, and will be subject to requirements of the WIA. These funds have been held by the state office of the VEC until the Department of Labor approved the final JTPA close out. These funds must be

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expended prior to June 30, 2002.

Adult Programs	$ 29,299
Youth Programs	43,927
Dislocated Worker Programs	59,398
Total	$132,624

Considerations:

- Program Operations - Existing activities will continue and planned programs will be implemented.
- Funding - Funds are available from the Grantor agency and other sources as indicated, at no additional cost to the participating localities.
- Timing - Immediate action will allow transition activities to be implemented and completed within planned time frames, July 1, 2001 through June 30, 2002.

Recommendations:

Appropriate the FDETC's funding totaling $132,624 and increase the revenue estimate by $132,624 in accounts to be established in the Consortium fund by the Director of Finance.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:wc

c: Rolanda A. Johnson, Assistant City Manager for Community Development
Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Glenn D. Radcliffe, Director of Human Services

CM01-00237

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AHS

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Consortium Fund Appropriations, and providing for an emergency.

WHEREAS, for the usual daily operation of the Municipal Government of the City of Roanoke, an emergency is declared to exist.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2001-2002 Consortium Fund Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Fifth District Employment & Training Consortium	$ 5,959,597
Title I Administration (1-7)	118,334
Title I Adult Program (8-12)	355,978
Title I Youth Program (13)	355,467
Title I Dislocated Worker (14)	353,575

Revenues

Fifth District Employment & Training Consortium	$ 5,959,597
Title I Administration (15)	118,334
Title I Adult Program (16)	355,978
Title I Youth Program (17)	355,467
Title I Dislocated Worker (18)	353,575

1) Temporary Employee Wages	(034-633-2100-8049)	$ 4,512
2) Wages	(034-633-2100-8050)	5,000
3) Fringes	(034-633-2100-8051)	1,250
4) Travel	(034-633-2100-8052)	500
5) Communications	(034-633-2100-8053)	500
6) Supplies	(034-633-2100-8055)	500
7) Miscellaneous	(034-633-2100-8060)	1,000
8) Wages	(034-633-2161-8050)	12,370
9) Fringes	(034-633-2161-8051)	3,000

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10) Travel	(034-633-2161-8052)	$ 6,000
11) Supplies	(034-633-2161-8060)	1,000
12) Miscellaneous	(034-633-2161-8060)	4,000
13) Miscellaneous	(034-633-2163-8060)	39,534
14) Contractual Services	(034-633-2181-8057)	53,458
15) Title I Administrative	(034-633-2100-2100)	13,262
16) Title I Adult Program	(034-633-2161-2161)	26,370
17) Title I Youth Program	(034-633-2163-2163)	39,534
18) Title I Dislocated Worker Program	(034-633-2181-2181)	53,458

BE IT FURTHER ORDAINED that, an emergency existing, this Ordinance shall be in effect from its passage.

ATTEST:

City Clerk.

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Office of the City Manager

October 18, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Bid for Rental Uniform Service
Bid #01-08-15

Background:

With the need to request bids for rental uniform service for designated City employees in the departments of Public Works, General Services, and Utilities, and after meeting with the Uniform Selection Advisory Committee, comprised of City employees, specifications were developed and along with the invitation for bid were sent to seven (7) providers. The bid was publicly advertised in accordance with Chapter 23.1 of the Code of the City of Roanoke.

Considerations:

Three (3) bids were received and evaluated in a consistent manner based on the required specifications. See attached bid tabulation. The lowest bid meeting required bid specifications was submitted by Aramark Uniform & Career Apparel, Inc, Vinton, Virginia at a cost of $4.68 per employee per week, or at an estimated yearly cost of $119,080.88. Funding is budgeted and available in various departmental accounts.

Recommended Action:

Authorize the issuance of the requisite purchase order(s) to Aramark Uniform & Career Apparel, Inc. for the rental of employee uniforms for the period of one (1)

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CityWeb:www.ci.roanoke.va.us

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year with the option to renew for four (4) additional one (1) year periods, and reject all other bids.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB: bdf

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Barry L. Key, Director OMB
D. Darwin Roupe, Director of General Services
Robert L. White

CM01-00238

Bid Tabulation
Bids were received, publicly opened and read at 2:00 p.m., August 24, 2001
For
Rental Uniform Service
Bid Number 01-08-15

Item	Aramark Uniform & Career Apparel, Inc.	UniFirst Corporation	Rental Uniform Service
To provide for rental uniform service for designated employees of the City of Roanoke, in accordance with City specifications for five (5) uniform changes per week – Cost per week per employee	$4.68	$4.85	$7.25
Reflective Stripes Reflective safety stripes as required Charge to sew onto garments	 $1.25/ft. $4.00/garment	 $1.25/ft. n/a	 Undisclosed Undisclosed
Environmental charges per week	n/a	$30.00	n/a
Replacement cost per set	$19.98	$31.17 (prorated according to age of garment)	$26.00
Total estimated yearly charges	* $119,080.88	$120,552.50	$163,241.00

* Indicated Recommendation

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(11)

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION accepting the bid of Aramark Uniform & Career Apparel, Inc. for rental uniform service for designated employees of the City upon certain terms and conditions; and rejecting all other bids made to the City.

BE IT RESOLVED by this Council of the City of Roanoke that:

1. The bid submitted by Aramark Uniform & Career Apparel, Inc. for rental uniform service for designated employees of the city at an estimated cost of $119,080.88 for a period of one (1) year with the option to renew for four (4) additional one (1) year periods, as is set forth in the letter to this Council dated October 18, 2001, which bid is on file in the Purchasing Department and is in full compliance with the City's specifications made therefore, is hereby ACCEPTED.

2. The City's Manager of Purchasing is hereby authorized and directed to issue the requisite purchase orders therefor, incorporating into said orders the City's specifications, the term of said bidder's proposal and the terms and provisions of the resolution.

3. Any and all other bids made to the City for the aforesaid procurement are hereby REJECTED, and the City Clerk is directed to notify each such bidder and to express to each the City's appreciation for such bid.

ATTEST:

City Clerk

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ROANOKE
VIRGINIA, CHARTERED 1882

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Office of the City Manager

October 18, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Special Military Leave Pay

Background:

Military leave at full pay is limited to fifteen work days per federal fiscal year for employees of the City of Roanoke who are military reservists called to active duty. Special council action was taken in 1991 for the Desert Storm operation and in 1997 for the Bosnia effort to provide any difference between military reservists' pay and the current level with the City of Roanoke. There are thirty-five reservists in thirteen departments within the City of Roanoke full time employment.

Recommended Action:

Approve special policy to pay military reservists who are called to active duty and serve between October 1, 2001 and September 30, 2002 the difference between their military base pay (including any other related compensation received from the military) and pay with the City of Roanoke in their current job. This supplemental pay will be provided upon request and with necessary documentation to the department of human resources.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:bka
c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Kenneth S. Cronin, Director of Human Resources

CM01-00242

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WMK

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION authorizing payment of supplementary compensation and restoration of certain benefits to employees called to active military duty.

BE IT RESOLVED by the Council of the City of Roanoke that:

1. The City shall pay, upon request, to any City employee who, between October 1, 2001, and September 30, 2002, is called to active duty related to our country's war on terrorism a supplement equal to the difference between regular City salary and military base pay plus any other compensation received for such service. This supplement shall not be paid for any days that regular City salary must be paid to such employees. Employees shall provide the Department of Human Resources with the necessary documentation to establish their eligibility for the supplement.

2. Any City vacation or paid leave used by such employees during active duty related to our country's war on terrorism shall be restored.

3. Each such employee shall be deemed to have earned City vacation, paid and extended illness leave for the period of such active duty in the same manner as if such employee had remained in service with the City.

4. For each such employee who returns to service with the City within seven (7) working days of the conclusion of such active military duty, the City shall pay the City portion of the health and dental benefit premiums necessary to provide coverage for the employee effective upon the date of return to service with the City.

ATTEST:

City Clerk.

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RECEIVED
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Office of the City Manager

October 18, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable W. Alvin Hudson, Council Member
Honorable William D. Bestpitch, Council Member
Honorable William White, Sr., Council Member
Honorable C. Nelson Harris, Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Residential Parking Permit Program

Background:

On-street parking within many areas of the City is shared between surrounding residential and commercial properties. Due to high parking demands and limited parking supply some areas experience difficulties maintaining an adequate availability of on-street parking. Residents within these areas are often times unable to park within a reasonable distance of their home and the infiltration of commercial (office, retail and special event) parking into these residential areas can adversely affect the character of the neighborhood. Neighborhoods most frequently affected include Gainsboro, Beechwood Gardens, Old Southwest and some neighborhoods in Raleigh Court. The traditional parking regulations currently contained within City Code are limited in their ability to adequately address these situations. The development and support of mixed use village centers is a goal within the City's recently adopted comprehensive plan; therefore, the need to adequately address parking in mixed use areas is a current and future problem that must be addressed. Other cities within Virginia (Charlottesville, Richmond, Blacksburg and others) have implemented the use of special permit parking to better manage these issues. The permits are used to make certain exceptions for local residents when establishing on-street parking restrictions. It is important to note that this is a resident initiated program and that it has been reviewed by the Steering Committee of the Roanoke Neighborhood Partnership. Those who wish to have such parking restrictions will petition the City and neighborhood input will be sought before any designations are made.

These regulations are not designed to address parking in the downtown area of Roanoke which will be dealt with separately.

Based on the review of other permit parking programs within the state and consideration of the conditions within Roanoke, City staff has prepared a recommended code

Room 364 Municipal South 215 Church Avenue, S.W. Roanoke, Virginia 24011-1591 (540) 853-2333 FAX (540) 853-1138
CityWeb:www.ci.roanoke.va.us

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amendment to establish a residential parking permit provision within City Code. The code amendment would allow the City Manager to establish permit parking areas within the City. Prior to such designation, on behalf of the City Manager, the Roanoke Neighborhood Partnership will coordinate the scheduling and advertising of at least one community meeting designed to ensure that individuals, neighborhood groups and businesses, especially those in affected areas, are aware of the proposal and have the opportunity to provide feedback and recommendations on this issue. The permit parking regulations would exempt valid permit holders from the parking restriction or prohibition as posted. (For example, the restriction could state 2-hour parking except by permit.) An adult citizen residing in a household that fronts the affected area may obtain the permits for the household. These permits include two visitor passes and a permit for each vehicle registered at the address (not to exceed a maximum of four (4) annual permits). The proposed fee for the parking permits is $5.00 annually per household. The proposed fee for replacement permits is $1.00. The establishment of this code should improve the City's ability to better manage parking in these difficult situations.

Recommended Action:

City Council authorize the amendment of the City Code by adding Section 2, Residential Parking Permits, to Article IV, Stopping, Standing and Parking, of Chapter 20, Motor Vehicles and Traffic, to establish a residential parking permit program; and amend the City's fee compendium to provide for the permit fees.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB/sn

Attachments

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Rolanda Johnson, Assistant City Manager for Community Development
Atlas Gaskins, Chief of Police

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RESIDENTIAL PERMIT PARKING
DRAFT ADMINISTRATIVE PROCEDURES

INITIATION OF A PARKING STUDY
Requests for this program must originate from the residents within the area to be affected by the changed parking conditions. The signature on a document requesting this program of an adult residing in the household shall be deemed to constitute the approval of the contents of the document by the household. If the city manger finds that the request represents the interests of a substantial majority of the households within the area, then a study of the parking conditions may be ordered. This determination can be achieved by the completion of a petition that describes the restriction that would be initiated and the area within which it would apply. The petition should be signed by at least seventy five (75) percent of the households that front the affected street sections. The Streets & Traffic Department will receive and review the initial request (including petition) and will conduct the parking study as ordered by the city manger.

