

ROANOKE CITY COUNCIL-REGULAR SESSION

January 18, 2022

2:00 p.m.

The Council of the City of Roanoke met in regular session on Tuesday, January 18, 2022 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. 42245-010322 adopted by the Council on Monday, January 3, 2022.

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

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 Joseph L. Cobb.

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

STATE OF EMERGENCY: Council Member Moon Reynolds offered the following resolution acknowledging the limited statewide state of emergency declared by Governor of Virginia in Executive Order No. 84, which authorizes the Council as well as its boards and commissions to meet virtually:

(#42253-011822) A RESOLUTION acknowledging the limited statewide state of emergency declared by the Governor of Virginia in Executive Order No. 84 which authorizes the Council as well as its boards and commissions to meet virtually.

(For full text of resolution, see Resolution Book No. 82, page 252.)

Council Member Moon Reynolds moved the adoption of Resolution No. 42253-011822. The motion seconded by Vice-Mayor White-Boyd and adopted by the following vote:

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

NAYS: None-0.

PRESENTATIONS AND ACKNOWLEDGEMENTS: NONE.

HEARING OF CITIZENS UPON PUBLIC MATTERS: NONE.

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. Mayor Lea called attention to a request convene in a Closed Meeting, to discuss a personnel matter being the annual performances of the Council-Appointed Officers, pursuant to section 2.2-3711 (A) (1), Code of Virginia (1950), as amended; and advised that item C-5 would be removed and considered separately, for Council Member Moon Reynolds had questions with regard to the matter.

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL: Minutes of the regular meetings of City Council held on Monday, December 6, 2021 and Monday, December 20, 2021, were before the body.

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

Council Member Moon Reynolds moved that Council dispense with the reading of the minutes and approve as recorded. The motion seconded by Vice-Mayor White-Boyd and adopted by the following vote:

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

NAYS: None-0.

ANNUAL PERFORMANCES OF THE COUNCIL-APPOINTED OFFICERS: A communication from Vice-Mayor Patricia White-Boyd, Chair, City Council Personnel Committee, requesting that Council convene in a Closed Meeting to discuss a personnel matter, being the annual performances of the Council-Appointed Officers, pursuant to Section 2.2-3711 (A)(1), 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 Vice-Mayor as above mentioned. The motion seconded by Vice-Mayor White-Boyd and adopted by the following vote:

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

NAYS: None-0.

SCHEDULE PUBLIC HEARING: A communication from the City Manager requesting that Council schedule a public hearing to be held on Tuesday, February 22, 2022, at 7:00 p.m. or as soon thereafter as the matter may be heard, or such later date and time as the City Manager may determine, in his discretion, to enter into a Parking Agreement for unreserved parking permits for the Center in the Square Garage located at 11 Campbell Avenue, S. E.

(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 Vice-Mayor White-Boyd and adopted by the following vote:

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

NAYS: None-0.

SCHEDULE PUBLIC HEARING: A communication from the City Manager requesting that Council schedule a public hearing to be held on Tuesday, February 22, 2022, 7:00 p.m., or as soon thereafter as the matter may be heard, or such later date and time as the City Manager may determine, in his discretion, to advertise a 30 day public comment period and consider amendments in connection with the 2020 – 2024 HUD Consolidated Plan and Citizen Participation Plan.

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

OATHS OF OFFICE-YOUTH ATHLETICS REVIEW BOARD-FAIR HOUSING BOARD: Reports of qualification of the following individuals were before the Council:

Brandon McCall and Deidre Trigg as members of the Youth Athletics Review Board for a one-year term of office commencing January 1, 2022 and ending December 31, 2022 and a three-year term of office, commencing January 1, 2022 and ending December 31, 2025, respectively; and

Garrett Brumfield as a member of the Fair Housing Board to fill the unexpired term of office of Stephen Grammer ending March 31, 2022.

Council Member Moon Reynolds moved that Council receive and file the request. The motion seconded by Vice-Mayor White-Boyd and adopted by the following vote:

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

NAYS: None-0.

FY 2021 CITY MANAGER TRANSFER REPORT: A communication from the Director of Finance transmitting the FY 2021 City Manager Transfer Report for period thirteen ended November 30, 2021; and FY 2022 for the first and second quarters ended September 30, 2021 and December 31, 2021.

