

ROANOKE CITY COUNCIL-REGULAR SESSION

January 22, 2019

2:00 p.m.

The Council of the City of Roanoke met in regular session on Tuesday, January 22, 2019 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 Vice-Mayor Joseph L. Cobb 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. 41181-070218 adopted by the Council on Monday, July 2, 2018.

PRESENT: Council Members Michelle L. Davis, Djuna L. Osborne, Anita J. Price, Patricia White-Boyd, William D. Bestpitch, and Vice-Mayor Joseph L. Cobb-6.

ABSENT: Mayor Sherman P. Lea, Sr.-1.

The Vice-Mayor declared the existence of a quorum.

Vice-Mayor Cobb announced that although the Mayor was not present at the 2:00 p.m. session of Council, he would be in attendance at the Special Meeting of the Greater Roanoke Stockholder, being represented by the Roanoke City Council, scheduled for 6:30 p.m., and the 7:00 p.m. session of City Council.

OFFICERS PRESENT: Robert S. Cowell, Jr., City Manager; Daniel J. Callaghan, City Attorney; and Stephanie M. Moon Reynolds, City Clerk.

The Invocation was delivered by Vice-Mayor Joseph L. Cobb.

The Pledge of Allegiance to the Flag of the United States of America was led by Vice-Mayor Cobb.

The Vice-Mayor welcomed and recognized Council Member White-Boyd as the Interim Council Member appointed to fill the unexpired term of office of John A. Garland, resigned, ending June 30, 2020.

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 City Council and would be enacted by one motion. There would be no separate discussion of the items. If discussion was 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, December 3, 2018, was before the body.

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

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

**AYES:** Council Members Davis, Osborne, Price, White-Boyd, Bestpitch and Vice-Mayor Cobb-6.

**NAYS:** None-0.

(Mayor Lea was absent.)

**VACANCIES ON CERTAIN AUTHORITIES, BOARDS, COMMISSIONS AND COMMITTEES APPOINTED BY COUNCIL:** A communication from the City Clerk advising of vacancies on the Roanoke Valley-Alleghany Regional Commission, Roanoke Valley-Alleghany Regional Commission Comprehensive Economic Development Strategy Committee, and Roanoke Valley Transportation Planning Organization, due to the resignation of Council Member John A. Garland, effective January 2, 2019, was before Council.

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

Council Member Bestpitch moved that the communication be received and filed. The motion seconded by Council Member Davis and adopted by the following vote:

**AYES:** Council Members Davis, Osborne, Price, White-Boyd, Bestpitch and Vice-Mayor Cobb-6.

**NAYS:** None-0.

(Mayor Lea was absent.)

REPORT ON COLLECTIONS OF COMMONWEALTH REVENUES BY LOCAL CONSTITUTIONAL OFFICERS FOR THE YEAR ENDED JUNE 30, 2018: A communication from Martha S. Mavredes, CPA, Auditor of Public Accounts, Commonwealth of Virginia, transmitting the Report on Collections of Commonwealth Revenues by Local Constitutional Officers for the Year Ended June 30, 2018, was before Council.

(See copies of communication and Report on Collections on file in the City Clerk's Office.)

Council Member Bestpitch moved that the communication and Report on Collections be received and filed. The motion seconded by Council Member Davis and adopted by the following vote:

AYES: Council Members Davis, Osborne, Price, White-Boyd, Bestpitch and Vice-Mayor Cobb-6.

NAYS: None-0.

(Mayor Lea was absent.)

OATHS OF OFFICE-INTERIM COUNCIL MEMBER-CITY PLANNING COMMISSION-ROANOKE ARTS COMMISSION: Reports of qualification of the following individuals were before the Council:

The Honorable Patricia White-Boyd as the Interim Council Member of the Council of the City of Roanoke, Virginia, to fill the unexpired term of office of John A. Garland ending June 30, 2020;

Pamela Smith as a member of the City Planning Commission for a four-year term of office, commencing January 1, 2019, and ending December 31, 2022;

Patricia Wilhems as a member of the Roanoke Arts Commission to fill the unexpired term of office of William Sellari ending June 3, 2020; and

Frank C. Martin, III, as a member of the City Planning Commission for a four-year term of office, commencing January 1, 2019, and ending December 31, 2022.

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

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

AYES: Council Members Davis, Osborne, Price, White-Boyd, Bestpitch and Vice-Mayor Cobb-6.

NAYS: None-0.

(Mayor Lea was absent.)

REGULAR AGENDA:

PUBLIC HEARINGS: NONE.

PETITIONS AND COMMUNICATIONS:

STATE CRIMINAL ALIEN ASSISTANCE PROGRAM REIMBURSEMENT GRANT: The Honorable Timothy Allen, City Sheriff, submitted a written communication recommending acceptance of the State Criminal Alien Assistance Program Reimbursement Grant from the Bureau of Justice Assistance Office; and the City Manager submitted a written communication concurring in the recommendation.