PARKING STUDY
If the study findings indicate that parked vehicles occupy at least seventy-five (75) percent of the available on-street parking spaces and at least twenty-five (25) percent of these vehicles are registered to addresses outside of the subject area, then the area will be considered eligible for inclusion in the program. The Streets & Traffic Department will collect license plate numbers for the vehicles parked within the subject area during the times of the day most prone to problems. The Police Department will determine the address where the vehicles are registered to determine the percent of those vehicles that are from outside the neighborhood. The study can also evaluate the parking characteristics throughout the day to determine the appropriateness of the proposed restriction and may make recommendations regarding the least restrictive measure that will achieve the desired result.

PUBLIC INPUT
The city manager will seek public input regarding the requested act and shall call at least one community meeting prior to issuing a final ruling on the matter. The city manager shall rule on the issue within thirty (30) days after completion of the final community meeting.

ISSUING & USE OF PERMITS
Permits will be issued by the city treasurer and will expire on May 31st of each year. The permits will be coded such that the permit parking areas can be distinguished from one another. The permits must be displayed on the left rear bumper of the resident's vehicle. Visitor passes shall be displayed in the left rear window.

ENFORCEMENT
The Police Department will begin enforcing parking restrictions within these areas ten (10) days after the posting of parking signs.

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E.D.
P.T.

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 Division 2, Residential Parking Permits, to Article IV, Stopping, Standing and Parking, Chapter 20, Motor Vehicles and Traffic, to establish a procedure for creation of a residential parking permit system; amending the City's fee compendium to establish certain fees for permits; and providing for an emergency.

BE IT ORDAINED by the Council of the City of Roanoke that:

1. The Code of the City of Roanoke (1979), as amended, is hereby amended and reordained by the addition of a new Division 2, Residential Parking Permits, to Article IV, Stopping, Standing and Parking, Chapter 20, Motor Vehicles and Traffic, to read and provide as follows:

Article IV. Stopping, Standing and Parking

DIVISION 2: RESIDENTIAL PARKING PERMITS

§20-77. Residential Parking Permit Policy.

This division is adopted in order to reduce traffic congestion on public streets within residential areas; to reduce hazardous traffic conditions caused by the use of such streets for vehicular parking; to protect residents of such areas from unreasonable noise and disturbance; to protect such residents from unreasonable burdens in gaining access to their residences; and to protect and preserve the peace and tranquility, convenience and character of residential neighborhoods located in close proximity to commercial areas of the city.

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§20-78. Definitions

Parking permit area shall mean a block, road, street, or other area within the city in which the general parking of vehicles is restricted but vehicles properly displaying a valid permit or visitors pass are exempted from the posted restriction.

§20-79. Designation & Revocation of Parking Permit Areas

(a) The city manager may designate, by written directive, parking permit areas within the city. Prior to making such designation, the city manager may call for a parking study and shall conduct a community meeting(s) at which interested parties may be heard on the proposal to designate the subject area as a parking permit area. At least seven days prior to the meeting, public notice shall be published in a newspaper of general circulation in the city. The city manager may also use any other means of notification deemed appropriate. Within thirty (30) days after completion of the last community meeting, the city manager, based upon the considerations set forth in 20-77, shall approve or disapprove the designation of the area as a parking permit area and, if approved, establish the subject parking regulation thereafter.

(b) The city manager may revoke the designation of the parking permit area at anytime.

(c) The authority granted herein shall be in addition to, and may be exercised in conjunction with, any other authority the city manager may have to regulate the times and conditions of motor vehicle parking.

§20-80. Permits Generally

(a) Following the designation of a residential permit parking area by the city manager, the city treasurer shall issue annual residential parking permits for the area so designated. Only one application will be accepted from each household.

(b) An applicant for a permit shall present his or her motor vehicle registration(s) and operator's license indicating residence in the designated permit area. No permit shall be issued if the residential address displayed on the vehicle registration(s) or the operator's license is other than in the designated area.

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(c) Upon application and payment of the prescribed fee, one (1) permit shall be issued for each motor vehicle registration presented, not to exceed a maximum of four (4) permits per household. Each applicant shall also be issued two (2) complimentary visitor's passes per household.

(d) Permits shall be displayed on the left rear bumper of the resident's vehicle. Visitor passes shall be displayed in the left rear window.

(e) Permits issued pursuant to this section shall not be transferrable, except as provided in §20-83, and may be revoked by the city treasurer in the event the treasurer determines that the owner of the permit no longer resides in the designated area. Upon written notification of such revocation, the holder of the permit shall surrender such permit to the city treasurer.

(f) Replacement permits and passes shall be issued for lost, damaged or stolen permits or passes upon proof of such loss, damage or theft. Damaged permits or passes must be produced as proof under this section. Verification of loss or theft by a police incident report shall be sufficient proof of loss or theft of any such permit or pass under this section.

(g) One time "Special Event" parking requiring multiple parking spaces may be authorized upon application and approval of the city manager.

(h) Participation in this program and possession of a residential parking permit shall in no way guarantee an individual the availability of a parking space within their block nor shall it exempt vehicles from posted or statutory parking restrictions unless explicitly posted within the designated area.

§20-81. Permits; Fees

Fees required under this division shall be as follows:

(1) Residential Parking Permit. Fees for annual permits shall be as specified in the city's fee compendium.

(2) Replacement Permit or Pass. Fees for lost, damaged or stolen permits or passes shall be as specified in the city's fee compendium.

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§20-82. Permits; Transfer

Any vehicle owner who sells or otherwise transfers a vehicle permitted under the provisions of this division may have the permit thereon reassigned to another vehicle owned by the original permitee or household member. The city treasurer shall allow such reassignment upon application to him with the documentation required in §20-81(b).

§20-83. Permits; Expiration

Every permit issued under this division shall expire May 31 of the permit year for which it was issued.

§20-84. Signs

(a) Following the designation of a residential permit parking area, the city manager shall cause to be posted in appropriate locations within such area signs indicating the parking restrictions applicable in the area.

(b) Enforcement of parking regulations related to the parking permit signs shall not be effective until ten (10) days after the posting of such signs.

§20-85. Prohibitions; Penalties.

(a) It shall be unlawful for any person to park a vehicle in a posted parking permit area in a manner that conflicts with the parking restriction as posted. Enforcement and penalties shall be as provided in the general provisions of this chapter.

(b) It shall be unlawful for any person to make any false representation regarding eligibility for a permit under this section. Any person violating this subsection shall be guilty of a Class 2 misdemeanor.

(c) It shall be unlawful for any person to use or display, or to allow to be used or displayed, a resident's permit issued under this section upon any vehicle other than the vehicle for which the permit was issued. Any person violating this subsection shall be guilty of a Class 3 misdemeanor.

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§20-86. Exemptions.

Emergency, service vehicles, and construction/utility vehicles when on a call, delivery, or engaged in work on the streets or utilities shall be exempt from the requirements of this division.

2. The Fee Compendium of the City, maintained by the Director of Finance and authorized and approved by the City Council by Resolution No. 32412-032795, adopted March 27, 1995, effective as of that date, shall be amended to add the new annual fee of five dollars ($5.00) for up to a maximum of four (4) permits per household and a fee of one dollar ($1.00) per replacement permit or pass for permits or passes that are lost, damaged or stolen.

3. In order to provide for the usual operation of the municipal government, an emergency is deemed to exist and this ordinance shall be in full force and effect upon its passage.

ATTEST:

City Clerk.

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WMH

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION reappointing a Director of the Industrial Development Authority of the City of Roanoke, to fill a four (4) year term on the Board of Directors.

WHEREAS, the Council is advised that the term of office of William L. Bova, a Director of the Industrial Development Authority of the City of Roanoke, Virginia, will expire on October 20, 2001;

WHEREAS, §15.2-4904, Code of Virginia (1950), as amended, provides that appointments made by the governing body of such Directors shall, after initial appointment, be made for terms of four (4) years, except appointments to fill vacancies which shall be for the unexpired terms; and

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke that William L. Bova is hereby reappointed as a Director on the Board of Directors of the Industrial Development Authority of the City of Roanoke, Virginia, for a term of four (4) years commencing on October 21, 2001, and expiring on October 20, 2005, to fill a vacancy created by the expiration of the term of office of said member on the Board occurring on October 20, 2001.

ATTEST:

City Clerk.

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IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION reappointing a Director of the Industrial Development Authority of the City of Roanoke, to fill a four (4) year term on the Board of Directors.

WHEREAS, the Council is advised that the term of office of S. Deborah Oyler, a Director of the Industrial Development Authority of the City of Roanoke, Virginia, will expire on October 20, 2001;

WHEREAS, §15.2-4904, Code of Virginia (1950), as amended, provides that appointments made by the governing body of such Directors shall, after initial appointment, be made for terms of four (4) years, except appointments to fill vacancies which shall be for the unexpired terms; and

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke that S. Deborah Oyler is hereby reappointed as a Director on the Board of Directors of the Industrial Development Authority of the City of Roanoke, Virginia, for a term of four (4) years commencing on October 21, 2001, and expiring on October 20, 2005, to fill a vacancy created by the expiration of the term of office of said member on the Board occurring on October 20, 2001.

ATTEST:

City Clerk.

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IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION electing and appointing Troy A. Harmon as Municipal Auditor for the City of Roanoke, and ratifying the terms and conditions of employment as Municipal Auditor offered to Mr. Harmon.

WHEREAS, the City Council desires to elect and appoint Troy A. Harmon as Municipal Auditor pursuant to the Roanoke Charter of 1952; and

WHEREAS, Troy A. Harmon has agreed to accept election and appointment as Municipal Auditor;

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. Troy A. Harmon is hereby elected and appointed as Municipal Auditor of the City of Roanoke effective October 18, 2001, or as soon thereafter as Mr. Harmon can assume such position, for a term which shall expire September 30, 2002.

2. The terms and conditions of Mr. Harmon's election and appointment as Municipal Auditor shall be as hereinafter set forth:

(a) The annual salary shall be $72,500;

(b) The City shall annually pay on behalf of Mr. Harmon the sum of $8,000 to the International City Management Association-Retirement Corporation (ICMA-RC) for Mr. Harmon's participation in said ICMA-RC Retirement Plan, and the City shall execute any necessary agreements to provide for such

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payment. During the first year of employment, such amount shall be prorated based on the number of weeks actually worked;

(c) Recognizing that the job requirements of Municipal Auditor routinely require incurring of travel related expenses in the course of City business, a bi-weekly salary increment of $76.92 shall be provided for use by Mr. Harmon of a privately-owned or leased automobile in the conduct of official City business;

(d) The City shall put into force on Mr. Harmon 's behalf a disability insurance policy providing income benefits equivalent to seventy percent (70%) of Mr. Harmon 's net salary for the duration of any disability and make required premium payments thereon;

(e) The City shall reimburse Mr. Harmon for moving expenses in the amount of $1,500.00; and

(f) With respect to benefits and terms and conditions of employment not enumerated in this resolution, Mr. Harmon shall be accorded such benefits and shall be subject to such terms and conditions on the same basis as other similarly situated employees of the City.

3. Mr. Harmon will make arrangements to qualify for office by taking the required Oath of Office as soon as practicable.

ATTEST:

City Clerk.

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9.B.

