

ROANOKE CITY COUNCIL-REGULAR SESSION

November 15, 2021

2:00 p.m.

The Council of the City of Roanoke met in regular session on Monday, November 15, 2021 at 2:00 p.m., in the Council Chamber, Room 450, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Mayor Sherman P. Lea, Sr., presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended, and pursuant to Resolution No. 41964-010421 adopted by the Council on Monday, January 4, 2021.

PRESENT: Council Members Vivian Sanchez-Jones, Patricia White-Boyd, William D. Bestpitch, Joseph L. Cobb, Robert L. Jeffrey, Jr., Stephanie Moon Reynolds, and Mayor Sherman P. Lea, Sr.-7.

ABSENT: None-0.

The Mayor declared the existence of a quorum.

OFFICERS PRESENT: Robert S. Cowell, Jr., City Manager; Timothy R. Spencer, City Attorney; and Cecelia F. McCoy, City Clerk.

The Invocation was delivered by Mayor Sherman P. Lea, Sr.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Sherman P. Lea, Sr.

PRESENTATIONS AND ACKNOWLEDGEMENTS:

PARKS AND RECREATION: Michael Clark, Director, Parks and Recreation and staff recognized three awards received at the recent Virginia Recreation and Park Society Annual Conference.

HEARING OF CITIZENS UPON PUBLIC MATTERS:

City Council sets this time as a priority for citizens to be heard. If deemed appropriate, matters will be referred to the City Manager for response, recommendation or report to the Council.

MISCELLANEOUS: N.J. Kilby, P.O. Box 222, Roanoke, Virginia, appeared before the Council to express concern with regard to the health and safety of persons camping and setting up semi-permanent dwellings near homes; and asked the Council for a solution.

CONSENT AGENDA

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

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL: Minutes of the regular meetings of City Council held on Thursday, October 7, 2021; was before the body.

(See minutes on file in the City Clerk's Office.)

Council Member Moon Reynolds moved that the reading of the minutes be dispensed with and approved as recorded. The motion seconded by Council Member Jeffrey and adopted by the following vote:

AYES: Council Members Sanchez-Jones, White-Boyd, Bestpitch, Cobb, Jeffrey, Moon Reynolds, and Mayor Sherman P. Lea, Sr.-7.

NAYS: None-0.

CITIZEN OF THE YEAR AWARD: A communication from Mayor Sherman P. Lea, Sr., requesting that Council convene in a Closed Meeting to discuss the 2021 Citizen of the Year Award, pursuant to Section 2.2-3711 (A)(10), Code of Virginia (1950) as amended, was before the body.

(See communication on file in the City Clerk's Office.)

Council Member Moon Reynolds moved that Council concur in the request of the Mayor as above mentioned. The motion seconded by Council Member Jeffrey and adopted by the following vote:

AYES: Council Members Sanchez-Jones, White-Boyd, Bestpitch, Cobb, Jeffrey, Moon Reynolds, and Mayor Sherman P. Lea, Sr.-7.

NAYS: None-0.

DISPOSITION OF REAL PROPERTY: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss and consider the acquisition of real property for public purposes, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711(A)(3), Code of Virginia (1950), as amended.

(See communication on file in the City Clerk's Office.)

Council Member Moon Reynolds moved that Council concur in the request of the City Manager as above mentioned. The motion seconded by Council Member Jeffrey and adopted by the following vote:

AYES: Council Members Sanchez-Jones, White-Boyd, Bestpitch, Cobb, Robert Jeffrey, Moon Reynolds, and Mayor Sherman P. Lea, Sr.-7.

NAYS: None-0.

AMENDMENT-ROANOKE CITY CHARTER OF 1952: A communication from the City Attorney requesting that Council schedule a public hearing to be held on Monday, December 6, 2021, at 2:00 p.m., or as soon thereafter as the matter may be heard, or such later date and time as the City Manager shall determine, in his discretion, to amend the Roanoke City Charter of 1952 with regard to the change in the election date.

(See communication on file in the City Clerk's Office.)

Council Member Moon Reynolds moved that Council concur in the request of the City Attorney as above mentioned. The motion seconded by Council Member Jeffrey and adopted by the following vote:

AYES: Council Members Sanchez-Jones, White Boyd, Bestpitch, Cobb, Jeffrey, Moon Reynolds, and Mayor Sherman P. Lea, Sr.-7.

NAYS: None-0.