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

Council Member Price offered the following resolution:

(#41354-012219) A RESOLUTION authorizing acceptance of the State Criminal Alien Assistance Program (SCAAP) Grant made to the City of Roanoke Sheriff's Department by the Bureau of Justice Assistance Office in conjunction with the U.S. Department of Homeland Security, and authorizing execution of any required documentation on behalf of the City.

(For full text of resolution, see Resolution Book No. 80, page 152.)

Council Member Price moved the adoption of Resolution No. 41354-012219. The motion seconded by Council Member Davis and adopted by the following vote:

AYES: Council Members Davis, Osborne, Price, White-Boyd, Bestpitch and Vice-Mayor Cobb-6.

NAYS: None-0.

(Mayor Lea was absent.)

Council Member Price offered the following budget ordinance:

(#41355-012219) AN ORDINANCE to appropriate funding from the Federal government for the State Criminal Alien Assistance Program (SCAAP), amending and reordaining certain sections of the 2018 - 2019 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 80, page 153.)

Council Member Price moved the adoption of Budget Ordinance No. 41355-012219. The motion seconded by Council Member Davis and adopted by the following vote:

AYES: Council Members Davis, Osborne, Price, White-Boyd, Bestpitch and Vice-Mayor Cobb-6.

NAYS: None-0.

(Mayor Lea was absent.)

REPORTS OF CITY OFFICERS AND COMMENTS OF THE CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

2019 VIOLENCE AGAINST WOMEN ACT GRANT: The City Manager submitted a written communication recommending acceptance of the 2019 Violence Against Women Act Grant from the Virginia Department of Criminal Justice Services to fund the Police Department's existing Domestic Violence Specialist position.

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

Council Member Price offered the following resolution:

(#41356-012219) A RESOLUTION authorizing the acceptance of the 2019 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. 80, page 153.)

Council Member Price moved the adoption of Resolution No. 41356-012219. The motion seconded by Council Member Davis and adopted by the following vote:

AYES: Council Members Davis, Osborne, Price, White-Boyd, Bestpitch and Vice-Mayor Cobb-6.

NAYS: None-0.

(Mayor Lea was absent.)

Council Member Price offered the following budget ordinance:

(#41357-012219) 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 2018 - 2019 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 80, page 154.)

Council Member Price moved the adoption of Budget Ordinance No. 41357-012219. The motion seconded by Council Member Davis and adopted by the following vote:

AYES: Council Members Davis, Osborne, Price, White-Boyd, Bestpitch and Vice-Mayor Cobb-6.

NAYS: None-0.

(Mayor Lea was absent.)

**JUVENILE JUSTICE AND DELINQUENCY PREVENTION TITLE II GRANT:**  
The City Manager submitted a written communication recommending acceptance of Juvenile Justice and Delinquency Prevention Title II Grant for 2019 from the Virginia Department of Criminal Justice Services for the Positive Alternatives to School Suspensions (PASS) Project.

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

Council Member Davis offered the following resolution:

(#41358-012219) A RESOLUTION accepting the Juvenile Justice and Delinquency Prevention Title II grant made to the City from 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. 80, page 155.)

Council Member Davis moved the adoption of Resolution No. 41358-012219. The motion seconded by Council Member Price and adopted by the following vote:

AYES: Council Members Davis, Osborne, Price, White-Boyd, Bestpitch and Vice-Mayor Cobb-6.

NAYS: None-0.

(Mayor Lea was absent.)

Council Member Davis offered the following budget ordinance:

(#41359-012219) AN ORDINANCE to appropriate funding from the Virginia Department of Criminal Justice Services for the Juvenile Justice and Delinquency Prevention Grant, amending and reordaining certain sections of the 2018 - 2019 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 80, page 156.)

Council Member Davis moved the adoption of Budget Ordinance No. 41359-012219. The motion seconded by Council Member Osborne and adopted by the following vote:

AYES: Council Members Davis, Osborne, Price, White-Boyd, Bestpitch and Vice-Mayor Cobb-6.

NAYS: None-0.

(Mayor Lea was absent.)

**DONATION IN SUPPORT OF SPECIFIC POLICE PROGRAMS:** The City Manager submitted a written communication recommending acceptance of a donation in support of specific police programs.

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

Council Member Price offered the following resolution:

(#41360-012219) A RESOLUTION accepting the donation of funds from a citizen who wishes to remain anonymous be applied toward the prevention of Crime; authorizing the City Manager to take such further actions and execute all documents as may be necessary to obtain, accept, implement, administer such donation; and expressing the City's appreciation for such donation.

(For full text of resolution, see Resolution Book No. 80, page 157.)

Council Member Price moved the adoption of Resolution No. 41360-012219. The motion seconded by Council Member Osborne.

Following Council Member Price's expression of appreciation for the anonymous donation, Resolution No. 41360-012219 was adopted by the following vote:

**AYES:** Council Members Davis, Osborne, Price, White-Boyd, Bestpitch and Vice-Mayor Cobb-6.

**NAYS:** None-0.

(Mayor Lea was absent.)

Council Member Price offered the following budget ordinance:

(#41361-012219) AN ORDINANCE appropriating funding from Anonymous donations to support crime prevention and community outreach programs, amending and reordaining certain sections of the 2018 - 2019 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 80, page 158.)