October 18, 2001

Committee	Vacancy Of	Date of Assignment	Assigned To
City of Roanoke Transportation Safety Commission	James L. Phillips	August 21, 2000	Mr. Bestpitch
City of Roanoke Transportation Safety Commission	Troy M. White	April 16, 2001	Mr. Harris
City of Roanoke Transportation Safety Commission	Dawn T. Erdman	April 16, 2001	Mr. Hudson
City of Roanoke Transportation Safety Commission	Jerry Caldwell	April 16, 2001	Mr. White
Flood Plain Committee	R. H. Bennett, Jr.	Pre July 1, 2000	Mr. White
Flood Plain Committee	Willard N. Claytor	July 2, 2001	Mr. White
Human Services Committee (see application attached)	K. M. McCain	Pre July 1, 2000	Mr. Harris
Property Maintenance Code, Board of Appeals	Ralph K. Smith	July 3, 2000	Mr. Carder
Roanoke Arts Commission	Rita Bishop	February 20, 2001	Mr. Harris
Roanoke Arts Commission	Sherlie Doherty	February 20, 2001	Mr. Harris

Expiration of the terms of office of Grady P. Gregory, Jr., and Stanley G. Breakell as members of the Property Maintenance Code, Board of Appeals, ending November 10, 2001. (Messrs. Gregory and Breakell are ineligible to serve another term.) (See attached interdepartmental communication from the City Attorney.)

Expiration of the terms of office of James Armstrong, Barbara N. Duerk, Charles W. Hancock, Stark H. Jones, S. Elaina Loritts, George M. McMillan, Richard J. Nichols, Paula Prince, Henry Scholz, Fredrick Williams, and Allen T. Wilson as members of the Roanoke Neighborhood Partnership Steering Committee ending November 30, 2001. (Ms. Prince and Messrs. Armstrong, Hancock, Jones, McMillan, Nichols, Scholz and Williams will serve another term.)

Expiration of the terms of office of Courtney A. Penn and Anita J. Price as members of the Advisory Board of Human Development ending November 30, 2001. (Ms. Penn will serve and Ms. Price has declined to serve another term.)

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Vacancies on the Roanoke Neighborhood Partnership Steering Committee (Barbara N. Duerk, S. Elaina Loritts, and Allen T. Wilson). (Need to be assigned to Members of Council to recommend replacements.)

Vacancy on the Advisory Board of Human Development (Anita J. Price). (Needs to be assigned to a Member of Council to recommend a replacement.)

Vacancy on the Industrial Development Authority created by the resignation of Thomas Pettigrew. (Advertising for applications/Deadline is October 26, 2001.)

Vacancy on the Board of Zoning Appeals created by the resignation of Willard G. Light. (Advertising for applications/Deadline is October 26, 2001.)

EXPIRATION OF THE FOLLOWING TERMS OF OFFICE
ENDING DECEMBER 31, 2001

ROANOKE VALLEY RESOURCE AUTHORITY

	No. of Meetings Held	Present	Absent	City Resident
Douglas J. Anderson (Appointed 01/13/98)	44	37	07	No
Allan C. Robinson Appointed 11/30/93)	44	37	07	No

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9.b.

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CITY OF ROANOKE
INTERDEPARTMENTAL COMMUNICATION
OFFICE OF CITY ATTORNEY

DATE: October 2, 2001

TO: Mary F. Parker, City Clerk

FROM: William M. Hackworth, City Attorney WMH

RE: Building Code Board of Appeals, Property Maintenance Code Board of Appeals and Board of Fire Appeals

In response to you inquiry as to whether the three Boards captioned above may be consolidated or discontinued, I asked Steve Talevi to research the matter. He has concluded in the attached two memoranda that the Property Maintenance Code Board of Appeals may be discontinued, but not the other two. All three of the Boards, may be combined into one, so long as the members meet the special requirements established by the State for members of Building Code Board of Appeals, and the Board of Fire Appeals (the requirements for the two Boards appear to be identical.)

WMH:f
Attachments

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CITY OF ROANOKE
INTERDEPARTMENTAL COMMUNICATION
OFFICE OF CITY ATTORNEY

DATE: October 1, 2001

TO: William M. Hackworth, City Attorney

FROM: Steven J. Talevi, Assistant City Attorney SJT

RE: Combining certain boards (Building Code Board of Appeals., Property Maintenance Code Board of Appeals and Board of Fire Appeals

Bill, in answer to your follow-up questions, please note the following responses:

1) There are no requirements particular to the Property Maintenance Code Board of Appeals. The Property Maintenance Code Board of Appeals is in entity which is simply permitted by the USBC. The City has elected to create the Property Maintenance Code Board of Appeals. However, I construe §§122.1 and 122.3 to require that each board set up by a locality to hear appeals which arise under the USBC must have an experienced builder, a license architect or professional engineer, and an experienced property manager on the board. Put another way, the requirements applicable to the Building Code Board of Appeals also apply to the Property Maintenance Code Board of Appeals.

2) Section 122.2 of the USBC requires that the BBCA have "at least five" members, although a locality may appoint alternates. Section 112.2.2 of the SFPC contains identical language which applies to the Board of Fire Prevention Code Appeals.

3) Because the Property Maintenance Code Board of Appeals is permitted, but not required, by the USBC, the City may discontinue it. The City Administration established the Property Maintenance Code Board of Appeals approximately four years ago because the City Administration believed that there were issues unique to the New Construction Code and the Property Maintenance Code under the USBC. Accordingly, the City Administration wished to establish separate boards with members whose experience and expertise would be of benefit to each of the

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boards. I apologize for phrasing of the last sentence of my memorandum dated September 26, 2001, to you; I simple intended to state that a Board of Fire Prevention Code Appeals and at least one Board of Building Code Appeals must be established by a locality.

Please do not hesitate to contact me, if you have any additional questions or would like to discuss this further.

SJT:f

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ROANOKE
VIRGINIA, CHARTERED 1882

Roanoke City Department of Planning
Building and Development
Room 166, Municipal Building
215 Church Avenue, S.W.
Roanoke, Virginia 24011
(540) 853-1730 (Fax) 853-1230
Email: planning@ci.roanoke.va.us

RECEIVED
CITY CLERKS OFFICE

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October 18, 2001

The Honorable Ralph K. Smith, Mayor,
and Members of City Council
Roanoke, Virginia

Dear Mayor Smith and Members of Council:

Subject: Request from Sherman W. Chisom that an unused, unpaved and unimproved alleyway running in an east/west direction between 10½ and 11th Street, S.E., between properties bearing Official Tax No. 4111317 and Official Tax No. 4111303, for a distance of approximately 130 feet in a westerly direction from 11th Street, be permanently vacated, discontinued and closed.

Planning Commission Action:

Because of an error in describing the alley to be closed in the legal advertisement, the Planning Commission will consider this matter in the afternoon on October 18, 2001. City Council will be informed of the Commission's recommendation at its evening meeting on October 18th, so that action can be taken its scheduled public hearing.

Background:

The petitioner is requesting that a portion of the undeveloped alley be closed because of lack of maintenance and vagrant issues. The heavily vegetated alley extends over a steep hill between 10½ and 11th Streets. The remainder of the alley (not requested for closure) at 10½ Street has been partially covered with gravel.

Considerations:

All of the properties adjoining the alley are zoned LM, Light Manufacturing. The petitioner owns the vacant parcel adjacent to the undeveloped alley (Tax No. 4111317). The petitioner also owns and operates Virginia Contracting on 11th Street. Three other parcels fronting on Campbell Avenue adjoin the alley and are being used for a towing business (Tax Nos. 4111303, 4111302, 4111301). Residential properties are located on 10½ Street and south of the alley on 11th Street.

The alley currently provides no access to the City or the adjoining property owners.

A sewer line runs under the undeveloped alley. Also, AEP indicates that they have facilities located at the site. Verizon advised that they have no opposition to the

petitioner's request. An easement will need to be retained for the utilities located in the alley.

City Council is authorized to sell this vacated portion of the right-of-way, if it so chooses. Section 15.2-2008 of the Virginia Code (1950), as amended, authorizes the City to require an abutting property owner to purchase the vacated right-of-way as a condition of the vacation. Under such an arrangement, the price may be no greater than the property's fair market value or its contributory value to the abutting property, whichever is greater, or the amount agreed to by the parties. The Director of Real Estate Valuation has advised that the appraised value of the subject property is between $750 and $1,100.

Typical conditions for right-of-way closures are as follows:

A. The applicant shall submit a subdivision plat to the Agent for the Planning Commission, receive all required approvals of, and record the plat with the Clerk of the Circuit Court for the City of Roanoke. Said plat shall combine all properties which would otherwise be landlocked by the requested closure, or otherwise dispose of the land within the right-of-way to be vacated in a manner consistent with law, and retain appropriate easements for the installation and maintenance of any and all existing utilities that may be located within the right-of-way, including the right of ingress and egress.

B. Upon meeting all other conditions to the granting of the application, the applicant shall deliver a certified copy of this ordinance for recordation to the Clerk of the Circuit Court of the City of Roanoke, Virginia, indexing the same in the name of the City of Roanoke, Virginia, as Grantor, and in the name of the Petitioner, and the names of any other parties in interest who may so request, as Grantees. The applicant shall pay such fees and charges as are required by the Clerk to effect such recordation.

C. Upon recording a certified copy of this ordinance with the Clerk of the Circuit Court of the City of Roanoke, Virginia, the applicant shall file with the Engineer for the City of Roanoke, Virginia, the Clerk's receipt, demonstrating that such recordation has occurred.

D. If the above conditions have not been met within a period of one year from the date of the adoption of this ordinance, then said ordinance shall be null and void with no further action by City Council being necessary.

Recommendation:

Planning Commission recommendation will be provided to City Council at your evening session.

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Respectfully submitted,

D. Kent Chrisman

D. Kent Chrisman, Chairman
Roanoke City Planning Commission

attachments
c: Darlene L. Burcham, City Manager
Rolanda Johnson, Assistant City Manager for Community Development
William M. Hackworth, City Attorney
Steven J. Talevi, Assistant City Attorney
Sherman W. Chisom, Petitioner

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Department of Planning
and Community Development
Room 166, Municipal Building
215 Church Ave., S.W.
Roanoke, VA 24011

RE: Sherman W. Chisom
P.O. Box 13106
Roanoke, VA 24031
APPLICATION FOR CLOSING
OF ALLEY

MEMBERS OF COUNCIL:

SHERMAN W. CHISOM, applies to have a section of undeveloped alley located between 1049 CAMPBELL AVENUE AND 215 11TH STREET S.E., in the City of Roanoke, Virginia, permanently closed, pursuant to Virginia Code Sections 15.2-2006 and Section 15.2-2008, as amended, and Section 30-14, Code of the City of Roanoke (1979), as amended. This alley is more particularly described on the sheet or plat attached and as follows:

TAX No. 4111317 Deed Book 1553, Page 843, Block 14,
"Plan of Property of Roanoke Land & Improvement Company
East of Tayloe Street - Roanoke" (City Plan #1591).

SHERMAN W. CHISOM states that the grounds for this application are as follows:

1) It is used as a ~~through fare~~ Thoroughfare by vagrants, and neighborhood adolescents and presents security concerns.

2) Because of being vacant, no one maintains vegetation growth - thus becoming an unsightly eye sore and presents potential health and safety hazards.

3) Due to sewer line running down middle of the alley, it is unfeasible to split between property owners. (Have contacted adjacent property

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owner, Mr. Aubrey W. Spradlin and offered to clean up, install a new fence and pay for any and all fees encountered in exchange for ownership of this alley.)

