

ROANOKE CITY COUNCIL-REGULAR SESSION

August 15, 2022

2:00 p.m.

The Council of the City of Roanoke met in regular session on Monday, August 15, 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 Vivian Sanchez-Jones, Patricia White-Boyd, William D. Bestpitch, Joseph L. Cobb, Stephanie Moon Reynolds, Anita J. Price, and Mayor Sherman P. Lea, Sr.-7.

ABSENT: None-0.

The Mayor declared the existence of a quorum.

OFFICERS PRESENT: Clarence Grier, Deputy City Manager; Timothy R. Spencer, City Attorney; and Cecelia F. McCoy, City Clerk.

The Invocation was delivered by The Reverend Jeff Wilson, Pastor, Huntington Court United Methodist Church.

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

PRESENTATION AND ACKNOWLEDGEMENTS: NONE.

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that City Council sets this time as a priority for citizens to be heard. All matters will be referred to the City Manager for response, recommendation or report to Council, as she may deem appropriate.

Barbara Duerk, 2607 Rosalind Avenue, S. W., appeared before the Council and advised that government represents a three-legged stool and a key to the City.

Owen McGuire, 2514 Brambleton Avenue, S. W., appeared before the Council to express concerns about Fishburn Park Drive Disc Golf Course.

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.

MINUTES OF THE REGULAR MEETING OF CITY COUNCIL: Minutes of the regular meeting of City Council held on Monday, August 1, 2022, were 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 Price and adopted by the following vote:

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

NAYS: None-0.

RESIGNATION OF DR. BRENDA RUSS-EQUITY AND EMPOWERMENT ADVISORY BOARD: A communication from the City Clerk advising of the resignation of Dr. Brenda Russ as a member of the Equity and Empowerment Advisory Board, effectively immediately.

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

Council Member Moon Reynolds moved that Council accept the resignation and receive and file the communication. The motion seconded by Council Member Price and adopted by the following vote:

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

NAYS: None-0.

PUBLICLY OWNED PROPERTY: A communication from the City Attorney requesting that Council convene in a Closed Meeting to discuss the acquisition of publicly owned property in the Williamson Road area of the City, 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 Attorney as abovementioned. The motion seconded by Council Member Price and adopted by the following vote:

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

NAYS: None-0.

PUBLICLY OWNED PROPERTY: A communication from the City Attorney requesting that Council convene in a Closed Meeting to discuss the acquisition of publicly owned property in the Wasena area of the City, 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 Attorney as abovementioned. The motion seconded by Council Member Price and adopted by the following vote:

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

NAYS: None-0.

ANNUAL REPORT OF THE ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF ROANOKE: Annual report of the Economic Development Authority of the City of Roanoke, Virginia, for the fiscal year ended June 30, 2022.

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

Council Member Moon Reynolds moved that the annual report be received and filed. The motion seconded by Council Member Price and adopted by the following vote:

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

NAYS: None-0.

ANNUAL REPORTS OF THE CITY OF ROANOKE PENSION PLAN, BOARD OF TRUSTEES: Annual reports of the City of Roanoke Pension Plan, Board of Trustees for the fiscal years ended June 30, 2021 and June 30, 2022.

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

Council Member Moon Reynolds moved that the annual reports be received and filed. The motion seconded by Council Member Price and adopted by the following vote:

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

NAYS: None-0.

ANNUAL REPORTS OF THE CITY OF ROANOKE FINANCE BOARD: Annual reports of the City of Roanoke Finance Board for the fiscal years ended June 30, 2021 and June 30, 2022.

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

Council Member Moon Reynolds moved that the annual reports be received and filed. The motion seconded by Council Member Price and adopted by the following vote:

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

NAYS: None-0.

ANNUAL REPORTS OF THE DEFINED CONTRIBUTION BOARD: Annual reports of the Defined Contribution Board for the fiscal years ended June 30, 2021 and June 30, 2022.

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

Council Member Moon Reynolds moved that the annual reports be received and filed. The motion seconded by Council Member Price and adopted by the following vote:

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

NAYS: None-0.

OATHS OF OFFICE-PARKS AND RECREATION ADVISORY BOARD, VIRGINIA'S FIRST REGIONAL INDUSTRIAL FACILITY AUTHORITY, AND CITY OF ROANOKE PENSION PLAN, BOARD OF TRUSTEES: Reports of qualification of Melanie Crovo as a member of the Parks and Recreation Advisory Board for a three-year term of office commencing April 1, 2020 and ending March 31, 2023; and Marc Nelson as a member of Virginia's First Regional Industrial Facilities Authority and the City of Roanoke Pension Plan, Board of Trustees for a four-year term of office ending June 30, 2026 and a two-year term of office ending June 30, 2024, respectively.

(See Oaths or Affirmations of Office on file in the City Clerk's Office.)

Council Member Moon Reynolds moved that the reports of qualification be received and filed. The motion seconded by Council Member Price and adopted by the following vote:

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

NAYS: None-0.