Council Member Price moved the adoption of Budget Ordinance No. 41361-012219. The motion seconded by Council Member Davis and adopted by the following vote:

AYES: Council Members Davis, Osborne, Price, White-Boyd, Bestpitch and Vice-Mayor Cobb-6.

NAYS: None-0.

(Mayor Lea was absent.)

**SAMPLE AVENUE/CROWN POINT ROAD STORMWATER DRAINAGE IMPROVEMENT PROJECT:** The City Manager submitted a written communication recommending acquisition of real property rights in connection with the Sample Avenue/Crown Point Road, S. E., Stormwater Drainage Improvement Project.

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

Council Member Davis offered the following ordinance:

(#41362-012219) AN ORDINANCE providing for the acquisition of real property rights needed by the City in connection with the Sample Avenue/Crown Point Road, S. E. Stormwater Drainage Improvement Project (Project); authorizing City staff to acquire such property rights by negotiation for the City; authorizing the City Manager to execute appropriate acquisition documents; and dispensing with the second reading of this Ordinance by title.

(For full text of ordinance, see Ordinance Book No. 80, page 159.)

Council Member Davis moved the adoption of Ordinance No. 41362-012219. The motion seconded by Council Member Osborne and adopted by the following vote:

AYES: Council Members Davis, Osborne, Price, White-Boyd, Bestpitch and Vice-Mayor Cobb-6.

NAYS: None-0.

(Mayor Lea was absent.)

**HOLLOWELL AVENUE STORMWATER DRAINAGE IMPROVEMENT PROJECT:** The City Manager submitted a written communication recommending acquisition of real property rights in connection with the Hollowell Avenue, S. W., Stormwater Drainage Improvement Project.

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

Council Member Price offered the following ordinance:

(#41363-012219) AN ORDINANCE providing for the acquisition of real property rights needed by the City in connection with the Hollowell Avenue, S. W. Stormwater Drainage Improvement Project (Project); authorizing City staff to acquire such property rights by negotiation for the City; authorizing the City Manager to execute appropriate acquisition documents; and dispensing with the second reading of this Ordinance by title.

(For full text of ordinance, see Ordinance Book No. 80, page 160.)

Council Member Price moved the adoption of Ordinance No. 41363-012219. The motion seconded by Council Member Osborne and adopted by the following vote:

AYES: Council Members Davis, Osborne, Price, White-Boyd, Bestpitch and Vice-Mayor Cobb-6.

NAYS: None-0.

#### COMMENTS OF CITY MANAGER.

The City Manager offered the following comments:

#### **Solid Waste Collection Schedule**

City offices were closed on Monday, January 21, in recognition of the Martin Luther King Jr. Day holiday. As a result, all residential/commercial solid waste collection will be delayed one day:

- Monday – All solid waste will be collected on Tuesday
- Tuesday – All solid waste will be collected on Wednesday
- Wednesday – All solid waste will be collected on Thursday
- Thursday – All solid waste will be collected on Friday

For more information, call 853-2000, Option 1.

### **Annual Point-In-Time Count**

- On January 23 and 24, the Blue Ridge Interagency Advisory Council on Homelessness will conduct the annual Point-In-Time count. The count is a statistically reliable, unduplicated count of sheltered and unsheltered homeless individuals and families in the area.
- This survey was conducted by all jurisdictions in the Commonwealth of Virginia to provide baseline data on the number of homeless individuals living in communities and basic demographic information about the homeless population.
- Data collected during the count is critical to effective planning and performance management toward the goal of ending homelessness for each community and for the nation as a whole.
- The results of the survey will be available to the community on or before April 15.

### **Announcements**

Tonya Pickett hired to replace Robert Clement as Neighborhood Services Coordinator.

Jeffrey Powell promoted to replace Michael Shockley as the Director of General Services.

Marci Stone promoted to a Deputy Fire Chief position.

REPORTS OF COMMITTEES: NONE.

UNFINISHED BUSINESS: NONE.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

MOTIONS AND MISCELLANEOUS BUSINESS:

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

VIRGINIA MUNICIPAL LEAGUE LEGISLATIVE DAY: Vice-Mayor announced that he, along with several Members of Council would be attending the Virginia Municipal League Legislative Day on Thursday, January 24 in Richmond, Virginia.

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

At 2:23 p.m., Vice-Mayor Cobb declared the Council meeting in recess until 6:30 p.m. in the Council Chamber, for a special meeting of Greater Roanoke Transit Company Stockholder, being represented by the Roanoke City Council, to discuss, consider, and act upon any recommendations of the Board of Directors of Greater Roanoke Transit Company with respect to acquisition of four parcels of real property within the City of Roanoke; and disposition of real estate owned by Greater Roanoke Transit Company, located in the area of Salem Avenue and Campbell Avenue, S. W., generally known as Campbell Court.

At 6:37 p.m., a Special Meeting of the Stockholder of the Greater Roanoke Transit Company, as represented by the Roanoke City Council, in the Council Chamber, was called to order, with Mayor Sherman P. Lea, Sr., presiding.