OATHS OF OFFICE-COURT COMMUNITY CORRECTIONS PROGRAM
REGIONAL COMMUNITY CRIMINAL JUSTICE BOARD-BUILDING AND FIRE CODE
BOARD OF APPEALS-ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY-
ROANOKE REGIONAL AIRPORT COMMISSION-BOARD OF TRUSTEES, CITY OF
ROANOKE PENSION PLAN-WESTERN VIRGINIA'S REGIONAL INDUSTRIAL
FACILITY AUTHORITY-CITY PLANNING COMMISSION-HOTEL ROANOKE
CONFERENCE CENTER COMMISSION-ROANOKE VALLEY GREENWAY
COMMISSION-ROANOKE VALLEY BROADBAND AUTHORITY-MILL MOUNTAIN
ADVISORY BOARD-VISIT VIRGINIA'S BLUE RIDGE, BOARD OF DIRECTORS-
ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF ROANOKE: Reports of
qualification of the following individuals were before the Council:

The Honorable Scott R. Geddes as the General District Court representative of the Court Community Corrections Program Regional Community Criminal Justice Board for a three-year term of office commencing July 1, 2020 and ending June 30, 2023;

Douglas Coffman (Builder) and Jeffrey Shawver (Property Management) as members of the Building and Fire Code Board of Appeals for three-year terms of office commencing July 1, 2021 and ending June 30, 2024 and commencing July 1, 2020 and ending June 30, 2023, respectively;

Andrew Anguiano as a Commissioner of the Roanoke Redevelopment and Housing Authority for a four-year term of office, commencing September 1, 2020 and ending August 31, 2024;

Robert Fralin as a City representative of the Roanoke Regional Airport Commission for term of office commencing July 1, 2020 and ending March 9, 2024;

David S. Jeavons as a member of the Board of Trustees, City of Roanoke Pension Plan, for a term of office ending June 30, 2022;

Marc Nelson as a City representative of the Western Virginia's Regional Industrial Facility Authority for a term of office ending February 3, 2024;

Scott Terry-Cablier and Sarah Glenn as members of the City Planning Commission for four-year terms of office, each, commencing January 1, 2021 and ending December 31, 2024;

Court G. Rosen as a Citizen at Large representative of the Hotel Roanoke Conference Center Commission for a four-year term of office, commencing April 13, 2020 and ending April 12, 2024;

William Hackworth to fill the unexpired term of office of Stephen Ambruzs as a City representative of the Roanoke Valley Greenway Commission ending June 30, 2022;

Michael McEvoy as a Citizen at Large representative of the Roanoke Valley Broadband Authority for a four-year term of office, commencing December 13, 2021 and ending December 12, 2025;

Amanda Marko and Ahondryea Brooks as members of the Mill Mountain Advisory Board for terms of office, each, ending June 30, 2023;

Elda Stanco Downey as a City representative of the Visit Virginia's Blue Ridge, Board of Directors for a term of office ending June 30, 2022; and

Ollie Howie as Director of the Economic Development Authority of the City of Roanoke for a four-year term of office, commencing October 21, 2021 and ending October 20, 2025.

Council Member Moon Reynolds moved that Council receive and file the request. The motion seconded by Council Member Jeffrey and adopted by the following vote:

AYES: Council Members Sanchez-Jones, White-Boyd, Bestpitch, Cobb, Jeffrey, Moon Reynolds, and Mayor Sherman P. Lea, Sr.-7.

NAYS: None-0.

REGULAR AGENDA

PUBLIC HEARINGS: NONE.

PETITIONS AND COMMUNICATIONS: NONE.

REPORTS OF CITY OFFICERS AND COMMENTS OF CITY MANAGER:

CITY MANAGER:

BRIEFING:

Proposed Ordinance to enhance sidewalk safety and access in the Downtown District

The City Manager and City Attorney presented a proposed Ordinance with regard to camping on public sidewalks and right-of-way within the Downtown Service District.

(See copy of proposed ordinance on file in the City Clerk's Office.)

Messrs. Cowell and Spencer explained that over the past several months, a number of City residents have complained about homeless people living on downtown sidewalks, mainly along Church Avenue in proximity of the U. S. Post Office, the City's Economic Development Department, and the City's Employee Health Clinic; as well as how citizens witnessed outdoor urination, defecation, piles of personal belongings, and trash and how it was unsafe to have residence outside.