REGULAR AGENDA

PUBLIC HEARINGS: NONE.

PETITIONS AND COMMUNICATIONS: NONE.

REPORTS OF CITY OFFICERS AND COMMENTS OF CITY MANAGER:

CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

KING STREET IMPROVEMENT PROJECT: The City Manager submitted a written communication recommending de-appropriation of the Virginia Department of Transportation local revenue sharing funds for the King Street Improvement Project.

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

Council Member Moon Reynolds offered the following budget ordinance:

(#42419-081522) AN ORDINANCE to de-appropriate funding from the Virginia Department of Transportation (VDOT), amending and reordaining certain sections of the 2022 - 2023 Capital Projects Funds Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of budget ordinance, see Ordinance Book No. 82, page 516.)

Council Member Moon Reynolds moved the adoption of Budget Ordinance No. 42419-081522. The motion seconded by Council Member Cobb and adopted by the following vote:

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

NAYS: None-0.

ROANOKE RIVER GREENWAY BRIDGING THE GAP CANOPY CONSTRUCTION PROJECT: The City Manager submitted a written communication recommending execution of an additional change order to the agreement with Norfolk Southern in connection with the Roanoke River Greenway Bridging the Gap Canopy Construction Project.

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

Council Member Moon Reynolds offered the following resolution:

(#42420-081522) A RESOLUTION authorizing the City Manager's issuance and execution of additional change orders to the City's contract with Norfolk Southern, for additional construction support services for the Roanoke River Greenway "Bridge the Gap" Project; and authorizing the City Manager or his designee to take such actions and execute such documents as may be necessary to provide for the implementation, administration, and enforcement of such contract, as amended.

(For full text of the resolution, see Resolution Book No. 82, page 517.)

Council Member Moon Reynolds moved the adoption of Resolution No. 42420-081522. The motion seconded by Council Member Sanchez-Jones and adopted by the following vote:

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

NAYS: None-0.

COMMENTS OF CITY MANAGER: NONE.

CITY ATTORNEY:

AMENDMENT TO THE CITY CODE TO CHANGE DUE DATE OF PERSONAL PROPERTY TAXES: The City Attorney submitted a written communication recommending amendment of the City Code to change the due date of personal property taxes owed by a public service corporation.

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

Vice-Mayor White-Boyd offered the following ordinance:

(#42421-081522) AN ORDINANCE amending and re-ordaining Subsection (a), Section 32-124, When due and payable, Article IV, Tax on Real Estate and Tangible Personal Property of Public Service Corporations, Chapter 32, Taxation, Code of the City of Roanoke (1979), as amended, to change the due date of the taxes due upon the tangible personal property of public service corporations from May 31 to December 5; providing for an effective date; and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 82, page 518.)

Vice-Mayor White-Boyd moved the adoption of Ordinance No. 42421-081522. The motion seconded by Council Member Moon Reynolds and adopted by the following vote:

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

NAYS: None-0.

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 the City Clerk's Office.)

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

(#42422-081522) AN ORDINANCE to appropriate funding from the Commonwealth, federal and private grant for various educational programs, amending and re-ordaining certain sections of the 2022 - 2023 School 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 519.)

Vice-Mayor White-Boyd moved the adoption of Budget Ordinance No. 42422-081522. The motion seconded by Council Member Price and adopted by the following vote:

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

NAYS: None-0.

REPORTS OF CERTAIN AUTHORITIES, BOARDS, AND COMMISSIONS IN WHICH CITY COUNCIL SERVE AS LIAISONS OR APPOINTEES:

Council Member Moon Reynolds advised that the Roanoke Redevelopment and Housing Authority applied for and received two grants for \$4 million for multiple improvement projects, such as, the Melrose Towers window replacement project; and announced the Section Voucher Program waitlist reopened and the online only application would close again on August 19.

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

Council Member Bestpitch thanked Council Member Moon Reynolds for facilitating the last Legislative Committee Meeting and advised that the next Legislative Committee meeting would be held on September 6, at 9:15 a.m.

UNFINISHED BUSINESS: NONE.

INTRODUCTION AND CONSIDERATION OR ORDINANCES AND RESOLUTIONS: NONE.

MOTION AND MISCELLANEOUS BUSINESS:

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

Council Member Cobb sent good thoughts and energy to all students, teachers and staff in Roanoke City Public Schools.

Mayor Lea announced a free public forum to be held on Human Trafficking on Tuesday, August 16, at 7:00 p.m., at Straight Street.

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

At 2:42 p.m., the Mayor declared the Council meeting in recess for a Closed meeting in the Council's Conference Room, 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, with Mayor Lea presiding.

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

ABSENT: None-0.

The Mayor declared the existence of a quorum.

OFFICERS PRESENT: Clarence Grier, Deputy City Manager; Timothy R. Spencer, City Attorney; and Cecelia T. Webb, Deputy City Clerk.