WHEREFORE, SHERMAN W. CHISOM respectfully request that the above described alley, be vacated by the Council of the City of Roanoke, Virginia, in accordance with Virginia Code Section 15.1-364 and Section 30-14, Code of the City of Roanoke (1979), as Amended.

Respectfully submitted,

SHERMAN W. CHISOM

7-23-01
DATE

SHERMAN W. CHISOM, SR.
JEWELL B. CHISOM
310 PHEASANT RUN LANE
VINTON, VA 24179-4000
OFFICE - 540-857-4004
HOME - 540-890-2026

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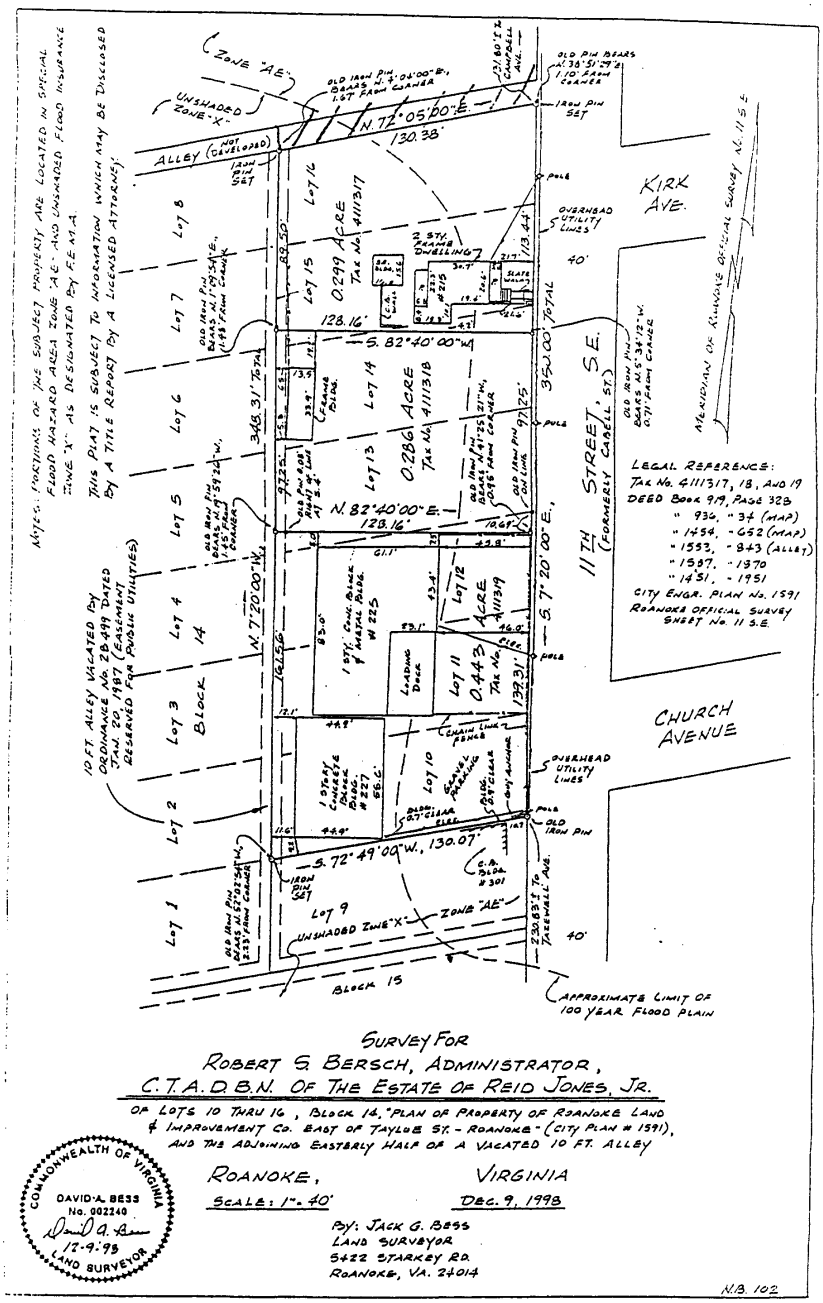

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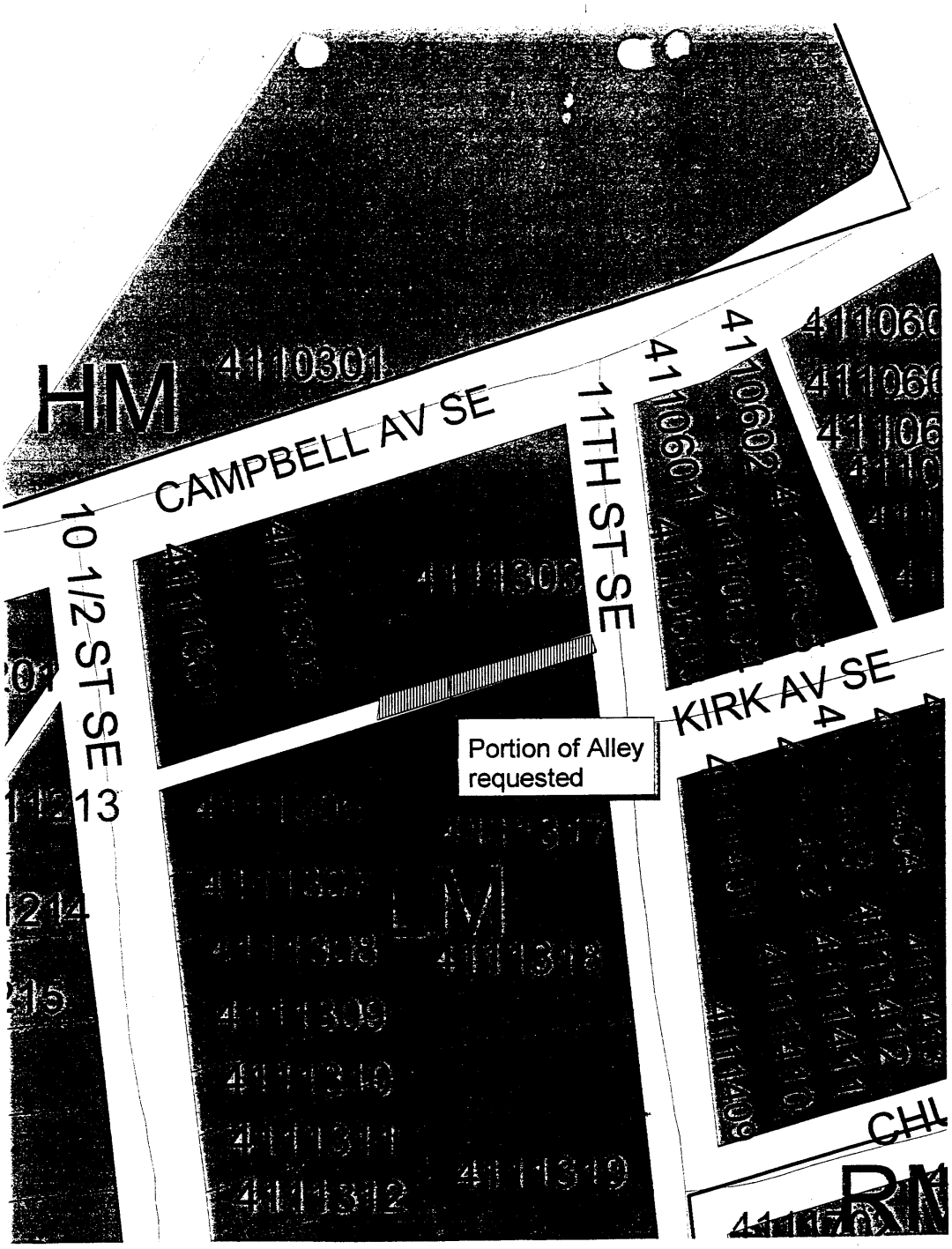

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SJT
10/1/01

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE permanently vacating, discontinuing and closing 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.

WHEREAS, Sherman W. Chisom, filed an application to the Council of the City of Roanoke, Virginia, in accordance with law, requesting the Council to permanently vacate, discontinue and close the public right-of-way described hereinafter; and

WHEREAS, the City Planning Commission, after giving proper notice to all concerned as required by §30-14, Code of the City of Roanoke (1979), as amended, and after having conducted a public hearing on the matter, has made its recommendation to Council; and

WHEREAS, a public hearing was held on said application by the City Council on October 18, 2001, after due and timely notice thereof as required by §30-14, Code of the City of Roanoke (1979), as amended, at which hearing all parties in interest and citizens were afforded an opportunity to be heard on said application; and

WHEREAS, it appearing from the foregoing that the land proprietors affected by the requested closing of the subject public right-of-way have been properly notified; and

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WHEREAS, from all of the foregoing, the Council considers that no inconvenience will result to any individual or to the public from permanently vacating, discontinuing and closing said public right-of-way.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke, Virginia, that the public right-of-way situate in the City of Roanoke, Virginia, and more particularly described as follows:

> That unused, unpaved and unimproved alleyway running in an east/west direction between 10 ½ Street and 11th Street, S. E., between properties bearing Official Tax No. 4111317 and Official Tax No. 4111303, for a distance of approximately 130 feet in a westerly direction from 11th Street.

be, and is hereby permanently vacated, discontinued and closed, and that all right and interest of the public in and to the same be, and hereby is, released insofar as the Council of the City of Roanoke is empowered so to do with respect to the closed portion of the right-of-way, reserving however, to the City of Roanoke and any utility company, including, specifically, without limitation, providers to or for the public of cable television, electricity, natural gas or telephone service, an easement for sewer and water mains, television cable, electric wires, gas lines, telephone lines, and related facilities that may now be located in or across said public right-of-way, together with the right of ingress and egress for the maintenance or replacement of such lines, mains or utilities, such right to include the right to remove, without the payment of compensation or damages of any kind to the owner, any landscaping, fences, shrubbery, structure or any other encroachments on or over the easement which

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impede access for maintenance or replacement purposes at the time such work is undertaken; such easement or easements to terminate upon the later abandonment of use or permanent removal from the above-described public right-of-way of any such municipal installation or other utility or facility by the owner thereof.

BE IT FURTHER ORDAINED that the applicant shall submit to the Subdivision Agent, receive all required approvals of, and record with the Clerk of the Circuit Court for the City of Roanoke, a subdivision plat, with said plat combining all properties which would otherwise be landlocked by the requested closure, or otherwise disposing of the land within the right-of-way to be vacated in a manner consistent with law, and retaining appropriate easements, together with the right of ingress and egress over the same, for the installation and maintenance of any and all existing utilities that may be located within the right-of-way.

BE IT FURTHER ORDAINED that the applicant shall, upon meeting all other conditions to the granting of the application, deliver to the Clerk of the Circuit Court of the City of Roanoke, Virginia, a certified copy of this ordinance for recordation where deeds are recorded in said Clerk's Office, indexing the same in the name of the City of Roanoke, Virginia, as Grantor, and in the name of the Petitioner, and the names of any other parties in interest who may so request, as Grantees, and pay such fees and charges as are required by the Clerk to effect such recordation.

BE IT FURTHER ORDAINED that the applicant shall, upon a certified copy of this ordinance being recorded by the Clerk of the Circuit Court of the City of Roanoke, Virginia,

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where deeds are recorded in said Clerk's Office, file with the City Engineer for the City of Roanoke, Virginia, the Clerk's receipt, demonstrating that such recordation has occurred.

BE IT FURTHER ORDAINED that if the above conditions have not been met within a period of twelve (12) months from the date of the adoption of this ordinance, then said ordinance shall be null and void with no further action by City Council being necessary.