Mr. Cowell advised that camping was banned in city parks, the market square, and along greenways, but there was no language in the City Code that prohibited sidewalk camping in downtown and the proposed amendment would prohibit camping on public sidewalks and rights-of way within downtown.

Mr. Spencer added that any persons sleeping on a downtown sidewalk after the ban goes into effect and refused to leave after receiving a ticket would be subject to arrest and/or a fine. He speculated the proposed Ordinance could withstand a legal challenge because it was crafted similar to other localities in the west and was the first of its kind in Virginia.

Matthew Crookshank, Human Services Administrator, who works closely with the Homeless Assistance Team, stated that the department would restrict free tents to only homeless individuals cooperating with efforts to get permanent housing; however, in the past, homeless individuals would receive a tent upon request.

The City Manager asked Council to consider adopting the proposed ordinance at the December 6, 2021 City Council Meeting and enforcement would begin in January 2022.

Following brief questions and discussion from Council Members Bestpitch, Cobb, and Sanchez-Jones, Mayor Lea thanked Messrs. Cowell and Spencer for the information and looked forward to receiving the matter again at the December 6 meeting for adoption.

ITEMS RECOMMENDED FOR ACTION:

KIDS IN PARKS SIGN: The City Manager submitted a written communication recommending acceptance of a donation of the Kids in Parks TRACK Trail kiosk sign from the Blue Ridge Parkway Foundation.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Bestpitch offered the following resolution:

(#42197-111521) A RESOLUTION authorizing the acceptance of a donation of the Kids in Parks Track Trail kiosk sign from the Blue Ridge Parkway Foundation.

(For full text of resolution, see Resolution Book No. 82, page 98.)

Council Member Bestpitch moved the adoption of Resolution No. 42197-111521. The motion seconded by Council Member Jeffrey and adopted by the following vote:

AYES: Council Members Sanchez-Jones, White-Boyd, Bestpitch, Cobb, Jeffrey, Moon Reynolds, and Mayor Lea-7.

NAYS: None-0.

Council Member Moon Reynolds offered the following budget ordinance:

(#42198-111521) A BUDGET ORDINANCE to appropriate funding from the Blue Ridge Foundation to provide TRACK Trail Kiosk sign donation, amending and reordaining certain sections of the 2021 - 2022 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 82, page 99.)

Council Member Moon Reynolds moved the adoption of Budget Ordinance No. 42198-111521. The motion seconded by Council Member Sanchez-Jones and adopted by the following vote:

AYES: Council Members Sanchez-Jones, White-Boyd, Bestpitch, Cobb, Jeffrey, Moon Reynolds, and Mayor Lea-7.

NAYS: None-0.

BASKETBALL COURT AT WASHINGTON PARK: The City Manager submitted a written communication recommending adoption of a resolution naming the basketball court at Booker T. Washington Park in honor of the late Ricky Renell Wright.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Moon Reynolds offered the following resolution:

(#42199-111521) A RESOLUTION authorizing the adoption of a resolution naming the basketball court at Booker T. Washington Park in honor of the late Ricky Renell Wright.

(For full text of resolution, see Resolution Book No. 82, page 100.)

Council Member Moon Reynolds moved the adoption of Resolution No. 42199-111521. The motion seconded by Vice-Mayor White Boyd.

Darnell Wood nominator of Mr. Renell Wright, Doris Wright and Gail Wright mother and sister of Mr. Wright appeared before the Council in support of the resolution.

There being no additional questions and/or comments by the Council Members, Resolution No. 42199-111521 was adopted by the following vote:

AYES: Council Members Sanchez-Jones, White-Boyd, Bestpitch, Cobb, Jeffrey, Moon Reynolds, and Mayor Lea-7.

NAYS: None-0.

AMERICAN RESCUE PLAN ACT: The City Manager submitted a written communication recommending approval of a Memorandum of Understanding and appropriation of funds in connection with the American Rescue Plan Act SLFRF Municipal Utility Relief Program to be used by the Western Virginia Water Authority to provide relief to eligible municipal utility customers.

(For full text, see communication on file in the City Clerk's Office.)

Vice-Mayor White-Boyd offered the following resolution:

(#42200-111521) A RESOLUTION to approve of a Memorandum of Understanding and appropriation of funds in connection with the American Rescue Plan Act SLFRF Municipal Utility Relief Program to be used by the Western Virginia Water Authority to provide relief to eligible municipal utility customers..

(For full text of resolution, see Resolution Book No. 82, page 101.)