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

Council Member Moon Reynolds indicated that the FY 2021 City Manager Transfer Report had not been sent to the Council; wherein, the City Manager acknowledged the Report was sent and some items were inadvertently sent twice on October 18, 2021. The Director of Finance confirmed that the Report had been sent twice which may have caused confusion.

Council Member Moon Reynolds moved that the communication be received and filed. The motion seconded by Vice-Mayor White-Boyd and adopted by the following vote:

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

NAYS: None-0.

REGULAR AGENDA

PUBLIC HEARINGS: NONE.

PETITIONS AND COMMUNICATIONS: NONE.

CAPTION CALL PHONE SYSTEM: Bettina Mason, Territory representative, Anthem Healthkeepers; and Lisa Mottsheard, Manager, Caption Call appeared before the Council to introduce the Caption Call program and share information in connection therewith.

(See handouts on file in the City Clerk's office.)

Ms. Mason advised that she was a resource for Medicare information representing southwest Virginia and introduced Ms. Mottsheard as a community partner of Anthem. Ms. Mottsheard explained that many citizens suffer from several forms of hearing loss and Caption Call was a federally funded company that provided captioning telephones for anyone in the United States with no restrictions nor insurance requirements. She pointed out that it was a provision of the American with Disabilities Act through taxes charged on phone bills that all citizens paid.

In conclusion, Ms. Mottsheard further advised that charges for the phone, installation, etc., would never be passed on to the end user and Caption Call provided it all at no charge.

Council Member Sanchez-Jones inquired if the phone offered any other languages besides English; whereupon, Ms. Mottsheard replied that the phone interpreted English and Spanish and contained a video release service for the deaf community.

Mayor Lea asked about retrieving voicemail messages from the phone. Ms. Mottsheard advised that the phone could record messages; hook up to existing answering machines or link into an answering service through phone providers.

Mayor Lea thanked Ms. Mottsheard and Ms. Mason for the informative presentation and advised that the information would be received and filed.

REPORTS OF CITY OFFICERS AND COMMENTS OF CITY MANAGER:
NONE.

CITY MANAGER:

BRIEFINGS:

Emergency Operations Plan Update 2021

Battalion Chief Trevor Shannon, Emergency Management Coordinator, briefed Council on the Emergency Operations Plan regarding the following:

- Emergency Management Overview
- Declarations
- The Emergency Operations Plan
- Revisions
- Council Request – Plan adoption

(See copy of presentation on file in the City Clerk’s Office.)

Chief Shannon shared information regarding the managerial function charged with creating the framework within which communities reduce vulnerability to hazards and cope with disasters and its emergency management program, resources and responsibilities.

He advised that after each disaster incident, a review would be conducted to ensure performance matched with the Emergency Operations Plan direction. Examples of the 2020 declarations were:

- COVID-19 Pandemic
- Tropical Storm Arthur (May 2020)
- Civil Unrest (May 2020)

Chief Shannon noted that the Council adopted the current plan on November 4, 1996, with the most recent revision on March 7, 2016 and advised that the Code of Virginia requires Emergency Operations Plan revision and City Council approval every four years. He said the revision process was suspended during the pandemic after consultation with the Virginia Department of Emergency Management.

Chief Shannon continued with Emergency Operations Plan considerations and noted the plan provides the emergency services operations be structured around existing constitutional governments. In the event of an emergency, City Council would confer upon the City Manager, or a predetermined representative in the absence of the Manager, under the authority to act in accordance with Section 44-146.21, Declaration of local emergency.

He concluded by sharing the details of what has changed in the Emergency Operations Plan and requested adoption of the Plan at an upcoming City Council meeting.

Following brief comments by Vice-Mayor White-Boyd, and Council Members Moon Reynolds and Cobb, Mayor Lea thanked Battalion Chief Shannon for the update and advised that the presentation would be received and filed.

ITEMS RECOMMENDED FOR ACTION:

VIOLENCE AGAINST WOMEN ACT (V-STOP) GRANT: The City Manager submitted a written communication recommending acceptance of the 2022 Violence Against Women Act (V-STOP) Grant from the Virginia Department of Criminal Justice for the Police Department's existing Domestic Violence Specialist position.

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

Council Member Moon Reynolds offered the following resolution:

(#42254-011822) A RESOLUTION authorizing the acceptance of the 2022 V-STOP Grant made to the City of Roanoke by the Virginia Department of Criminal Justice Services, and authorizing execution of any required documentation on behalf of the City.