BE IT FINALLY ORDAINED that 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.

ROANOKE
VIRGINIA, CHARTERED 1882

Roanoke City Department of Planning
Building and Development
Room 166, Municipal Building
215 Church Avenue, S.W.
Roanoke, Virginia 24011
(540) 853-1730 (Fax) 853-1230
Email: planning@ci.roanoke.va.us

RECEIVED
CITY CLERKS OFFICE

'01 OCT 12 A10:11

October 18, 2001

The Honorable Ralph K. Smith, Mayor
and Members of City Council
Roanoke, Virginia

Dear Members of Council:

Subject: Request from Times World Corporation to close a portion of Salem Avenue, S.W., near its intersection with Second Street, S.W., being approximately five (5) feet wide and thirty-five (35) feet long, lying on the south side of Salem Avenue, S.W., and being shown on the Right-of-way Easement and Vacation Plat for The Roanoke Times, prepared by Caldwell White Associates, and dated August 22, 2001.

Planning Commission Action:

The Planning Commission will consider this matter at their afternoon meeting on October 18, 2001. You will be informed of their recommendation at your evening public hearing to consider this matter.

Background:

The Petitioner requests closure of a portion of a right-of-way that currently lies in an existing parking lot. It is adjacent to, but does not include any portion of, the existing City sidewalk. The Petitioner owns all of the parcels adjoining the right-of-way to the south and east. The closure is requested to provide a sufficient land area for a new printing facility for The Roanoke Times.

Considerations:

All of the adjoining properties are zoned C-3, Central Business District. An office building lies adjacent to the alley to the south of the Petitioner's properties. The present Times facility lies to the west and northwest of the right-of-way. On the northern side of Salem Avenue a parking lot lies at the corner of 2nd Street and Salem Avenue. Also on the northern side of Salem Avenue lie two church offices and two commercial uses. To the east of the right-of-way lies a former auto repair shop, which is located on Tax Map Number 1011005, and will be razed by the Petitioner.

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A drainage inlet, a fire hydrant, and a traffic signal cabinet are located in the right-of-way. Staff received comments from the City's Engineer that the fire hydrant and drainage inlet would need to be relocated by the Petitioner in order to vacate the right-of-way. Relocation of the traffic signal cabinet will be considered during development plan review. It is expected that relocation of the cabinet also will be needed in order to position the cabinet at the same elevation as the sidewalk to alleviate any future accessibility problems.

Staff received comments from Verizon and Roanoke Gas. Verizon stated no objection to the closure, but noted that it has three telephone manholes nearby on Salem Avenue. These manholes are not in the said right-of-way and closure of the right-of-way will not limit access to the manholes. Roanoke Gas stated no objection to the closure. It has a gas line that connects at 2nd Street and Salem Avenue. Neither the gas line nor access to it lies in the right-of-way.

In conjunction with this petition, the Petitioner has requested that a public utility easement, which adjoins the right-of-way and spans north to south across Tax Map Numbers 1011004, 1011003, 1011002, and 1011001, be vacated by City Council. As there are no utilities in this easement, there is no impact upon the request for the closure of the right-of-way.

City Council is authorized to sell this vacated portion of the right-of-way, if it so chooses. Section 15.2-2008 of the Virginia Code (1950), as amended, authorizes a City to require an abutting property owner to purchase the vacated right-of-way as a condition of the vacation. Under such an arrangement, the price may be no greater than the property's fair market value or its contributory value to the abutting property, whichever is greater, or the amount agreed to by the parties. The Director of Real Estate Valuation has indicated that the value for this portion of the right-of-way is estimated to be approximately $2,685 to $3,222, based on a value of $15 - $18 per square foot.

Typical conditions for right-of-way closures are as follows:

A. The applicant shall submit a subdivision plat to the Agent for the Planning Commission, receive all required approvals of, and record the plat with the Clerk of the Circuit Court for the City of Roanoke. Said plat shall combine all properties which would otherwise dispose of the land within the right-of-way to be vacated in a manner consistent with law, and retain appropriate easements for the installation and maintenance of any and all existing utilities that may be located within the right-of-way, including the right of ingress and egress.

B. Upon meeting all other conditions to the granting of the application, the applicant shall deliver a certified copy of this ordinance for recordation to the Clerk of the Circuit Court of Roanoke, Virginia, indexing the

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same in the name of the City of Roanoke, Virginia, as Grantor, and in the name of the Petitioner, and the names of any other parties in interest who may so request, as Grantees. The applicant shall pay such fees and charges as are required by the Clerk to effect such recordation.

C. Upon recording a certified copy of this ordinance with the Clerk of the Circuit Court of the City of Roanoke, Virginia, the applicant shall file with the Engineer for the City of Roanoke, Virginia, the Clerk's receipt, demonstrating that such recordation has occurred.

D. If the above conditions have not been met within a period of one year from the date of adoption of this ordinance, then said ordinance shall be null and void with no further action by City Council being necessary.

Recommendation:

Planning Commission recommendation will be provided to City Council at your evening session.

Respectfully submitted,

D. Kent Chrisman

D. Kent Chrisman, Chairman
Roanoke City Planning Commission

cc: Darlene L. Burcham, City Manager
Rolanda Johnson, Assistant City Manager for Community Development
William M. Hackworth, City Manager
Steven J. Talevi, Assistant City Attorney
Daniel F. Layman, Jr., Attorney for the Petitioner

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VIRGINIA:

IN THE COUNCIL OF THE CITY OF ROANOKE

In re: VACATION OF A PORTION OF SALEM AVENUE, S.W., NEAR ITS INTERSECTION WITH SECOND STREET, S.W., IN THE CITY OF ROANOKE, VIRGINIA	))))	Application of Times-World Corporation

TO: The Honorable Mayor and Members of City Council

(1) Times-World Corporation ("Petitioner") applies to have a small portion of Salem Avenue, S. W. near its intersection with Second Street, S.W., in the City of Roanoke, Virginia, permanently vacated, discontinued, and closed pursuant to Section 15.2-2006, Code of Virginia, and Section 30-14, Code of the City of Roanoke (1979), both as amended. The street portion to be closed is approximately five (5) feet wide and thirty-five (35) feet long and lies along the south side of Salem Avenue, S.W. This portion of the street is shown on the "Right of Way Easement and Vacation Plat for The Roanoke Times" made by Caldwell White Associates dated August 22, 2001, a copy of which is attached to this Application as Exhibit A.

(2) Petitioner is the owner of the parcel of land adjacent to this portion of Salem Avenue, identified by City of Roanoke Official Tax No. 1011001, which it recently acquired from Crystal Tower Building Corporation. Petitioner desires to construct on this and other adjoining parcels a new printing press facility, which project requires for its completion inclusion of the portion of the street which is the subject of this petition.

RKE# 0710904.WPD
C/M: 091600-00000-01

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(3) Petitioner is the sole owner of the property bordered by this street portion. Petitioner believes that no inconvenience to the public or to any landowner will result from the closing hereby requested.

WHEREFORE, Times-World Corporation respectfully requests that the above-described portion of Salem Avenue, S.W., be vacated, discontinued and closed by the Council of the City of Roanoke in accordance with Section 15.2-2006, Code of Virginia, and Section 30-14, Code of the City of Roanoke, both as amended to date.

Date: 9-11-01

Respectfully,
TIMES-WORLD CORPORATION

By _____
Its Project Director.

Daniel F. Layman, Jr.
Woods, Rogers & Hazlegrove, P.L.C.
P. O. Box 14125
Roanoke, VA 24038
(703) 983-7653
Counsel for Petitioner

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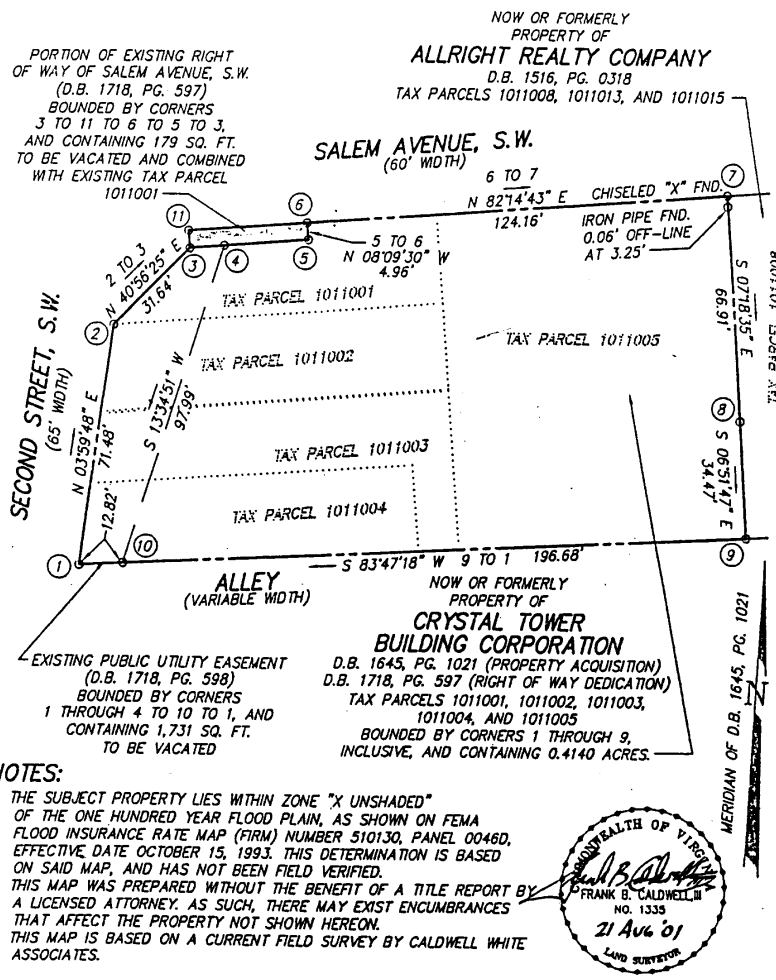
Exhibit A

3 TO 4	3 TO 5	3 TO 11	11 TO 6
N 81°50'30" E	N 81°50'30" E	N 07°45'17" W	N 82°14'43" E
10.15'	35.22'	5.21'	35.18'



NOTES:

1. THE SUBJECT PROPERTY LIES WITHIN ZONE "X UNSHADED" OF THE ONE HUNDRED YEAR FLOOD PLAIN, AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP (FIRM) NUMBER 510130, PANEL 0046D, EFFECTIVE DATE OCTOBER 15, 1993. THIS DETERMINATION IS BASED ON SAID MAP, AND HAS NOT BEEN FIELD VERIFIED.
2. THIS MAP WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT BY A LICENSED ATTORNEY. AS SUCH, THERE MAY EXIST ENCUMBRANCES THAT AFFECT THE PROPERTY NOT SHOWN HEREON.
3. THIS MAP IS BASED ON A CURRENT FIELD SURVEY BY CALDWELL WHITE ASSOCIATES.