Vice-Mayor White-Boyd moved the adoption of Budget Ordinance No. 42200-111521. The motion seconded by Council Member Moon Reynolds and adopted by the following vote:

AYES: Council Members Sanchez-Jones, White-Boyd, Bestpitch, Cobb, Jeffrey, Moon Reynolds, and Mayor Lea-7.

NAYS: None-0.

Council Member Jeffrey offered the following budget ordinance:

(#42201-111521) A BUDGET ORDINANCE to appropriate funding from the United States Treasury for the American Rescue Plan Act (ARPA) – Coronavirus Relief Fund to provide eligible municipal utility customers financial assistance due to ongoing matters related to the COVID-19 pandemic, amending and reordaining certain sections of the 2020 - 2022 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of budget ordinance, see Ordinance Book No. 82, page 101.)

Council Member Jeffrey moved the adoption of Budget Ordinance No. 42201-111521. The motion seconded by Council Member Sanchez-Jones and adopted by the following vote:

AYES: Council Members Sanchez-Jones, White-Boyd, Bestpitch, Cobb, Jeffrey, Moon Reynolds, and Mayor Lea-7.

NAYS: None-0.

CITY ATTORNEY:

BRIEFING:

Proposed City Code amendments to Chapter 21, Miscellaneous Offenses

The City Attorney briefed the Council on the proposed changes to the City Code with regard to Chapter 21, Miscellaneous Offenses.

Mr. Spencer explained that many sections within Chapter 21 had not been amended since the City Code was adopted in 1956 and the purpose for the review was to better align the City Code with the Code of Virginia while mirroring the City's principals of equity and inclusion; whereupon, several of the Code sections amended and/or deleted do not reflect accepted societal norms of today.

He further explained that a majority of the City Code Sections were deleted because such violations were prosecuted exclusively under the Code of Virginia and the included violations for prostitution and/or support thereof, public intoxication, obscenity, unlawful exposure, and the regulation of massage parlors; and in working with the Police Department, it was determined that the types of violations listed above were best prosecuted under the provisions of the Code of Virginia.

Lastly, the City Attorney stated that many of the proposed amendments involved City Code provisions that were out of date or do not conform to the social norms of today; such as, the fraudulent use of a pay phone, use of abusive language or making threats over the phone, spitting on the floor of a public building and pollution of streams; however, an updated version of the violation would be added to the City Code within Stormwater regulations.

Inasmuch as there were no questions and/or comments from the Council Members, Mayor Lea thanked Mr. Spencer for the information, received and filed the briefing.

REPORTS OF COMMITTEES:

VARIOUS EDUCATIONAL PROGRAMS: The Roanoke City School Board submitted a written report requesting appropriation of funds for various educational programs; and a report of the City Manager recommending that Council concur in the request. Donna Caldwell, Director of Accounting, Spokesperson.

(For full text, see reports on file in the City Clerk's Office.)

Council Member Cobb offered the following budget ordinance:

(#42202-111521) AN ORDINANCE to appropriate funding from the Commonwealth, federal and private grant for various educational programs, amending and re-ordaining certain sections of the 2021 - 2022 School Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 82, page 102.)

Council Member Cobb moved the adoption of Budget Ordinance No. 42202-111521. The motion seconded by Council Member White-Boyd and adopted by the following vote:

AYES: Council Members Sanchez-Jones, White-Boyd, Bestpitch, Cobb, Jeffrey, Moon Reynolds, and Mayor Lea-7.

NAYS: None-0.

A REPORT OF CERTAIN AUTHORITIES, BOARDS, COMMITTEES AND COMMISSIONS IN WHICH CITY COUNCIL SERVE AS LIAISONS OR APPOINTEES: NONE.

UNFINISHED BUSINESS: NONE.

INTRODUCTION AND CONSIDERATION OR ORDINANCES AND RESOLUTIONS:

Council Member Moon Reynolds offered the following budget ordinance to repeal and replace Budget Ordinance No. 42192-110121 adopted on November 1, 2021, to correct a scrivener's error, in connection with the acceptance of Hazard Mitigation Assistance Program Funds from the Federal Emergency Management Agency for the City of Roanoke Floodplain Mitigation Project:

(#42203-111521) AN ORDINANCE to repeal and replace Budget Ordinance 42192-110121 to correct a scrivener's error and to appropriate funding from the Federal Emergency Management Agency (FEMA) for Pre-Disaster Mitigation Grant for the City of Roanoke Floodplain Mitigation Project to acquire and demolish the Ramada Property 5 residential properties in the floodway along Peters Creek, which is prone to flooding, amending and reordaining certain sections of the 2021 - 2022 General Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 82, page 104.)