(For full text of resolution, see Resolution Book No. 82, page 253.)

Council Member Moon Reynolds moved the adoption of Resolution No. 42254-011822. The motion seconded by Council Member Jeffrey and adopted by the following vote:

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

NAYS: None-0.

Council Member Jeffrey offered the following budget ordinance:

(#42255-011822) AN ORDINANCE to appropriate funding from the Commonwealth of Virginia for the Police Department Domestic Violence Program Grant (VSTOP), 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 254.)

Council Member Jeffrey moved the adoption of Budget Ordinance No. 42255-011822. The motion seconded by Vice-Mayor White-Boyd and adopted by the following vote:

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

NAYS: None-0.

EMERGENCY SOLUTIONS GRANT CV2 FUNDING: The City Manager submitted a written communication approving the allocation remaining Emergency Solutions Grant CV2 funding for activities to address the preparation, response and recovery from effects of COVID-19 for persons homeless or at-risk of homelessness.

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

Vice-Mayor White-Boyd offered the following resolution:

(#42256-011822) A RESOLUTION approving the allocation of \$309,182 remaining in Emergency Solutions Grant-CV2 ("ESG-CV2") funding from the United States' Department of Housing and Urban Development ("HUD"), and authorizing the City Manager, or his designee, to enter into written contracts with the subrecipients of such funding.

(For full text of resolution, see Resolution Book No. 82, page 255.)

Vice-Mayor White-Boyd moved the adoption of Resolution No. 42256-011822. The motion seconded by Council Member Sanchez-Jones and adopted by the following vote:

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

NAYS: None-0.

Council Member Moon Reynolds offered the following budget ordinance:

(#42257-011822) A BUDGET ORDINANCE to appropriate funding from the Department of Housing and Urban Development (HUD) for the Emergency Solutions Grant (ESG), 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 256.)

Council Member Moon Reynolds moved the adoption of Budget Ordinance No. 42257-011822. The motion seconded by Council Member Jeffrey and adopted by the following vote:

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

NAYS: None-0.

EXECUTION OF AMENDMENT NO. 5 TO THE FIRST REINSTATED AGREEMENT FOR THE EXCHANGE OF REAL ESTATE BETWEEN THE CITY OF ROANOKE AND RUTHERFOORD PARTNERS, LLC: The City Manager submitted a written communication recommending execution of Amendment No. 5 to the First Reinstated Agreement for the Exchange of Real Estate between the City of Roanoke, and Rutherford Partners, LLC, in connection with a new transportation facility.

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

Council Member Cobb offered the following ordinance:

(#42258-011822) AN ORDINANCE authorizing the City Manager to execute Amendment No. 5 to the First Reinstated Agreement for the Exchange of Real Estate between the City of Roanoke, Virginia ("City) and Rutherford Partners, LLC ("Developer") dated September 17, 2019 ("Agreement") to provide for (i) the sale and transfer of Campbell Court, as described below, from the City to Developer; and (ii) the acquisition of the Future Rail Station Parcels, as described below, by the City from Developer; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 82, page 257.)

Council Member Cobb moved the adoption of Ordinance No. 42258-011822. The motion seconded by Council Member Sanchez-Jones and adopted by the following vote:

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

NAYS: None-0.

EXECUTION OF AMENDMENT NO. 5 TO THE FIRST REINSTATED AGREEMENT FOR THE EXCHANGE OF REAL ESTATE BETWEEN THE CITY OF ROANOKE AND GREATER ROANOKE TRANSIT COMPANY: The City Manager submitted a written communication recommending execution of Amendment No. 5 to the First Reinstated Agreement for the Exchange of Real Estate between the City of Roanoke and Greater Roanoke Transit Company, in connection with a new transportation facility.

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

Council Member Moon Reynolds offered the following ordinance:

(#42259-011822) AN ORDINANCE authorizing the City Manager to execute Amendment No. 5 to the First Reinstated Agreement for the Exchange of Real Estate between the City of Roanoke, Virginia and Greater Roanoke Transit Company dated September 17, 2019 ("Agreement") to provide for (i) the sale and transfer of the GRTC Relocation Parcels, as described below, to Greater Roanoke Transit Company ("GRTC") from the City of Roanoke, Virginia ("City"), and (ii) the acquisition of Campbell Court, as described below, by the City from GRTC; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 82, page 259.)