PRESENT: Council Members William D. Bestpitch, Joseph L. Cobb, Michelle L. Davis, Djuna L. Osborne, Anita J. Price, Patricia White-Boyd 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; Daniel J. Callaghan, City Attorney; and Cecelia F. McCoy, Deputy City Clerk.

Mayor Lea stated on Monday, January 7, 2019, City Council adopted Resolution No. 41351-010719 authorizing waiver of notice requirements for a special meeting of the Stockholder of Greater Roanoke Transit Company (GRTC), on behalf of the City as the sole stockholder of GRTC; and as representatives of the Stockholder of GRTC, Council as a Whole, will consider the sale of Campbell Court to the City of Roanoke, Virginia and acquisition of real estate to construct a new transportation center within the City.

He further stated Council Member Davis noted, for the record, a personal conflict of interest regarding the abovementioned matter due to her employer, Boys & Girls Club of Southwest Virginia, Inc., having an interest in a lease transaction with Restoration Housing, who are involved in a transaction related to the sale of Campbell Court to the City of Roanoke, which Statement of Conflict of Interest was recorded at a previous Council meeting.

At this point, Council Member Davis left the Council Chamber (6:39 p.m.).

The City Attorney submitted a written report recommending that Council authorize the City, as stockholder of GRTC, to take all steps necessary to effectuate the transactions contemplated in the City and GRTC Exchange Agreement, including, without limitation, sale and exchange of Campbell Court to the City by Special Warranty Deed; and acquisition of the GRTC Relocation Parcels by GRTC, pursuant to a Special Warranty Deed.

(For full text, see copy of report and draft attachments on file in the City Clerk's Office.)

Vice-Mayor Cobb offered the following resolution:

(#41364-012219) A RESOLUTION approving of the disposition of Campbell Court as set forth in the Agreement for the Exchange of Real Estate Between the City of Roanoke, Virginia ("City") and Greater Roanoke Transit Company ("GRTC") ("City and GRTC Exchange Agreement"), as recommended by the GRTC Board; ratifying, approving, and authorizing the actions of the GRTC Board to (i) authorize the President and General Manager of GRTC to execute the City and GRTC Exchange Agreement; and (ii) authorize the President and/or General Manager to execute such further documents and take such further actions as may be necessary to accomplish the sale of real property and the acquisition of real property; and authorizing the City Manager or the Mayor to execute a certification that the City, as Stockholder of GRTC, approves of the disposition of Campbell Court, as recommended by the Board of GRTC, and in accordance with the proposed City and GRTC Exchange Agreement.

(For full text of resolution, see Resolution Book 80, page 161.)

Vice-Mayor Cobb moved the adoption of Resolution No. 41364-012219. The motion seconded by Council Member Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Cobb, Osborne, Price, White-Boyd and Mayor Lea-6.

NAYS: None-0.

(Council Member Davis was out of the Council Chamber).

At 6:44 p.m., the Mayor declared the Council meeting in recess until 7:00 p.m. in the City Council Chamber.

At 7:00 p.m., 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 Michelle L. Davis, Djuna L. Osborne, Anita J. Price, Patricia White-Boyd, William D. Bestpitch, Joseph L. Cobb, 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; Daniel J. Callaghan, City Attorney; and Cecelia F. McCoy, Deputy City Clerk.

The Invocation was delivered by The Reverend Kathy O’Keeffe, Pastor, Kingdom Life Ministries.

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

NEW BUSINESS:

CITY OF ROANOKE COURTS BUILDING: In accordance with the policy of City Council established by Resolution No. 37976-121707 adopted on December 17, 2007, regarding the naming of City-owned facilities, Council Member Price offered the following resolution recognizing and honoring Oliver White Hill, Sr., for his outstanding contributions to the City of Roanoke, the Commonwealth of Virginia, and the United States of America:

(#41365-012219) A RESOLUTION naming the City of Roanoke Courts Building located at 315 Church Avenue, S. W., commonly known as the Roanoke City Courts Building, as the “Oliver W. Hill Justice Center,” in honor of Oliver White Hill, Sr.

(For full text of resolution, see Resolution Book No. 80, page 164.)

Council Member Price moved the adoption of Resolution No. 41365-012219. The motion seconded by Council Member White-Boyd.

Council Member Bestpitch acknowledged this was a great opportunity for the City of Roanoke and was unaware of anyone who had practiced in the City of Roanoke that had a greater impact on our entire nation than Mr. Hill; and was pleased that the Foundation had agreed to name the Courthouse.

Mayor Lea also expressed his appreciation regarding the naming of the Oliver Hill, Sr., Justice Center and thanked Council Member Bestpitch and the City Attorney for their hard work and the Circuit Court judges for their support.

There being no comments by the Council Members, Ordinance No. 41365-012219 was adopted by the following vote:

AYES: Council Members Davis, Osborne, Price, White-Boyd, Bestpitch, Cobb, and Mayor Lea-7.

NAYS: None-0.