Council Member Moon Reynolds moved the adoption of Budget Ordinance No. 42203-111521. The motion seconded by Council Member Bestpitch and adopted by the following vote:

AYES: Council Members Sanchez Jones, White-Boyd, Bestpitch, Cobb, Jeffrey, Moon Reynolds, and Mayor Lea-7.

NAYS: None-0.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL: NONE.

VACANCIES ON CERTAIN AUTHORITIES, BOARDS, COMMISSIONS AND COMMITTEES APPOINTED BY COUNCIL: NONE.

At 3:29 p.m., the Mayor declared the Council meeting in recess for a Closed Meeting in the Council's Conference Room, Room 451, Noel C. Taylor Municipal Building; and thereafter to be reconvened at 7:00 p.m. in the Council Chamber.

At 7:00 p.m., the Council meeting reconvened in the Council Chamber, Room 450, fourth floor, Noel C. Taylor Municipal Building, with Mayor Sherman P. Lea, Sr., presiding.

PRESENT: Council Members Vivian Sanchez-Jones, Patricia White-Boyd, William D. Bestpitch, Robert L. Jeffrey, Jr., Stephanie Moon Reynolds, and Mayor Sherman P. Lea, Sr.-7.

ABSENT: None-0.

The Mayor declared the existence of a quorum.

OFFICERS PRESENT: Robert S. Cowell, Jr., City Manager; Timothy R. Spencer, City Attorney; and Cecelia F. McCoy, City Clerk.

The Invocation was delivered by Council Member William D. Bestpitch.

The Pledge of Allegiance to the Flag of the United States of America was led by Boy Scout Troop 17 sponsored by St. John's Episcopal Church.

Council Member Jeffrey commented that his brother-in-law was killed amid the weekend gun violence and the violence must cease in the City of Roanoke.

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

AYES: Council Members Sanchez-Jones, White-Boyd, Bestpitch, Cobb, Jeffrey, Moon-Reynolds, and Mayor Lea-7.

NAYS: None-0.

PUBLIC HEARINGS:

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, November 15, 2021, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of Good Samaritan Hospice to repeal all conditions previously proffered as part of a previous rezoning adopted by Ordinance No. 33457-070797 on property located at 0 Cove Road, N. W.; and to rezone the property from Residential Multifamily District to Institutional Planned Unit Development District, subject to a development plan, was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, October 26, 2021 and Tuesday, November 2, 2021.

(See publisher's affidavit on file in the City Clerk's Office.)

The City Planning Commission submitted a written report recommending approval of the rezoning request, finding that the Amended Application No. 1, as amended at the hearing and subsequently submitted as Amended Application No. 2, is consistent with the general principles within the City's Comprehensive Plan, Peters Creek North Neighborhood Plan, and Zoning Ordinance.

(For full text, see report on file in the City Clerk's Office.)

Vice-Mayor White-Boyd offered the following ordinance:

(#42204-111521) AN ORDINANCE to repeal all conditions proffered as part of previous rezonings on certain property located at 0 Cove Road, N. W., bearing Official Tax Map No. 6410111 (the "Property") through the adoption of Ordinance No. 33457-070797, adopted on July 7, 1997; rezoning certain property located at 0 Cove Road, N. W., bearing Official Tax Map No. 6410111, from RMF, Residential Multifamily District, to INPUD, Institutional Planned Unit Development District, subject to the Development Plan that specifies uses, location of buildings and infrastructure, site access, and building design; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 82, page 105.)

Vice-Mayor White-Boyd moved the adoption of Ordinance No. 42204-111521. The motion seconded by Council Member Cobb.

The Mayor inquired if there were persons present who wished to speak on the matter. There being none, he declared the public hearing closed.

There being no comments and/or questions by the Council Members, Ordinance No. 42204-111521 was adopted by the following vote:

AYES: Council Members Sanchez-Jones, White-Boyd, Bestpitch, Cobb, Jeffrey, Moon Reynolds, and Mayor Lea-7.

ALLEY VACATION: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, November 15, 2021, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of Franklin Road, LLC, to vacate an alley running north from Franklin Road, S. W., towards Luck Avenue, S. W., adjacent to property located at 117 Franklin Road, S. W., was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, October 26, 2021 and Tuesday, November 2, 2021.