Council Member Moon Reynolds moved the adoption of Ordinance No. 42259-011822. The motion seconded by Council Member Cobb and adopted by the following vote:

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

NAYS: None-0.

AMERICAN RESCUE PLAN ACT FUNDING: The City Manager submitted a written communication recommending adoption of a resolution ratifying the acceptance of American Rescue Plan Act funding from the Office of the Attorney General to support community-based gun violence prevention initiatives.

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

Council Member Cobb offered the following resolution:

(#42260-011822) A RESOLUTION ratifying and approving the acceptance of American Rescue Plan Act (ARPA) funding through the Commonwealth of Virginia, Office of the Attorney General to address community-based gun violence prevention programming in the City; and ratifying and authorizing the execution of any required documentation on behalf of the City.

(For full text of resolution, see Resolution Book No. 82, page 261.)

Council Member Cobb moved the adoption of Resolution No. 42260-011822. The motion seconded by Vice-Mayor White Boyd and adopted by the following vote:

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

NAYS: None-0.

Vice-Mayor White-Boyd offered the following budget ordinance:

(#42261-011822) AN ORDINANCE to appropriate funding through the Virginia General Assembly and Office of the Attorney General for the American Rescue Plan Act (ARPA) – Coronavirus Relief Fund to support the implementation of data-informed strategies that will result in reduced gun violence in local communities disproportionately affected by gun violence, due to ongoing matters related to the COVID-19 pandemic, 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 262.)

Vice-Mayor White-Boyd moved the adoption of Resolution No. 42261-011822. The motion seconded by Cobb and adopted by the following vote:

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

NAYS: None-0.

COMMENTS OF CITY MANAGER:

The City Manager offered the following comments:

Budgeting for Outcomes – Performance Measures

- Indicators that are a report card at the end of the budget cycle to see how things were accomplished, alongside an audit to see how things were going financially.
- Presented in January and located on the management and budget web page titled Measures and Budget Indicators for public viewing.

Innovation Corridor

- Opinion editorial article in the *Cardinal News*, online newspaper, written by many including Marc Nelson, Director of Economic Development, with regard to exiting efforts in the innovation corridor.
- Thanked Marc for his work on the article.

Snow Event

- City workers began on last Thursday evening preparing the streets for the potential snow event and continue to clean the streets daily to make them accessible for citizens.
- Over 1,100 lane miles of streets the City workers are responsible for clearing, with only 100 snow workers on 12-hour shifts on a 24-hour rotation.
- 100,000 tons of salt was spread to help melt the snow.
- City goal to have 90 percent of the major streets cleared within 24 hours of the conclusion of a snow event.
- Workforce decreased because of Covid-19. Thanked all workers and supervisors for their support.

REPORTS OF COMMITTEES:

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

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

Vice-Mayor White-Boyd offered the following budget ordinance:

(#42262-011822) AN ORDINANCE to appropriate funding from the Commonwealth, federal and private grant for various educational programs, amending and re-ordinating 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 263.)

Vice-Mayor White-Boyd moved the adoption of Budget Ordinance No. 42262-011822. The motion seconded by Council Member Cobb and adopted by the following vote:

AYES: Council Members Jeffrey, Moon Reynolds, Sanchez-Jones, White-Boyd, Bestpitch, Cobb, 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:

Council Member Cobb briefed Council on the Greater Roanoke Transit Company, Board of Directors meeting previously held at 12:30 p.m. He advised that the construction of the new downtown transit center remains on schedule with no expected delays and noted that the Board authorized the purchase of three new electric transit buses and reviewed the Transit Marketing Plan.

UNFINISHED BUSINESS: NONE.

INTRODUCTION AND CONSIDERATION OR ORDINANCES AND RESOLUTIONS: NONE.

MOTIONS AND MISCELLANEOUS BUSINESS: NONE.

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

Council Member Moon Reynolds commended the Vice-Mayor on the fundraiser for the Henrietta Lacks projects collaborating with the Harrison Museum of African American Culture to solicit funds. The Vice-Mayor advised that if anyone wished to donate funds, please remit to P.O. Box 21054, Roanoke, Virginia 24018.

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

At 3:50 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 Lea, presiding.

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

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 The Reverend Michael L. Cherry, II, Youth Director, Garden of Prayer #7 Vision of Faith Ministries.