COMMONWEALTH OF VIRGINIA
FRANK B. CALDWELL III
NO. 1335
21 Aug '01
LAND SURVEYOR

RIGHT OF WAY AND EASEMENT VACATION PLAT
FOR
THE ROANOKE TIMES

SHOWING THE VACATION OF 179 SQ. FT. OF PUBLIC RIGHT OF WAY OF SALEM AVENUE, S.W., AND THE VACATION OF AN EXISITNG 1,731 SQ. FT. PUBLIC UTILITY EASEMENT SITUATE THE SOUTHEAST CORNER OF THE INTERSECTION OF SALEM AVENUE, S.W. AND SECOND STREET, S.W.
CITY OF ROANOKE, VIRGINIA

CWA
CALDWELL WHITE ASSOCIATES
ENGINEERS / SURVEYORS / PLANNERS
1064 OLD COUNTRY CLUB ROAD
P.O. BOX 6340
ROANOKE, VIRGINIA 24017
(540) 342-7094 FAX: (540) 981-0699

Date: August 22, 2001
Scale: 1" = 30'
Tax Parcel(s): 1011001-1011005

Calc.: C.L. White
Drawn: C.L. White
Checked: F.B. Caldwell, III
N.B.: WES-12
W.O. No.: 01-0078

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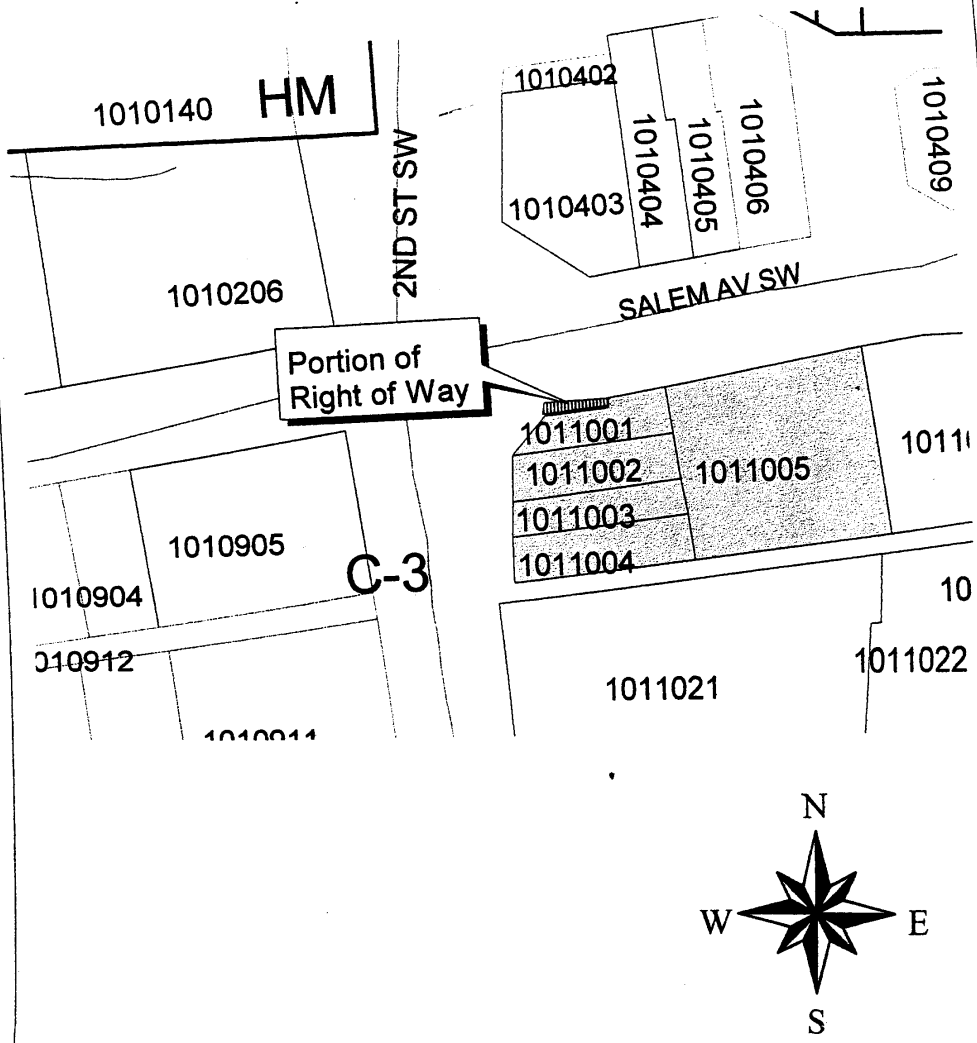
Times World: 2nd St. and Salem Ave



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SJT 9/24/01

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE permanently vacating, discontinuing and closing 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.

WHEREAS, the Times World Corporation, filed an application to the Council of the City of Roanoke, Virginia, in accordance with law, requesting the Council to permanently vacate, discontinue and close the public right-of-way described hereinafter; and

WHEREAS, the City Planning Commission, after giving proper notice to all concerned as required by §30-14, Code of the City of Roanoke (1979), as amended, and after having conducted a public hearing on the matter, has made its recommendation to Council; and

WHEREAS, a public hearing was held on said application by the City Council on October 18, 2001, after due and timely notice thereof as required by §30-14, Code of the City of Roanoke (1979), as amended, at which hearing all parties in interest and citizens were afforded an opportunity to be heard on said application; and

WHEREAS, it appearing from the foregoing that the land proprietors affected by the requested closing of the subject public right-of-way have been properly notified; and

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WHEREAS, from all of the foregoing, the Council considers that no inconvenience will result to any individual or to the public from permanently vacating, discontinuing and closing said public right-of-way.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke, Virginia, that the public right-of-way situate in the City of Roanoke, Virginia, and more particularly described as follows:

> A portion of Salem Avenue, S. W., near its intersection with Second Street, S. W., being approximately five (5) feet wide and thirty-five (35) feet long, lying on the south side of Salem Avenue, S. W., and being shown on the "Right of Way Easement and Vacation Plat for The Roanoke Times," prepared by Caldwell White Associates, and dated August 22, 2001.

be, and is hereby permanently vacated, discontinued and closed, and that all right and interest of the public in and to the same be, and hereby is, released insofar as the Council of the City of Roanoke is empowered so to do with respect to the closed portion of the right-of-way, reserving however, to the City of Roanoke and any utility company, including, specifically, without limitation, providers to or for the public of cable television, electricity, natural gas or telephone service, an easement for sewer and water mains, television cable, electric wires, gas lines, telephone lines, and related facilities that may now be located in or across said public right-of-way, together with the right of ingress and egress for the maintenance or replacement of such lines, mains or utilities, such right to include the right to remove, without the payment of compensation or damages of any kind to the owner, any landscaping,

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fences, shrubbery, structure or any other encroachments on or over the easement which impede access for maintenance or replacement purposes at the time such work is undertaken; such easement or easements to terminate upon the later abandonment of use or permanent removal from the above-described public right-of-way of any such municipal installation or other utility or facility by the owner thereof.

BE IT FURTHER ORDAINED that the applicant shall submit to the Subdivision Agent, receive all required approvals of, and record with the Clerk of the Circuit Court for the City of Roanoke, a subdivision plat, with said plat combining all properties which would otherwise be landlocked by the requested closure, or otherwise disposing of the land within the right-of-way to be vacated in a manner consistent with law, and retaining appropriate easements, together with the right of ingress and egress over the same, for the installation and maintenance of any and all existing utilities that may be located within the right-of-way.

BE IT FURTHER ORDAINED that the applicant shall, upon meeting all other conditions to the granting of the application, deliver to the Clerk of the Circuit Court of the City of Roanoke, Virginia, a certified copy of this ordinance for recordation where deeds are recorded in said Clerk's Office, indexing the same in the name of the City of Roanoke, Virginia, as Grantor, and in the name of the Petitioner, and the names of any other parties in interest who may so request, as Grantees, and pay such fees and charges as are required by the Clerk to effect such recordation.

BE IT FURTHER ORDAINED that the applicant shall, upon a certified copy of this ordinance being recorded by the Clerk of the Circuit Court of the City of Roanoke, Virginia,

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where deeds are recorded in said Clerk's Office, file with the City Engineer for the City of Roanoke, Virginia, the Clerk's receipt, demonstrating that such recordation has occurred.

BE IT FURTHER ORDAINED that if the above conditions have not been met within a period of twelve (12) months from the date of the adoption of this ordinance, then said ordinance shall be null and void with no further action by City Council being necessary.

BE IT FINALLY ORDAINED that pursuant to the provisions of §12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

ROANOKE
VIRGINIA, CHARTERED 1882

RECEIVED
CITY CLERKS OFFICE
01 OCT -4 P 4:00

Office of the City Manager

October 18, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

SUBJECT: Abandonment of Permanent Utility Easement - Request of Times-World Corporation

Dear Mayor Smith and Members of City Council:

The Times-World Corporation, a subsidiary of Landmark Communications, Inc. has been publishing newspapers from its present location downtown since 1914. A major expansion was completed in 1984. A new production facility is proposed on property across Second Street.

A request to abandon an easement across four parcels along Second Street, S.W. has been received from the Times-World Corporation. The parcels are identified by Tax Map Nos. 1011001, 1011002, 1011003, and 1011004. See Attachment #1 for plat. The subject easement was acquired as part of the Second Street/Gainsboro Road Project and is described as a permanent utility easement for C & P Telephone Company of Virginia and the City of Roanoke. As the successor to C & P, Verizon has agreed to abandon their rights to the easement. See Attachment #2. Engineering staff recommends that the subject easement be vacated.

Recommended Action:

Following a public hearing, authorize the vacation of the easement across the properties identified above.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB/sef
Attachments
c: William M. Hackworth, City Attorney
Mary F. Parker, City Clerk
James D. Grisso, Director of Finance
Sarah E. Fitton, Engineering Coordinator
Chip Harris, Roanoke Times

CM01-00227

Room 364 Municipal South 215 Church Avenue, S.W. Roanoke, Virginia 24011-1591 (540) 853-2333 FAX (540) 853-1138
CityWeb:www.ci.roanoke.va.us

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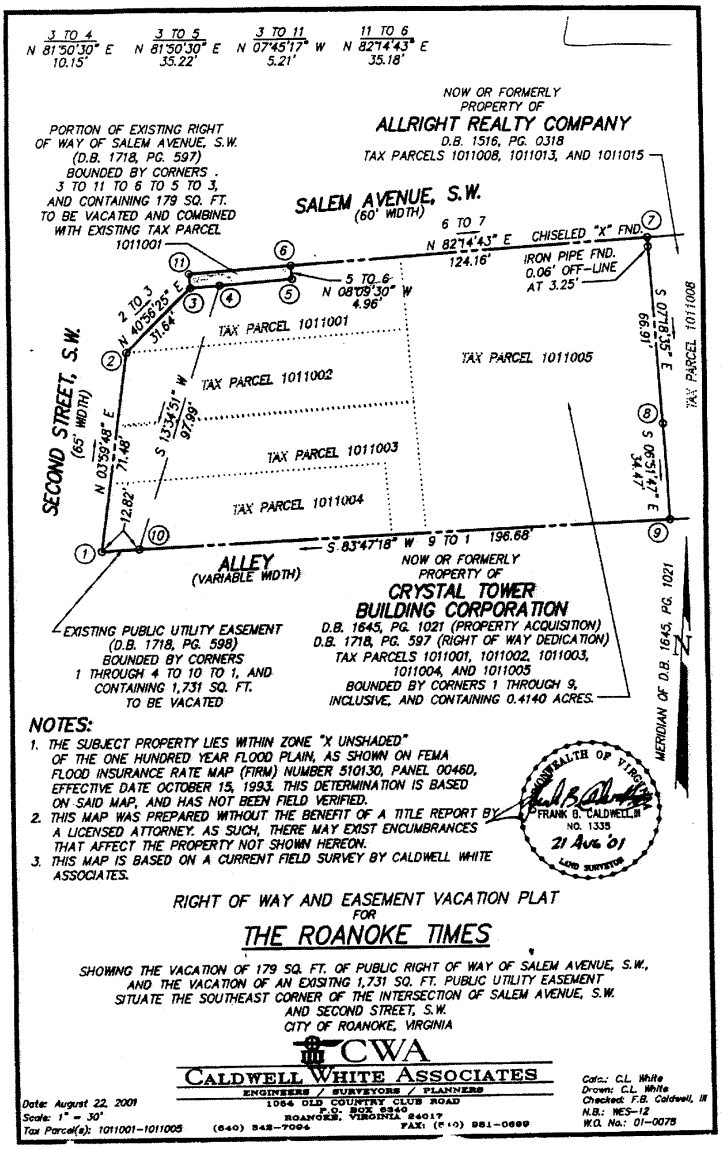
Attachment #1



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Attachment #2

Outside Plant Engineering

verizon

4643 Oakland Blvd, Floor 2
Roanoke, VA 24012

August 3, 2001

Mr. Frank B. Caldwell
Caldwell White Associates
PO Box 6340
Roanoke, Virginia 24017

RE: VACTION OF UTILITY EASEMENT SECOND ST., S. W.
ROANOKE, VIRGINIA

Dear Mr. Caldwell:

As per your request, Verizon will agree to quit claim the easement obtained by Virginia Department of Transportation for the 2nd Street bridge project. This assumes that Verizon doesn't have any telephone plant within the easement, as the Miss Utility locations indicate.