(See publisher's affidavit on file in the City Clerk's Office.)

Inasmuch as the City Planning Commission continued the abovementioned matter to Monday, December 13, 2021, the Mayor advised that the City Council had no jurisdiction to hear the matter at this time.

ALLEY VACATION: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, November 15, 2021, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of Greater Roanoke Transit Company to vacate a 10 foot wide alley between and parallel to 11th Street, S. E., and 12th Street, S. E., was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, October 26, 2021 and Tuesday, November 2, 2021.

(See publishers' affidavit on file in the City Clerk's Office.)

Inasmuch as the City Planning Commission continued the abovementioned matter to Monday, December 13, 2021, the Mayor advised that the City Council had no jurisdiction to hear the matter at this time.

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, October 18, 2021, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of the City of Roanoke to amend Chapter 36.2, Zoning, Code of the City of Roanoke, (1979), as amended, for clarification and consistency with State law, was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, October 26, 2021 and Tuesday, November 2, 2021.

(See publishers' affidavit on file in the City Clerk's Office.)

Council Member Moon Reynolds offered the following ordinance:

(#42205-111521) AN ORDINANCE amending and reordaining Section 36.2-311, Section 36.2-312, Section 36.2-315, Section 36.2-322, Section 36.2-327, Section 36.2-333, Section 36.2-403, Section 36.2-652, Section 36.2-653; of Chapter 36.2, Zoning, of the Code of the City of Roanoke (1979), as amended, for the purposes of amending and reordaining the following code sections to update, clarify and make the City's zoning ordinance easier to use for its citizens and consistent with state law; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 82, page 107.)

Council Member Moon Reynolds moved the adoption of Ordinance No. 42205-111521. The motion seconded by Council Member Cobb.

The Mayor inquired if there were persons present who wished to speak on the matter. There being none, he declared the public hearing closed.

There being no comments and/or questions by the Council Members, Ordinance No. 42205-111521 was adopted by the following vote:

AYES: Council Members Sanchez-Jones, White-Boyd, Bestpitch, Cobb, Jeffrey, Moon Reynolds, and Mayor Lea-7.

NAYS: None-0.

TAX EXEMPTION-LOCAL OFFICE ON AGING, INC.: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, November 15, 2021, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of Proposal of the City of Roanoke to consider a request of Local Office on Aging, Inc., (LOA), for tax exemption of real property located at 4902 Frontage Road, N. W., was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, November 5, 2021.

(See publishers' affidavit on file in the City Clerk's Office.)

The City Manager submitted a written report recommending exemption of Local Office on Aging, Inc., from real property taxation, pursuant to Article X, Section 6 (a) 6 of the Constitution of Virginia, effective January 1, 2022.

Council Member Moon Reynolds offered the following ordinance:

(#42206-111521) AN ORDINANCE amending and reordaining Section 36.2-311, Section 36.2-312, Section 36.2-315, Section 36.2-322, Section 36.2-327, Section 36.2-333, Section 36.2-403, Section 36.2-652, Section 36.2-653; of Chapter 36.2, Zoning, of the Code of the City of Roanoke (1979), as amended, for the purposes of amending and reordaining the following code sections to update, clarify and make the City's zoning ordinance easier to use for its citizens and consistent with state law; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 82, page 149.)

Council Member Moon Reynolds moved the adoption of Ordinance No. 42206-111521. The motion seconded by Council Member Bestpitch.

The Mayor inquired if there were persons present who wished to speak on the matter. There being none, he declared the public hearing closed.

There being no comments and/or questions by the Council Members, Ordinance No. 42206-111521 was adopted by the following vote:

AYES: Council Members Sanchez-Jones, White-Boyd, Bestpitch, Cobb, Jeffrey, Moon Reynolds, and Mayor Lea-7.

NAYS: None-0.

TAX EXEMPTION-BLUE RIDGE LAND CONSERVANCY: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, November 15, 2021, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of Proposal of the City of Roanoke to consider a request of Blue Ridge Land Conservancy for tax exemption of real property located at 1305 Maple Avenue, S. E., was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, November 5, 2021.

(See publishers' affidavit on file in the City Clerk's Office.)

Council Member Cobb offered the following ordinance:

(#42207-111521) AN ORDINANCE exempting from real estate property taxation certain real property, located in the City of Roanoke owned by Blue Ridge Land Conservancy, ("Applicant") a Virginia non-stock, non-profit corporation, devoted exclusively to charitable or benevolent purposes on a non-profit basis; providing for an effective date, and dispensing with the second reading of this Ordinance by title.