INCREASE IN PAY FOR MAYOR AND MEMBERS OF CITY COUNCIL: Council Member Bestpitch offered the following resolution increasing the annual salaries of the Mayor and Council Members:

(#41366-012219) AN ORDINANCE increasing and establishing the annual salaries of the Mayor and Council Members for fiscal year beginning July 1, 2020; 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. 80, page 166.)

Council Member Bestpitch moved the adoption of Ordinance No. 41366-012219. The motion seconded by Council Member Price.

Chris Craft, 1501 East Gate Avenue, N. E., appeared before Council and spoke in opposition of the proposed increase in salaries for the Mayor and Members of Council at this time, inasmuch as City employees were not receiving large increases in salaries.

There being no comments by the Council Members, Ordinance No. 41366-012219 was adopted by the following vote:

AYES: Council Members Davis, Osborne, Price, White-Boyd, Bestpitch, Cobb, and Mayor Lea-7.

NAYS: None-0.

PUBLIC HEARINGS:

SEVEN HILLS INVESTMENT PROPERTIES, LLC: 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 22, 2019 at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of Seven Hills Investment Properties, LLC, to rezone property located at 3162 Williamson Road, N. W., designated as Official Tax Map No. 2070143, from CN, Commercial Neighborhood District, to CG, Commercial-General District, with conditions, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, January 1, 2019 and Tuesday, January 8, 2019.

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

The City Planning Commission submitted a written report recommending approval of rezoning request, finding that the Amended Application No. 2 is consistent with the City's Comprehensive Plan, *Williamson Road Area Plan*, and Zoning Ordinance as the subject property will be redeveloped and used in a manner appropriate to the surrounding area.

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

Council Member Bestpitch offered the following ordinance:

(#41367-012219) AN ORDINANCE to rezone certain property located at 3162 Williamson Road, N. W., from CN, Commercial-Neighborhood District, to CG, Commercial-General District, subject to certain conditions proffered by the applicant; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 80, page 167.)

Hussain B. Alam, Owner and President, Alam Design Group, Agent, appeared in support of the petitioner.

Mayor Lea inquired if there were persons present who wished to speak on the matter; whereupon, the following individual appeared regarding rezoning:

Nina Heldt, 3153 Round Hill Avenue, N. W., appeared before Council and spoke in support of the proposed renovation of the property, but expressed concern regarding the construction in relation to collection of trash, parking lot lighting, and construction noise. She also requested that old trees on the property be saved and a wooden privacy fence be installed.



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

In response to an inquiry about plans for the building, Mr. Alam stated that offices on the first floor would be renovated to a laundromat and additional residential dwellings, and a reconfiguration of the Haffen Street, N. W., right-of-way and existing parking area.

There being no further comments and/or questions by the Council Members, Ordinance No. 41367-012219 was adopted by the following vote:

AYES: Council Members Davis, Osborne, Price, White-Boyd, Bestpitch, Cobb, and Mayor Lea-7.

NAYS: None-0.

VACATION OF DENNISTON AVENUE, S. W.: 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 22, 2019 at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of the City of Roanoke for the vacation of a portion of Denniston Avenue, S. W., from its intersection with the southern side of Memorial Avenue, S. W., at an approximate width of 133 feet, to its intersection with the western side of Our Street, S. W., at an approximate width of 89 feet, for a distance of approximately 163 feet along the northern side of Denniston Avenue adjacent to 1742 Memorial Avenue, S. W., Official Tax Map No. 1330401, and for a distance of approximately 275 feet along the southern side of Denniston Avenue adjacent to 0 Denniston Avenue, S. W., Official Tax Map No. 1330606, was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, January 1, 2019 and Tuesday, January 8, 2019.

(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.) The City shall submit a subdivision plat to the Agent for the Planning Commission, receive all required approvals, and record the plat with the Clerk of the Circuit Court for the City of Roanoke. Such plat shall 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.

- 2.) Upon meeting all conditions to the granting of the application, the City 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 the names of any other parties in interest who may so request, as Grantees. The City shall pay such fees and charges as are required by the Clerk to effect such recordation.
- 3.) Upon recording a certified copy of this ordinance with the Clerk of the Circuit Court of the City of Roanoke, Virginia, the City shall file with the Engineer for the City of Roanoke, Virginia, the Clerk's receipt or other document acceptable to the Engineer for the City of Roanoke, demonstrating that such recordation has occurred.
- 4.) If the above conditions have not been met within a period of one year from the date of adoption of this ordinance, then such ordinance shall be null and void with no further action by the City Council being necessary.
- 5.) As part of the redevelopment of the adjacent property (1742 Memorial Avenue, S. W., Official Tax No. 1330401), Our Street, S. W., will be improved to accommodate additional multimodal use resulting from the vacation.