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

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 Moon Reynolds and adopted by the following vote:

AYES: Council Members Jeffrey, Moon Reynolds, Sanchez-Jones, White-Boyd, Bestpitch (participated by electronic means), Cobb, and Mayor Lea, Sr.-7.

NAYS: None-0.

PUBLIC HEARINGS:

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 Tuesday, January 18, 2022, 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., the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, December 28, 2021 and Tuesday, January 4, 2022.

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

Inasmuch as the City Planning Commission continued the above mentioned matter to Monday, February 14, 2022, 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 Tuesday, April 6, 1981, the City Clerk having advertised a public hearing for Tuesday, January 18, 2022, 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, December 28, 2021 and Tuesday, January 4, 2022.

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

Inasmuch as the City Planning Commission continued the above mentioned matter to Monday, February 14, 2022, 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 Tuesday, January 18, 2022, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of 829 Salem Avenue, LLC, to rezone property located at 829 Salem Avenue, S. W., from Light Industrial District to Urban Flex District to be used as a mixed-use building, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, December 28, 2021 and Tuesday, January 4, 2022.

(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 Original Application is consistent with the City's Comprehensive Plan, Downtown Plan 2017, and the Zoning Ordinance as the subject property will be used in a manner appropriate to the surrounding area.

(For full text, see report in the City Clerk's office.)

Council Member Cobb offered the following ordinance:

(#42263-011822) AN ORDINANCE to rezone certain property located at 829 Salem Avenue, S. W., from I-1, Light Industrial District, to UF, Urban Flex District, and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 82, page 266.)

Council Member Cobb moved the adoption of Ordinance No. 42263-011822. The motion seconded by Vice-Mayor White-Boyd.

John Garland, Manager, 829 Salem Avenue, LLC, appeared before the Council in support of the request.

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

Council Member Cobb inquired with regard to the parameters of the Urban Flex District; whereupon, Wayne Leftwich, Senior City Planner explained that it allowed for mixed uses.

There being no additional comments and/or questions by the Council Members, Ordinance No. 42263-011822 was adopted by the following vote:

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

NAYS: None-0.

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Tuesday, January 18, 2022, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of the Roanoke City School Board to amend the Institutional Planned Unit Development Plan as part of a previous rezoning at 3601 Ferncliff Avenue, N. W., adopted by Ordinance No. 38623-092109; amendments include changes in uses of particular buildings and additional support buildings and parking, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, December 28, 2021 and Tuesday, January 4, 2022.

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

The City Planning Commission submitted a written report recommending approval noting that the proposed amendment of the planned unit development plan is consistent with the general layout, design and uses shown on the current plan and is consistent with the policies of City Plan 2040 and the Peters Creek North Neighborhood Plan; and the proposed change allows for flexibility of use in buildings on the INPUD campus and adds support buildings and site development in a manner that is appropriate to the surrounding area.

(For full text, see report in the City Clerk's office.)

Vice-Mayor White-Boyd offered the following ordinance:

(#42264-011822) AN ORDINANCE to amend the Institutional Planned Unit Development (INPUD) development plan, previously adopted under Ordinance No. 38613-092109, on September 21, 2009, as it pertains to property located at 3601 Ferncliff Avenue, N. W., bearing Official Tax Map No. 6460102; and dispensing with the second reading of this Ordinance by title.

(For full text of ordinance, see Ordinance Book No. 82, page 268.)

Vice-Mayor White-Boyd moved the adoption of Ordinance No. 42264-011822. 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.

Council Member Moon Reynolds pointed out that in the City Planning Commission work session community outreach was recommended and inquired if said outreach was performed and how; whereupon, Christopher Perkins, Chief Operations Officer, Roanoke City Public Schools advised that the School Division conducted a City-wide survey along with the strategic plan that received responses from the community. He further stated that having ROTEC in that area to increase career and technical education specifically for William Fleming High School was essential for future strategic planning.

There being no additional comments and/or questions by the Council Members, Ordinance No. 42264-011822 was adopted by the following vote:

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

NAYS: None-0.

STREET CLOSURE: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Tuesday, January 18, 2022, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of the Roanoke City School Board to vacate Truman Avenue, a street adjacent to 3837 Williamson Road, N. W., and 0 Williamson Road, N. W.; approximately 381 linear feet, running northeast from the intersection of Williamson Road, N. W., ending in a cul-de-sac adjacent to 3901 Williamson Road, N. W., the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, December 28, 2021 and Tuesday, January 4, 2022.