I would request a surveyed plat showing our underground cables and their relationship to the 2nd Street property line for our records before the quit claim can be signed.

Please contact me for any additional assistance you may require.

Sincerely,

Jeff Draper
Engineer
540-265-7567

*Press Ctrl+N to go to a specific Page.

DRC

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE authorizing the vacation of an easement on property identified as Official Tax Map Nos. 1011001, 1011002, 1011003, and 1011004 adjacent to Second Street, S.W, upon certain terms and conditions; and dispensing with the second reading by title of this ordinance.

WHEREAS, a public hearing was held on October 18, 2001, pursuant to §§15.2-1800(B) and 1813, Code of Virginia (1950), as amended, at which hearing all parties in interest and citizens were afforded an opportunity to be heard on this proposed vacation.

THEREFORE, BE IT RESOLVED AND ORDAINED by the Council of the City of Roanoke as follows:

1. That the City Manger and City Clerk are authorized to execute and attest, respectively, in a form approved by the City Attorney, the necessary documents to vacate said easement upon the terms and conditions set forth in the letter to this Council dated October 18, 2001.

2. Pursuant to §12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

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ROANOKE
VIRGINIA, CHARTERED 1882

Roanoke City Department of Planning
Building and Development
Room 166, Municipal Building
215 Church Avenue, S.W.
Roanoke, Virginia 24011
(540) 853-1730 (Fax) 853-1230
Email: planning@ci.roanoke.va.us

RECEIVED
CITY CLERKS OFFICE

'01 OCT 11 P12:40

October 12, 2001

The Honorable Ralph K. Smith, Mayor
and Members of City Council
Roanoke, Virginia

Dear Mayor Smith and Members of Council:

Subject: Proposed Zoning Amendment for Printing Establishments

Planning Commission Action:

The Planning Commission will consider this matter at their afternoon session on October 18, 2001. You will be informed of their recommendation at your evening public hearing to consider this matter.

Background:

The current zoning ordinance, adopted in 1987, does not adequately address printing establishments in the City's commercial and industrial districts. At present, they are considered by the zoning administrator to be general service establishments or manufacturing establishments, depending on the processes and products involved. In the C-3, Central Business District, printing operations that involve manufacturing are permitted by special exception.

An amendment to the zoning ordinance is needed to more appropriately provide for printing establishments. These types of establishments are typically found in both commercial and industrial districts and provide vital supporting services for many businesses and industries.

On September 17, 2001, City Council adopted a resolution authorizing the filing of the proposed amendment by the City Manager. The amendment is attached for your review and consideration.

Considerations:

The proposed amendment would permit commercial printing establishments, which print newspapers, publications and other materials, outright in the C-2, General Commercial District, C-3, Central Business District, and LM, Light Manufacturing District.

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Recommendation:

The Planning Commission will consider this matter at their afternoon session on October 18, 2001 and will forward their recommendation to City Council at your evening session.

Respectfully submitted,

D. Kent Chrisman, Chairman
Roanoke City Planning Commission

cc: Darlene L. Burcham, City Manager
Rolanda Johnson, Assistant City Manager for Community Development
William M. Hackworth, City Attorney
Steven J. Talevi, Assistant City Attorney

*Press Ctrl+N to go to a specific Page.

SJT
10/9/01
SJT

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE amending and reordaining §36.1-206, Permitted Uses, §36.1-227, Permitted Uses, and §36,1-249, Permitted Uses, of Chapter 36.1, Zoning, of the Code of the City of Roanoke (1979), as amended, to provide for commercial printing establishments which print newspapers, publications and other materials, as permitted uses in the C-2, General Commercial District, C-3, Central Business District, and the LM, Light Manufacturing District, of the City of Roanoke, and dispensing with the second reading of this ordinance.

WHEREAS, because the present zoning ordinance does not adequately address the siting of commercial printing establishments in the City, as set forth in the City Manager's letter dated September 17, 2001, to this Council on the subject, City Council by the adoption of Resolution No. 33579-091701, found that the public necessity, convenience, general welfare and good zoning practices require the amendment of §§36.1-206, Permitted uses, 36.1-227, Permitted uses, and 36.1-249, Permitted uses, to provide that commercial printing establishments which print newspapers, publications and other materials shall be permitted uses in the C-2, General Commercial District, C-3, Central Business District, and the LM, Light Manufacturing District, of the City of Roanoke, and authorized the City Manager to request such an amendment to the zoning ordinance;

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WHEREAS, the City Manager has filed a request to amend the City's zoning ordinance, permitting such a use in the C-2, General Commercial District, C-3, Central Business District, and the LM, Light Manufacturing District, of the City of Roanoke;

WHEREAS, the Planning Commission has held a public hearing on the City Manager's request, and the Planning Commission's recommendation on the request has been communicated to the City Council; and

WHEREAS, because the present zoning ordinance does not adequately address the siting of commercial printing establishments in the City, City Council finds that the public necessity, convenience, general welfare and good zoning practices require the amendment of §§36.1-206, Permitted uses, 36.1-227, Permitted uses, and 36.1-249, Permitted uses, to provide that commercial printing establishments which print newspapers, publications and other materials shall be permitted uses in the C-2, General Commercial District, C-3, Central Business District, and the LM, Light Manufacturing District, of the City of Roanoke.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. Section 36.1-206, Permitted uses, §36.1-227, Permitted uses, and §36.1-249, Permitted uses, of Chapter 36.1, Zoning, of the Code of the City of Roanoke (1979), as amended, are hereby amended to provide that commercial printing establishments which print newspapers, publications, and other materials shall be permitted uses in the C-2,

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General Commercial District, C-3, Central Business District, and the LM, Light Manufacturing District, of the City of Roanoke, and shall read and provide as follows:

§36.1-206. Permitted uses.

The following uses shall be permitted as principal uses in the C-2 district:

* * *

(48) Commercial printing establishments which print newspapers, publications, and other materials.

§36.1-227. Permitted uses.

The following uses shall be permitted as principal uses in the C-3 district:

* * *

(40) Commercial printing establishments which print newspapers, publications, and other materials.

§36.1-249. Permitted uses.

The following uses shall be permitted as principal uses in the LM district:

* * *

(27) Commercial printing establishments which print newspapers, publications, and other materials.

2. Pursuant to the provisions of §12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

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ROANOKE
VIRGINIA, CHARTERED 1882

Roanoke City Department of Planning
Building and Development
Room 166, Municipal Building
215 Church Avenue, S.W.
Roanoke, Virginia 24011
(540) 853-1730 (Fax) 853-1230
Email: planning@ci.roanoke.va.us

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CITY CLERKS OFFICE

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October 18, 2001

The Honorable Ralph K. Smith, Mayor
and Members of City Council
Roanoke, Virginia

Dear Mayor and Members of Council:

Subject: Amendment to Section 36.1-723, Penalty for violations of Chapter 36.1, Zoning, of the Code of the City of Roanoke (1979), as amended, providing for increased criminal penalties for the enforcement of zoning provisions and deleting civil penalties from the enforcement provisions of the zoning ordinance.

Planning Commission Action:

The Planning Commission considered the proposed amendment on September 20, 2001, and voted 5-0 (Messrs. Butler, Campbell, Manetta, Dowe and Chrisman voting in favor; Messrs. Hill and Rife absent).

Background:

The attached proposed amendment to the Zoning ordinance is recommended to provide the City of Roanoke with the authority granted to localities by the state legislature by a recent amendment of the Virginia Code. Planning Commission authorized the filing of the amendment on August 16, 2001.

The proposed amendment provides for higher criminal penalties for violations of the zoning ordinance. The current code provides for a fine ranging from a minimum of $10.00 to $1,000.00 for an offense. If the violation is uncorrected at the time of conviction, the new code provision provides that such failure is a separate offense, punishable by a fine of not less than $10.00 and not more than $1,000.00. In addition, the new code provision would provide that failure during any ten day period after a court order to correct a violation shall constitute a separate offense for each ten day period, and each such offense shall be punishable by a fine of not less than $100.00 and not more than $1,500.00.

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It should be noted that the proposed amendment deletes an existing provision in the zoning ordinance that provides for civil penalties for violations ranging from $50.00 to $250.00. Currently, this section of the code is not applicable to our enforcement operations (we pursue criminal penalties for violations). However, additional revisions to the code and enforcement operations are presently under consideration to address civil penalties for zoning violations.

Recommendation:

Planning Commission recommends that City Council adopt the proposed amendment to Section 36.1-723 of the zoning ordinance providing for increased criminal penalties for the enforcement of zoning provisions and deleting civil penalties from the enforcement provisions of the zoning ordinance.

Respectfully submitted,

D. Kent Chrisman

D. Kent Chrisman, Chairman
Roanoke City Planning Commission

attachment
c: Darlene L. Burcham, City Manager
Rolanda Johnson, Assistant City Manager for Community Development
William M. Hackworth, City Attorney
Steve Talevi, Assistant City Attorney

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IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE amending and reordaining §36.1-723, Penalty for violations, of Chapter 36.1, Zoning, of the Code of the City of Roanoke (1979), as amended, revising the penalties for violations of the zoning ordinance, and dispensing with the second reading of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that:

1. Section 36.1-723, Penalty for violations, of Chapter 36.1, Zoning, of the Code of the City of Roanoke (1979), as amended, is amended and reordained to read and provide as follows:

§36.1-723. Penalties for violations.

The owner or general agent of the building or premises where a violation of any provisions of this chapter has been committed or shall exist, or the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist, or the general agent, architect, builder, contractor or any other person who commits, takes part or assists in any such violation or who maintains any building or premises in which any such violation shall exist, shall be guilty of a misdemeanor punishable by a fine of not less than ten dollars ($10.00) nor more than one thousand dollars ($1000.00). If the violation is uncorrected at the time of the conviction, the court shall order the violator to abate or remedy the violation in compliance with the zoning ordinance, within a time period established by the court. Failure to remove or abate a zoning violation within the specified time period shall constitute a separate misdemeanor offense punishable by a fine of not

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less than ten dollars ($10.00) nor more than one thousand dollars ($1,000.00), and any such failure during any succeeding ten-day period shall constitute a separate misdemeanor offense for each ten-day period punishable by a fine of not less than one hundred dollars ($100.00) nor more than one thousand five hundred dollars ($1,500.00).