(For full text of ordinance, see Ordinance Book No. 82, page 152.)

Council Member Cobb moved the adoption of Ordinance No. 42207-111521. The motion seconded by Council Member Moon Reynolds.

The Mayor inquired if there were persons present who wished to speak on the matter. There being none, he declared the public hearing closed.

There being no comments and/or questions by the Council Members, Ordinance No. 42207-111521 was adopted by the following vote:

AYES: Council Members Sanchez-Jones, White-Boyd, Bestpitch, Cobb, Jeffrey, Moon Reynolds, and Mayor Lea-7.

NAYS: None-0.

SALE OF CITY-OWNED PROPERTY: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, November 15, 2021, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of the City of Roanoke to consider the sale of property located at 0 Norfolk Avenue, S. W., to TLC Properties, Inc., was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, November 5, 2021.

(See publishers' affidavit on file in the City Clerk's Office.)

Council Member Bestpitch offered the following ordinance:

(#42208-111521) AN ORDINANCE authorizing the City Manager to execute the necessary documents providing for the conveyance of a parcel of City-owned property consisting of 0.0786 acres, more or less, bearing Official Tax Map No. 1110713, to TLC Properties, Inc., upon certain terms and conditions; REPEALING Ordinance No. 22476 adopted September 29, 1975 in order to facilitate the sale of said property; and dispensing with the second reading of this Ordinance by title.

(For full text of ordinance, see Ordinance Book No. 82, page 155.)

Council Member Bestpitch moved the adoption of Ordinance No. 42208-111521. The motion seconded by Cobb.

The Mayor inquired if there were persons present who wished to speak on the matter. There being none, he declared the public hearing closed.

There being no comments and/or questions by the Council Members, Ordinance No. 42208-111521 was adopted by the following vote:

AYES: Council Members Sanchez-Jones, White-Boyd, Bestpitch, Cobb, Jeffrey, Moon Reynolds, and Mayor Lea-7.

NAYS: None-0.

2022 CARES ACT FUNDING: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, November 15, 2021, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of the City of Roanoke to receive public comment on the use of 2022 entitlement funding for multiple grants and un-programmed 2020 CARES Act funding to address eligible needs related to the development of the City's 2022 HUD Annual Action Plan, was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Sunday, October 31, 2021.

(See publishers' affidavit on file in the City Clerk's Office.)

The Mayor inquired if there were persons present who wished to speak on the matter. There being none, he declared the public hearing closed.

There being no questions and /comments by the Council Members, Mayor Lea advised that no further action was required.

PLASTIC BAG TAX: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, November 15, 2021, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of the City of Roanoke to amend the City Code with regard to the disposable plastic bag tax, was before the body.

Council Member Moon Reynolds offered the following ordinance:

(#42209-111521) AN ORDINANCE amending and reordaining Ordinance No. 42062-051721, adopted by City Council on May 17, 2021, to define and redefine certain terms to maintain consistency with guidelines promulgated by the Virginia Department of Taxation, upon certain terms and conditions, providing for an effective date, and dispensing with the second reading of this ordinance by title.

(For full text of resolution, see Resolution Book No. 82, page 161.)

Council Member Bestpitch moved the adoption of Ordinance No. 42209-111521. The motion seconded by Vice Mayor White-Boyd.

The Mayor inquired if there were persons present who wished to speak on the matter. There being none, he declared the public hearing closed.

There being no comments and/or questions by the Council Members, Ordinance No. 42209-111521 was adopted by the following vote:

AYES: Council Members Sanchez-Jones, White-Boyd, Bestpitch, Cobb, Jeffrey, Moon Reynolds, and Mayor Lea-7.

NAYS: None-0.

OTHER BUSINESS:

ARCHITECTURAL REVIEW BOARD: A Petition for Appeal filed by Albert Mack, appealing a decision of the Architectural Review Board denying a request to install K-Style gutters at 531 Day Avenue, S. W., the matter was before the Council.

(See Petition for Appeal on file in the City Clerk's Office.)

Albert Mack, owner, advised that he was new to the City and wanted to fix up the older home while keeping the integrity of the house. He explained that he put a lot of work into the home and does not plan to leave as he has retired from the military and civil service. He asked that the decision of the Architectural Review Board be reversed to allow the gutters.