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

The City Planning Commission submitted a written report recommending approval of the vacation of right-of-way as requested, contingent upon the following conditions:

1. Upon meeting all 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 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.

2. 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.

3. 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. Such 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. The applicant shall include a 20-foot easement to the Western Virginia Water Authority along the full length of existing sewer line along Truman Avenue, an easement for the stormwater inlets and drain located near the intersection of Truman Avenue and Williamson Road N. W., and an easement for the street signal at the intersection of Truman Avenue and Williamson Road, N. W.

4. 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 such ordinance will be null and void with no further action by City Council being necessary, unless extended by the Agent for the Planning Commission for an additional six (6) months prior to the end of the twelve (12) month period.

(For full text, see report in the City Clerk's office.)

Council Member Moon Reynolds offered the following ordinance:

(#42265-011822) AN ORDINANCE permanently vacating, discontinuing and closing a public right-of-way in the City of Roanoke located on Truman Avenue, as more particularly described hereinafter; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 82, page 269.)

Council Member Moon Reynolds moved the adoption of Ordinance No. 42265-011822. The motion seconded by Vice-Mayor White-Boyd.

Christopher Perkins, Chief Operations Officer, Roanoke City Public Schools appeared before the Council in support of the street closure.

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. 42265-011822 was adopted by the following vote:

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

NAYS: None-0.

LEASE OF CITY-OWNED PROPERTY: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Tuesday, January 18, 2022, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a proposal of the City of Roanoke to consider the lease of the Gill Memorial Property to the Valleys Innovation Council to continue the operation of the Regional Acceleration and Mentoring Program, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, January 7, 2022.

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

The City Manager submitted a written report recommending execution of a Management Services Agreement and Lease Agreement between the City and Valleys Innovation Council approved as to form by the City Attorney.

(For full text, see report in the City Clerk's office.)

Vice-Mayor White-Boyd offered the following ordinance:

(#42266-011822) AN ORDINANCE authorizing the City Manager or his designee to execute a lease agreement and services agreement with The Roanoke-Blacksburg Innovation Network d/b/a Valleys Innovation Council ("VIC"), for the lease of an approximately 0.1671 acre parcel of City-owned property located at 709 South Jefferson Street, S. W., Roanoke, Virginia, designated as Roanoke City Official Tax Map No. 1020510; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 82, page 271.)

Vice-Mayor White-Boyd moved the adoption of Ordinance No. 42266-011822. The motion seconded by Council Member Jeffrey.

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. 42266-011822 was adopted by the following vote:

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

NAYS: None-0.

LEASE OF CITY-OWNED PROPERTY: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Tuesday, January 18, 2022, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a proposal of the City of Roanoke to consider a lease agreement with Rutherford Properties, LLC, for City-owned property located at 1 Jefferson Street, S. W., and 7 Jefferson Street, S. W., to provide office space to a sub-lessee, was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Monday, January 10, 2022.

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

The City Manager submitted a written report recommending execution of a Lease Agreement between the City and Rutherford Properties, LLC, approved to form by the City Attorney.

(For full text, see report in the City Clerk's office.)

Council Member Cobb offered the following ordinance:

(#42267-011822) AN ORDINANCE authorizing the City Manager or his designee to execute a lease agreement with Rutherford Partners, LLC ("Lessee"), for the lease of an approximately 0.1670 acre parcel of City-owned property located at 1 Jefferson Street, S. W., Roanoke, Virginia, designated as Official Tax Map No. 1010507 and an approximately 0.1158 acre parcel of City-owned property located at 7 South Jefferson Street, S. W., Roanoke, Virginia, designated as Roanoke City Official Tax Map No. 1020510 ("Property") for a term of up to three years, commencing on January 31, 2022 ("Lease"). The provisions of the proposed Lease include the payment of rent by the Lessee to the City, and other consideration; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 82, page 273.)

Council Member Cobb moved the adoption of Ordinance No. 42267-011822. The motion seconded by Council Member Jeffrey.

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. 42267-011822 was adopted by the following vote:

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

NAYS: None-0.

HEARING OF CITIZENS UPON PUBLIC MATTERS: NONE.

There being no further business to come before the Council, Mayor Lea declared the regular meeting adjourned at 7:50 p.m.

A P P R O V E D

ATTEST:

Cecelia F. McCoy, CMC
City Clerk

Sherman P. Lea, Sr.
Mayor