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

Vice-Mayor Cobb offered the following ordinance:

(#41368-012219) AN ORDINANCE permanently vacating, discontinuing and closing a portion of Denniston Avenue, S. W., from its intersection with the southern side of Memorial Avenue, S. W., to its intersection with the western side of Our Street, S. W., for a distance of approximately 163 feet along the northern side of Denniston Avenue adjacent to 1742 Memorial Avenue, S. W., Official Tax Map No. 1330401, and for a distance of approximately 325 feet along the southern side of Denniston Avenue adjacent to 1802 Memorial Avenue, S. W., Official Tax Map No. 1330605, 0 Denniston Avenue, S. W., Official Tax Map No. 1330606, and 1810 Denniston Avenue, S. W., Official Tax Map No. 1330631, 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. 80, page 168.)

Vice-Mayor Cobb moved the adoption of Ordinance No. 41368-012219. The motion seconded by Council Member Price.

Tom Austin, Mattern and Craig, appeared in support of the petitioner.

Mayor Lea inquired if there were persons present who wished to speak on the matter; whereupon, the following individual appeared regarding the street closure:

Mim Young, 1809 Westover Avenue, S. W., appeared and spoke in support of the new fire station construction.

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

Council Member Davis received positive comments from conversations with Chief David Hoback, Fire/EMS Department, and the City Manager, adding the changes would have a positive effect on citizens living in the area.

There being no further comments and/or questions by the Council Members, Ordinance No. 41368-012219 was adopted by the following vote:

AYES: Council Members Davis, Osborne, Price, 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 22, 2019 at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of the City of Roanoke to rezone 1742 Memorial Avenue, S. W., Official Tax Map No. 1330401, from Commercial-Neighborhood District (CN) to Institutional Planned Unit Development District (INPUD), a portion of 0 Denniston Avenue, S. W., Official Tax Map No. 1330606, from Commercial-Neighborhood District (CN) and Residential Mixed Density District (RM-2) to Institutional Planned Unit Development District (INPUD), a portion of 1810 Denniston Avenue, S. W., Official Tax Map No. 1330631, from Residential Mixed Density District (RM-2) to Institutional Planned Unit Development District (INPUD), and a portion of the Denniston Avenue right-of-way to be vacated between these parcels (bearing Official Tax Map Nos. 1330401, 1330606, and 1330631) from Residential Mixed Density District (RM-1), Residential Mixed Density District (RM-2) and Commercial-Neighborhood District (CN) to Institutional Planned Unit Development District (INPUD), the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, January 1, 2019 and Tuesday, January 8, 2019.

(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 is consistent with the City's Comprehensive Plan, Greater Raleigh Court Neighborhood Plan, and Zoning Ordinance as the subject property will be redeveloped and used in a manner appropriate to the surrounding area.

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

Council Member Bestpitch offered the following ordinance:

(#41369-012219) AN ORDINANCE to rezone certain properties located at 1742 Memorial Avenue, S. W., bearing Official Tax Map No. 1330401, from Commercial-Neighborhood District (CN), to Institutional Planned Unit Development District (INPUD), a portion of 0 Denniston Avenue, S. W., bearing Official Tax Map No. 1330606, from Commercial-Neighborhood District (CN) and Residential Mixed Density District (RM-2) to Institutional Planned Unit Development District (INPUD), a portion of 1810 Denniston Avenue, S. W., bearing Official Tax Map No. 1330631, from Residential Mixed Density District (RM-2) to Institutional Planned Unit Development District (INPUD), and a portion of the Denniston Avenue right-of-way to be vacated between these parcels, bearing Official Tax Map Nos. 1330401, 1330606, and 1330631, from Residential Mixed Density District (RM-1), Residential Mixed Density District (RM-2) and Commercial-Neighborhood District (CN) to Institutional Planned Unit Development District (INPUD); and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 80, page 171.)

Council Member Bestpitch moved the adoption of Ordinance No. 41369-012219. The motion seconded by Council Member Davis.

Tom Austin, Mattern and Craig, appeared before Council in support of the rezoning.

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/or comments by the Council Members, Ordinance No. 41369-012219 was adopted by the following vote:

AYES: Council Members Davis, Osborne, Price, 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 22, 2019 at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of the City of Roanoke regarding proposed amendments to Chapter 36.2, Zoning, of the Code of the City of Roanoke (1979), as amended, by amending and reordaining, adding or deleting the various code sections to update, clarify and make the City's zoning ordinance easier to use for its citizens, and to make the City's zoning ordinance consistent with state code, such amendments not constituting a comprehensive rezoning or change of any densities that would decrease permitted density in any district, unless otherwise noted, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, January 1, 2019 and Tuesday, January 8, 2019.

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

The City Planning Commission submitted a written report recommending approval of the various proposed amendments to the Zoning Ordinance.

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

Council Member Osborne offered the following ordinance:

(#41370-012219) AN ORDINANCE amending and reordaining Section 36.2-205, Dimensional regulations; Section 36.2-311, Use table for residential districts; Section 36.2-312, Dimensional regulations for residential districts; Section 36.2-315, Use table for multiple purpose districts; Section 36.2-316, Dimensional regulations for multiple purpose districts; Section 36.2-322, Use table for industrial districts; Section 36.2-328, Dimensional regulations for planned unit development districts; Section 36.2-530, Certificates of appropriateness; Section 36.2-642, General landscaping and screening standards; Section 36.2-644, Overall tree canopy requirements; Section 36.2-652, Minimum parking; Section 36.2-654, Parking and Loading Area Standards; Section 36.2-816, Rules and records; Section 36.2-826, Rules and records; Section 36.2-840, Generally; establishment; 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. 80, page 173.)