The Invocation was delivered by Council Member Stephanie Moon Reynolds.

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, Council Member Cobb 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 Vice-Mayor White-Boyd and adopted by the following vote:

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

NAYS: None-0.

PRESENTATION AND ACKNOWLEDGEMENTS:

RECOGNITION OF STUDENTS FROM ST. LO, FRANCE: ANGELE CAHU AND CAMILLE TIMERIE: Council Member Cobb recognized and presented the students with City gifts. The students shared remarks on their experiences in Roanoke and each Council Member welcomed them and wished them safe travels.

PUBLIC HEARING:

CARILION MEDICAL CENTER AMENDMENT OF INSTITUTIONAL PLANNED UNIT DEVELOPMENT PLAN: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, August 15, 2022, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of Carilion Medical Center to amend the Institutional Planned Unit Development Plan as part of a previous rezoning for 1906 Belleview Avenue, S. E., 0 Jefferson Street, S. W., 2013 Jefferson Street, S. W., 2017 Jefferson Street, S. W., 2001 Crystal Spring Avenue, S. W., and 127 McClanahan Street, S. W., respectively, through the adoption of Ordinance No. 41623-111819 on November 18, 2019, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Thursday, July 28, 2022 and Tuesday, August 2, 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 modification and the plan provides for the proposed renovation to the Behavioral Health Services building and new parking garage to appropriately relate to Jefferson Street and McClanahan Street. The previously approved traffic impact analysis incorporated into the PUD plan addresses primary traffic concerns on Jefferson Street and McClanahan Street and allows for further evaluation of traffic impacts and mitigation for those impacts as detailed plans are developed, these changes are appropriate for the area.

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

Vice-Mayor White-Boyd offered the following ordinance:

(#42423-081522) AN ORDINANCE regarding property located at 1906 Belleview Avenue, S. E, 0 Jefferson Street, S. W, 2013 Jefferson Street, S. W, 2017 Jefferson Street, S. W, 127 McClanahan Street, S. W, and 2001 Crystal Spring Avenue, S. W, bearing Official Tax Map Nos. 4060301, 1041002, 1041004, 1041003, 1040902, and 1040905, respectively, by amending an Institutional Planned Unit Development Plan; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 82, page 521.)

Vice-Mayor White-Boyd moved the adoption of Ordinance No. 42423-081522. The motion seconded by Council Member Bestpitch.

Marty Masiko, Carilion, and Chris Burns, Agent, Balzer and Associates, Inc., appeared before Council in support of the Plan amendment.

The Mayor inquired if there were persons present who wished to speak on the matter; whereupon, the following individuals appeared before the Council.

Irene Malachowsky, 2208 Jefferson Street, S. W., Unit 304, spoke on the safety and walkability of the neighborhood with expansions taking place; expressed excitement to find out that the garage on McClanahan and Crystal Spring Avenues would provide free parking to the public; and asked the City to expand the sidewalk plan to include additional sidewalks, crosswalks and traffic signs especially along Jefferson Street, Broadway and McClanahan Avenues.

Barbara Duerk, 2607 Rosalind Avenue, S. W., expressed appreciation for Carilion and all the business and revenue the entity brought to the City of Roanoke; and suggested that neighborhood signage and a gateway entrance from I-581 was needed for Carilion.

There being no additional speakers, he declared the public hearing closed.

The Vice-Mayor commented that the application Carilion submitted to the Planning Commission included great information about the project and expressed disappointment about the postponement of the behavioral healthcare building project.

Council Member Bestpitch commented that clarification was needed on plans for sidewalk, crosswalks and signs and he was also disappointed about the delay of the behavioral healthcare building project.

Following extensive discussion with regard to the project, Council Member Bestpitch added that I-581 ended at Elm Avenue and a crosswalk was needed at the end of Broadway Avenue, S. W.

Mayor Lea advised that he was in support of the project and ordinance.

There being no comments and/or questions by the Council Members, Ordinance No. 42423-081522 was adopted by the following vote:

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

NAYS: None-0.

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that City Council sets this time as a priority for citizens to be heard. All matters will be referred to the City Manager for response, recommendation or report to Council, as she may deem appropriate.

Laura Hartman, 1209 Campbell Avenue, S. W., representing BRRAG Bus Riders Roanoke Advocacy Group, appeared before the Council to thank Council Member Cobb for the support of the group; advised of Valley Metro driver shortage; and invited everyone to attend a BRRAG meeting on September 1, at 5:30 p.m., at the Gainsboro Branch Library.

Ken McLeod, 1125 Winona Avenue, S. W., appeared before the Council and spoke with regard to improving traffic safety; provided local traffic statistics; and offered information on available grants for traffic safety.

There being no further business to come before the Council, Mayor Lea declared the Council meeting adjourned at 8:04 p.m.

A P P R O V E D

ATTEST:

Cecelia F. McCoy, CMC
City Clerk

Sherman P. Lea, Sr.
Mayor