Mike Belcher, Contractor, Legacy Homebuilders, explained that there was some confusion when they met previously with the Architectural Review Board on what style gutters were acceptable. He pointed out that the K-Style gutter was traditional white in color, would be painted to match the fascia system of the home, would not stand out and would not destroy structural integrity or historical significance of the home.

Bill Mason, Acting Chairman, Architectural Review Board, advised that the decision of the Board was split and two members voted that the K-Style gutter would be acceptable and three members voted that the homeowner use the half round gutter.

Following discussion of the matter by the Council, Council Member Cobb moved to reverse the decision of the City of Roanoke Architectural Review Board and grant the request for a certificate of appropriateness to allow the installation of K-Style gutters on the house at 531 Day Avenue, S. W. The motion seconded by Vice-Mayor White-Boyd and adopted by the following vote:

AYES: Council Members Sanchez-Jones, White-Boyd, Bestpitch, Cobb, Jeffrey, Moon Reynolds, and Mayor Lea -7.

NAYS: None-0.

HEARING OF CITIZENS UPON PUBLIC MATTERS:

City Council sets this time as a priority for citizens to be heard. If deemed appropriate, matters will be referred to the City Manager for response, recommendation or report to the Council.

Steven Provost, 805 Clarke Road, Martinsville, Virginia, appeared before the Council to share "Roanoke Century" gift a complimentary copy of his book, "Milestones in History of Roanoke."

There being no further business to come before the Council, Mayor Lea declared the regular meeting adjourned at 8:18 p.m.

At 8:18 p.m., the Mayor declared the Council meeting in recess until Monday, November 29, 2021, at 12:00 p.m., at the Melrose Library, 2502 Melrose Avenue, N. W., Suite D, for a City Council Budget Planning Retreat.

The Recessed Meeting of Roanoke City Council was called to order on Monday, November 29, 2021, at 12:00 p.m., at the Melrose Library, 2502 Melrose Avenue, N. W., Suite D, with Mayor Lea presiding.

PRESENT: Council Members Vivian Sanchez-Jones (arrived late), Patricia White-Boyd, William D. Bestpitch, Robert L. Jeffrey, Jr., Stephanie Moon Reynolds, and Mayor Sherman P. Lea, Sr.-7.

ABSENT: None-0.

The Mayor declared the existence of a quorum.

OFFICERS PRESENT: Robert S. Cowell, Jr., City Manager; Timothy R. Spencer, City Attorney; Cecelia T. Webb, Deputy City Clerk; and Drew Harmon, Municipal Auditor.

OTHERS PRESENT: Clarence Grier, Deputy City Manager, W. Brent Robertson, Assistant City Manager for Community Development; Amelia Merchant, Director of Finance, Paul Workman, Budget Business Analyst; Christopher Chittum, Assistant City Manager and Angela O'Brien, Chief Strategy Officer.

Mayor Lea welcomed everyone and stated the purpose of the meeting was to have open dialogue regarding agenda items and provide feedback to the City Manager.

BUDGET PLANNING WORKSHOP: The City Manager provided an overview of the agenda and engaged the Council in discussion with regard to the form of government, purpose of municipal budgeting, highlighting the balanced budget requirements, basics of revenue generation, payment for services, capital items and role of Council.

At this point, Council Member Sanchez-Jones entered the meeting (12:26 p.m.).

Amelia Merchant, Director of Finance, and Paul Workman, Budget Manager, gave an overview of the FY21 budget closeout, where the budget appeared to be landing and how to anticipate/propose spending surplus revenues. Ms. Merchant also provided a brief overview of the current FY22 Budget.

The City Manager, Deputy City Manager, and Director of Finance facilitated the following budget presentations and encouraged open discussion from the Council Members:

- a. Strategic Planning Retreat Takeaways
- b. Budget Priorities
- c. Budget Considerations
- d. Budget Development

(See copy of presentations on file in the City Clerk's Office.)

Angela O'Brien, Chief Strategy Officer, provided a brief overview of the status of the Star City Strong Recovery Fund implementation.

Following discussion by members of City Council on a number of matters with regard to budget development, the City Manager wrapped up the day and advised of the next steps.

There being no further business, Mayor Lea declared the Recessed Session adjourned at 4:43 p.m.

A P P R O V E D

ATTEST:

Cecelia F. McCoy, CMC
City Clerk

Sherman P. Lea, Sr.
Mayor