Council Member Osborne moved the adoption of Ordinance No. 41370-012219. The motion seconded by Council Member Davis.

Ian Shaw, City Planning Commission Agent, appeared before Council in support of approval of the proposed amendments to the Zoning Ordinance.

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

Lisa O'Neill, 1345 Blue Ridge Turnpike, Fincastle, Executive Director of Angels of Assisi, appeared and spoke about services of Angels of Assisi and informed the Council that a donor gifted property located at the corner of Franklin Road and Elm Avenue, S. W., for construction of a pet veterinary facility, and therefore, was in support of the Zoning amendments.

Mim Young, 1809 Westover, Avenue, S. W., appeared and spoke in support of proposed changes to the Zoning Code for development of housing properties in the City.

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

Chris Chittum, Director of Planning, Building and Development, summarized the proposed zoning changes, noting significant changes affecting land usages, such as Angels of Assisi, which would allow kennels into the downtown district. In relation to residential districts, there will be an entry of multi-family units with 10 or fewer units, and units with more than ten units; and special exceptions in the RM-2 Zone.

Mr. Chittum stated Section 36.2-530 C.4 was being removed in its entirety since it is no longer the same application; adding the intent was to certain citizens did not file the same application repeatedly.

There being no additional comments and/or questions by the Council Members, Ordinance No. 41370-012219 was adopted by the following vote:

AYES: Council Members Davis, Osborne, Price, White-Boyd, Bestpitch, Cobb, and Mayor Lea-7.

NAYS: None-0.

At this point, Council Member Davis left the Council Chamber, due to having noted for the record a personal conflict of interest in connection with Item B - 5, being her employer, Boys & Girls Club of Southwest Virginia, Inc., has an interest in a lease transaction with Restoration Housing, who are involved in a transaction related to the sale of Campbell Court to the City of Roanoke, which Statement of Conflict of Interest was recorded at a previous Council meeting (8:04 p.m.).

CAMPBELL COURT: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Tuesday, January 22, 2019 at 7:00 p.m., or as soon thereafter as the matter may be heard to receive public comments on the proposed sale and exchange of four parcels of real property, collectively referred to as the GRTC Relocation Parcels, and described as (1) 0 Salem Avenue, S. W., bearing Official Tax Map No. 1010113; and 325 Salem Avenue, S. W., bearing Official Tax Map No. 1010115, currently owned by Brandon, Woody and Booker, LLC; and (2) 0 Salem Avenue, S. W., bearing Official Tax Map No. 1010122, currently owned by The Brandon Company, Incorporated; from the City to Greater Roanoke Transit Company ("GRTC"), in accordance with the proposed Agreement for the Exchange of Real Estate Between the City of Roanoke, Virginia and Greater Roanoke Transit Company, which proposed agreement includes the transfer of Campbell Court from GRTC to the City, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Monday, January 14, 2019.

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

The City Manager submitted a written report authorizing execution of the proposed City and GRTC Exchange Agreement, which proposed agreement includes the transfer of Campbell Court from GRTC to the City of Roanoke, subject to approval as to form by the City Attorney.

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

Council Member Bestpitch offered the following ordinance:

(#41371-012219) AN ORDINANCE authorizing the City Manager to execute the Agreement for the Exchange of Real Estate between the City of Roanoke, Virginia and Greater Roanoke Transit Company ("City and GRTC Exchange 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. 80, page 220.)

Council Member Bestpitch moved the adoption of Ordinance No. 41371-012219. The motion seconded by Council Member Price.

Assistant City Manager for Community Development gave a brief overview of the project, stating the City negotiated an agreement whereby the City would acquire four parcels of real estate to relocate the Greater Roanoke Transit Company Central Transit Transfer Facility from Campbell Court.

The Mayor inquired if there were persons present who wished to speak on the matter; whereupon, the following individuals appeared before Council and spoke in opposition of the proposed sale and relocation of the bus station from Campbell Court:

Chris Craft, 1501 East Gate, N. E.;  
Sandy Troth, 2311 Broadway Avenue, S. W.;  
Matt Prescott, 421 Day Avenue, S. W.;  
Tom Cox, 303 Norfolk Avenue, S. W., (spoke on behalf of Kenneth Lanford, President, Virginia Museum of Transportation);  
Bill Chapman, 112 Tempsford Lane, Richmond, Virginia;  
Sabina Thaler, 357 Salem Avenue, S. W., Apartment 218;  
Drew Pearson, 400 Salem Avenue, S. W., Apartment 2-H;  
Dennis Hayes, 3434 West Ridge Road, S. W.;



Tom Butkovic, 422 Walnut Avenue, S. E.;  
David D'amico, 313 Campbell Avenue, S. W.;  
Tim Rumpf, 3796 Buckingham Drive (Roanoke County);  
Fred Donaher, 819 Windsor Avenue, S. W.; and  
Scott Smith; 5328 Deer Park Drive (Roanoke County);

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

In response to inquiry regarding the number of 911 calls to the Campbell Court bus station, the City Manager remarked only seven percent of the calls were for criminal activity, such as malicious wounding and drugs, 24 percent for alcohol offenses, 23 percent for medical emergencies, 18 percent for trespassing, and 7 percent each for harassment and disorderly conduct; and that the bus station averaged less than one call per day, which was not a large number, given the number of people who frequented the station.