2. Pursuant to the provisions of §12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

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ROANOKE
VIRGINIA, CHARTERED 1882

Roanoke City Department of Planning
Building and Development
Room 166, Municipal Building
215 Church Avenue, S.W.
Roanoke, Virginia 24011
(540) 853-1730 (Fax) 853-1230
Email: planning@ci.roanoke.va.us

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2001 OCT 11 P2:10

October 18, 2001

The Honorable Ralph K. Smith, Mayor
and Members of City Council
Roanoke, Virginia

Dear Mayor Smith and Members of Council:

Subject: Amendment to Section 36.1-640 of the Code of the City of Roanoke, (1979), as amended, regarding the appointment and membership of the Architectural Review Board

Planning Commission Action:

The Planning Commission is to consider this matter at its afternoon session on October 18, 2001. City Council will be informed of the Commission's recommendation at your evening meeting so that you may take action at your scheduled public hearing on this item.

Background:

A committee appointed by City Council in January, 2001, reviewed and made recommendations regarding restructuring various City authorities, boards, commissions and committees. Many of Council's recommendations set forth in the Committee report dated April 2, 2001, have been implemented. One recommendation the committee made was to amend Section 36.1-640 of the Zoning Ordinance to delete certain requirements for members on the Architectural Review Board.

On September 17, 2001, City Council adopted a resolution authorizing the filing of an amendment to the code by the City Manager. The proposed amendment that is to be considered by the Planning Commission is attached for your review.

Considerations:

At present, members of the Architectural Review Board are required to meet certain eligibility requirements set forth in the Zoning ordinance. Currently, Section 36.1-640 provides for the following requirements for members:

> "All members shall have an interest, competence or knowledge in historic preservation. At least one (1) of the members appointed shall be selected from the membership of the city planning commission, at least two (2) members shall be registered architects, and at least one (1) member shall be a person who has a demonstrated knowledge of and interest in the history of the city."

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The proposed amendment would eliminate all of these requirements for board membership.

City Council is currently interviewing candidates for two positions on the Architectural Review Board.

Recommendation:

Planning Commission's recommendation on this matter will be provided to City Council at your evening session.

Respectfully submitted,

D. Kent Chrisman

D. Kent Chrisman, Chairman
Roanoke City Planning Commission

cc: Darlene L. Burchman, City Manager
Rolanda Johnson, Assistant City Manager for Community Development
William M. Hackworth, City Attorney
Steven J. Talevi, Assistant City Attorney

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IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE amending and reordaining §36.1-640, Appointment, membership, of Division 2, Architectural Review Board, of Article VII, Administration, of Chapter 36.1, Zoning, of the Code of the City of Roanoke (1979), as amended, in order to eliminate certain qualifications for members of the Architectural Review Board, and dispensing with the second reading of this ordinance by title.

WHEREAS, because a committee appointed by City Council in January, 2001, recommended that §36.1-640 of the City Code be amended by deleting certain requirements for appointment and membership of the Architectural Review Board for the City of Roanoke, as set forth in City Manager's letter dated September 17, 2001, to this Council on the subject, City Council by the adoption of Resolution No. 35578-091701, found that the public necessity, convenience, general welfare and good zoning practices require the amendment of §36.1-640 of the City Code, deleting certain requirements for appointment and membership of the Architectural Review Board for the City of Roanoke, and authorized the City Manager to file a request to amend the City's zoning ordinance;

WHEREAS, the City Manager has filed a request to amend the City's zoning ordinance, deleting certain requirements for appointment and membership of the Architectural Review Board for the City of Roanoke;

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WHEREAS, the Planning Commission has held a public hearing on the City Manager's request, and the Planning Commission's recommendation on the request has been communicated to the City Council; and

WHEREAS, because a committee appointed by City Council in January, 2001, recommended that §36.1-640 of the City Code be amended by deleting certain requirements for appointment and membership of the Architectural Review Board for the City of Roanoke, City Council finds that the public necessity, convenience, general welfare and good zoning practices require the amendment of §36.1-640 of the City Code by deleting certain requirements for appointment and membership of the Architectural Review Board for the City of Roanoke.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. Section 36.1-640, Appointment, membership, of Division 2, Architectural Review Board, of Article VII, Administration, of Chapter 36.1, Zoning, of the Code of the City of Roanoke (1979), as amended, is hereby amended and reordained to read and provide as follows:

§ 36.1-640. Appointment, membership.

There is hereby created an architectural review board consisting of seven (7) members appointed by a majority vote of the city council. Initially, one (1) member shall be appointed to serve a term ending October 1, 1980, two (2) for a term ending October 1, 1981, two (2) for a term ending October 1, 1982, and two (2) for a term ending October 1, 1983. The council, at the time of initial appointment of the board, shall designate the terms of the appointees after the expiration of the initial term; and appointment shall be for a four-year term. Any vacancy on the board shall be filled in the same manner

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as the original appointment, for the unexpired term. Members of the board shall hold no elected public office.

2. Pursuant to the provisions of §12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

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CITY OF ROANOKE

CITY COUNCIL
215 Church Avenue, S.W., Room 456
Roanoke, Virginia 24011-1536
Telephone: (540) 853-2541
Fax: (540) 853-1145

RALPH K. SMITH
Mayor

Council Members:
William D. Bestpitch
William H. Carder
C. Nelson Harris
W. Alvin Hudson, Jr.
William White, Sr.
Linda F. Wyatt

October 18, 2001

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

Dear Mayor Smith and Members of Council:

I am attaching copy of my October 8 memorandum relative to the proposed renaming of Elmwood Park to honor Dr. Martin Luther King, Jr. When this item is addressed on our October 18 agenda, I would like to request that I be allotted approximately 10 minutes, prior to public comments, to formally speak to a proposed compromise proposal.

With best regards, I am

Sincerely,

C. Nelson Harris

C. Nelson Harris
Council Member

CNH:MFP:sm

Attachment

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CITY CLERKS OFFICE
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MEMO

To: Mayor and Members of Roanoke City Council

From: Nelson Harris

Re: MLK Memorial

Date: October 8, 2001

As you are aware, a public hearing has been scheduled for our upcoming October 18th meeting relative to the proposed renaming of Elmwood Park to honor Dr. Martin Luther King, Jr. There has been much public discussion and disagreement over this proposal. In an effort to bridge opposing opinions and develop a plan that has the potential of receiving broad public support, I wish to propose for your consideration the following concept.

In the "Outlook Roanoke" plan regarding downtown, there is the recommendation that Bullitt Avenue be extended to intersect with Williamson Road. Presently, Bullitt Avenue dead ends just past the library. Should Bullitt continue through to Williamson Road, there would be a natural division of Elmwood Park. Herein lies my compromise. On the south side of Bullitt would remain the library, ampitheatre, and majority of park land. This south side could retain the Elmwood Park name. On the north side of Bullitt would be a rectangular park area containing the lilly ponds and plaza area. I propose that this area be named to honor Dr. King.

To determine if this concept would be acceptable to some who have expressed an interest in this issue, I spoke with Vice-mayor Bill Carder last week. Mr. Carder served as Council's liaison to the Dr. King Memorial Committee. He was very favorable and agreed to meet with the leaders of the King Committee along with Pernella Chubb-Wilson of the SCLC and Brenda Hale of the NAACP. All were very positive toward this compromise. Additionally, I have spoken with others in the community who wished to preserve the Elmwood name, and they too were very favorable to the compromise. I truly believe this concept is a "win-win."

This compromise serves the interests of all who have entered the public discussion of the issue. The concept meets the criteria of the King Memorial Committee in that it honors Dr. King with a centrally-located memorial in a prominent public space, and it allows the historic name of Elmwood to be retained for the parcel of land long identified as being Elmwood Park.

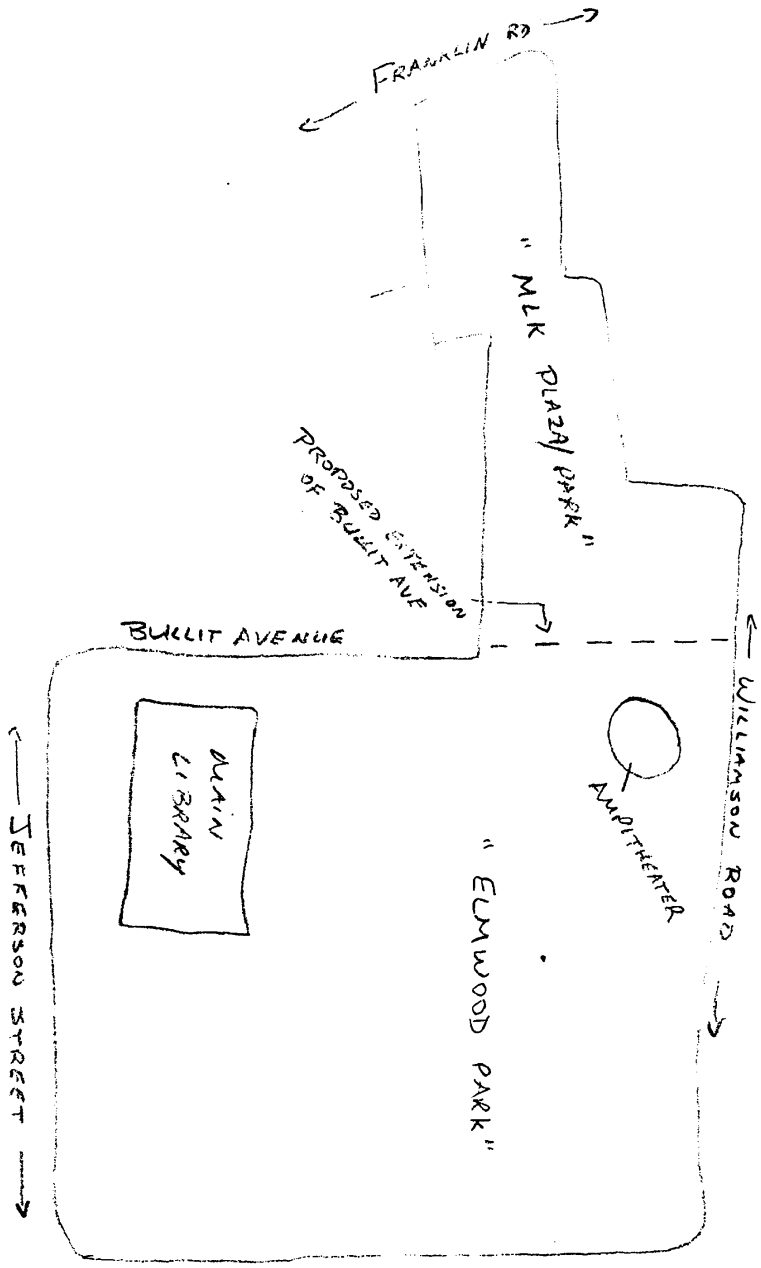
I would appreciate your comments and thoughtful consideration of this idea. My intention is to float this concept publicly prior to our public hearing in an effort to diffuse

community disagreement and gain consensus. Please know that I have been working in tandem with Mr. Carder and would invite you to be in contact with him as well. As this has unfolded, I have also been in contact with our city manager. Again, I thank you for your consideration of this concept and would welcome your support.

Sincerely,

Nelson Harris

Cc: Darlene Burcham


WILLIAMSON ROAD
"ELMWOOD PARK"
AMPITHEATER
JEFFERSON STREET
MAIN LIBRARY
BULLIT AVENUE
PROPOSED EXTENSION OF BULLIT AVE
"MLK PLAZA/PARK"
FRANKLIN RD

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