Following brief comments by several Council Members in response to public remarks in opposition of the relocation of the bus station, Ordinance No. 41371-012219 was adopted by the following vote:

AYES: Council Members Osborne, Price, White-Boyd, Bestpitch, Cobb, and Mayor Lea-6.

NAYS: None-0.

(Council Member Davis was out of the Council Chamber.)

CAMPBELL COURT: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Tuesday, January 22, 2019 at 7:00 p.m., or as soon thereafter as the matter may be heard to receive public comments on proposed sale and exchange of Campbell Court to Hist:Re Partners, LLC by the City of Roanoke, Virginia, in accordance with the terms and conditions of the proposed Agreement for the Exchange of Real Estate between the City and Developer that includes the City's acquisition of two parcels of property, currently used as office space for an insurance company and currently owned by T. W. Properties, situated at 7 Jefferson Street, S. W., the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Monday, January 14, 2019.

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

The City Manager submitted a written report recommending execution of the proposed City and Developer Exchange Agreement that includes the City's acquisition of the Future Rail Station Parcels, subject to approval as to form by the City Attorney.

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

Council Member Bestpitch offered the following ordinance:

(#41372-012219) AN ORDINANCE authorizing the City Manager to execute the Agreement for Exchange of Real Estate between the City of Roanoke, Virginia (the "City") and Hist:Re Partners, LLC, ("Developer") ("City and Developer Exchange 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. 80, page 223.)

Council Member Bestpitch moved the adoption of Ordinance No. 41372-012219. The motion seconded by Vice-Mayor 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 questions and/or comments by the Council Members, Ordinance No. 41372-012219 was adopted by the following vote:

AYES: Council Members Osborne, Price, White-Boyd, Bestpitch, Cobb, and Mayor Lea-6.

NAYS: None-0.

(Council Member Davis was out of the Council Chamber.)

At this point, Council Member Davis returned to the Council Chamber (9:34 p.m.).

## OTHER BUSINESS:

**ARCHITECTURAL REVIEW BOARD:** Petition for Appeal filed by Neil Aneja appealing a decision of the Architectural Review Board denying his request to retain nine newly installed Ply Gem wood windows that fit the size of the original wood windows at 817 Ferdinand Avenue, S. W., the matter was before the Council.

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

The City Attorney submitted a written report recommending dismissal of the Petition for Appeal filed by Neil Aneja due to failure to meet the 30-day requirement period as set forth in the City Code.

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

Mr. Aneja commented he inadvertently filed with the Clerk of the Circuit; wherein, Mr. Callaghan inserted even though Mr. Aneja did file incorrectly, he has filed applications correctly in the past with the City Clerk's Office and he found no basis to grant the appeal.

Following brief comments by several Council Members regarding the matter, Council Member Bestpitch moved that Council concur with the opinion of the Senior Assistant City Attorney, on behalf of the Planning, Building and Development Department, dated December 18, 2018, and dismiss this appeal for failure of applicant to file the appeal with the City Clerk within the 30-day period set forth in Section 36.2-530 (c)(5), Code of City of Roanoke (1979), as amended. The motion seconded by Council Member Osborne and adopted by the following vote:

**AYES:** Council Members Davis, Osborne, Price, White-Boyd, Bestpitch, Cobb 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 he may deem appropriate.

**LACK OF PUBLIC SERVICES:** Chris Craft, President, Wildwood Civic League, appeared before the Council to express concern about lack of public services in the Wildwood neighborhood.

10<sup>TH</sup> STREET IMPROVEMENTS AND WESTERN VIRGINIA WATER AUTHORITY SEWER LINE PROJECT: Nina Heldt, 3153 Roundhill Avenue, N. W., appeared before the Council to voice concerns about the 10<sup>th</sup> Street Improvement Project and Western Virginia Water Authority Sewer Line Project on Roundhill Avenue.

ANNOUNCEMENTS:

VIRGINIA MUNICIPAL LEAGUE LEGISLATIVE DAY: Mayor Lea announced that Vice-Mayor Cobb and several Members of Council would be attending the Virginia Municipal League Legislative Day on Thursday, January 24 in Richmond, Virginia; and he would be attending the 2019 U.S. Conference of Mayors Winter Policy Meeting in Washington, D.C., on Friday, January 25.

There being no further business to come before the Council, Mayor Lea declared the Council meeting adjourned at 10:00 p.m.

A P P R O V E D

ATTEST:

Stephanie M. Moon Reynolds, MMC  
City Clerk

Sherman P. Lea, Sr.  
Mayor

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