

## ROANOKE CITY COUNCIL-REGULAR SESSION

January 21, 2020

2:00 p.m.

The Council of the City of Roanoke met in regular session on Tuesday, January 21, 2020 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. 41490-070119 adopted by the Council on Monday, July 1, 2019.

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

PRESENTATIONS 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 would be referred to the City Manager for response, recommendation or report to Council, as he may deem appropriate.

BIBLICAL SCRIPTURE: Alejandro Filth, 319 Mountain Avenue, S. W., appeared before the Council and read a biblical scripture and announced he would host a town hall meeting.

## 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 meetings of City Council held on Monday, November 18, 2019; Monday, December 2, 2019; Monday, December 16, 2019; and Monday, January 6, 2020, were before the body.

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

Vice-Mayor Cobb moved that the reading of the minutes be dispensed with and approved as recorded. The motion seconded by Council Member Osborne and adopted by the following vote:

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

NAYS: None-0.

DISPOSITION OF AN APPROXIMATELY ONE ACRE PORTION OF CITY-OWNED PROPERTY LOCATED AT 2424 BRAMBLETON AVENUE, S. W.: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss the disposition of an approximately one acre portion of City-owned property located at 2424 Brambleton Avenue, S. W., 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, was before the Council.

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

Vice-Mayor Cobb moved that Council concur in the request of the City Manager as abovementioned. The motion seconded by Council Member Osborne and adopted by the following vote:

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

NAYS: None-0.

**ACQUISITION OF REAL PROPERTY FOR PUBLIC PURPOSES:** A communication from the City Manager requesting that Council convene in a Closed Meeting for discussion and consideration of the acquisition of real property for public purposes, pursuant to Section 2.2-3711(A)(3), Code of Virginia (1950), as amended, was before the body.

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

Vice-Mayor Cobb moved that Council concur in the request of the City Manager as abovementioned. The motion seconded by Council Member Osborne and adopted by the following vote:

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

**NAYS:** None-0.

**CONSULT WITH LEGAL COUNSEL AND HEAR BRIEFINGS BY STAFF MEMBERS OR CONSULTANTS PERTAINING TO ACTUAL LITIGATION:** A communication from the City Attorney requesting that Council convene in a Closed Meeting to consult with legal counsel and hear briefings by staff members or consultants pertaining to actual litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigation posture of the City, pursuant to Section 2.2-3711 (A)(7), Code of Virginia (1950), as amended, was before the body.

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

Vice-Mayor Cobb moved that Council concur in the request of the City Attorney as abovementioned. The motion seconded by Council Member Osborne and adopted by the following vote:

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

**NAYS:** None-0.

**PARKING AGREEMENT FOR UNRESERVED PARKING PERMITS:** A communication from the City Manager requesting that Council schedule a public hearing to be held on Tuesday, February 18, 2020, 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., was before the body.

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

# 520

Vice-Mayor Cobb moved that Council concur in the request of the City Manager as abovementioned. The motion seconded by Council Member Osborne and adopted by the following vote:

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

NAYS: None-0.

CABLE TELEVISION FRANCHISE AGREEMENT BETWEEN THE CITY OF ROANOKE AND SHENANDOAH CABLE TELEVISION, LLC, ("SHENTEL"): A communication from the City Attorney requesting that Council schedule a public hearing to be held on Tuesday, February 18, 2020, 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, to consider a Cable Television Franchise Agreement between the City of Roanoke and Shenandoah Cable Television, LLC, ("Shentel"), was before the body.

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

Vice-Mayor Cobb moved that Council concur in the request of the City Attorney as abovementioned. The motion seconded by Council Member Osborne and adopted by the following vote:

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

NAYS: None-0.

RESIGNATION OF LATRON BROWN AS A MEMBER (MILL MOUNTAIN ZOO REPRESENTATIVE) OF THE MILL MOUNTAIN ADVISORY BOARD: A communication from the Acting City Clerk advising of the resignation of LaTron Brown as a member (Mill Mountain Zoo representative) of the Mill Mountain Advisory Board, effective immediately, was before the Council.

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

Vice-Mayor Cobb moved that the resignation be accepted and the communication be received and filed. The motion seconded by Council Member Osborne and adopted by the following vote:

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

NAYS: None-0.

RESIGNATION OF WALTON RUTHERFOORD AS A MEMBER OF THE BOARD OF ZONING APPEALS: A communication from the Acting City Clerk advising of the resignation of Walton Rutherford as a member of the Board of Zoning Appeals, effective January 14, 2020, was before the Council.

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

Vice-Mayor Cobb moved that the resignation be accepted and the communication be received and filed. The motion seconded by Council Member Osborne and adopted by the following vote:

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

NAYS: None-0.

OATHS OF OFFICE-YOUTH SERVICES CITIZEN BOARD: Report of qualification of Va'Shay McCalla as a Student/Patrick Henry High School member of the Youth Services Citizen Board, for a term of office ending June 30, 2020, was before the Council.

(See Oath or Affirmation of Office on file in the City Clerk's Office.)

Vice-Mayor Cobb moved that the report of qualification be received and filed. The motion seconded by Council Member Osborne and adopted by the following vote:

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

NAYS: None-0.

#### REGULAR AGENDA

PUBLIC HEARINGS: NONE.

PETITIONS AND COMMUNICATIONS:

Daryn Warner, Partnership Specialist, United States Census Bureau, appeared before the Council and gave a presentation of the formation and utilization of the Roanoke Area Complete Count Committee in the upcoming 2020 United States Census effort.

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

Mr. Warner advised that the Roanoke Area Complete Count Committee focused on three topics to increase participation in the 2020 U. S. Census:

- Children under the age of five were under-counted. The possible reason being the living situation for the children. Who would be responsible for reporting the child to the U. S. Census?
- Veterans, third shift workers, and people with language barriers.
- Seniors needing assistance in completing the Census.

Mr. Warner continued by stating mobile units would be setup at accessible locations for census workers to assist seniors, residents of Landsdowne Park, participants in the Total Action for Progress community action agencies, and Veterans Programs with completion of the Census. He started beginning March 12, 2020, post cards would be sent to every address in the area. The post card will give the option of completion by phone or online. The phone option offers thirteen languages and locations that do not respond by early April will receive a paper copy of the Census for completion and by mid-April, Census workers will follow up in person to those address locations that did not respond by phone, online or paper.

Mr. Warner reported that a common reason for not filling out the Census was fear information would be publicly disclosed. He reassured all that legally the U. S. Census Bureau could not share any information with any agency for any reason other than the intended purpose and information would be secure.

Council Member Bestpitch inquired how information would be publicized; wherein, Mr. Warner, stated advertising has already began by online, social media and targeted media, such as the Roanoke Times and Roanoke Tribune newspapers. He then continued stating mobile units would be set-up where the lowest responses were received and would be continually relocated, as deemed necessary.

Vice-Mayor Cobb inquired about employment opportunities; whereby Mr. Warner advised employment information was located at [www.2020census.gov/jobs](http://www.2020census.gov/jobs).

Following additional inquiries from Council Members Davis, Price and White-Boyd, Mayor Lea thanked Mr. Warner for an informative presentation and advised that the presentation would be received and filed.

At this point, Council Member Osborne left the meeting (2:33 p.m.).

REPORTS OF CITY OFFICERS AND COMMENTS OF CITY MANAGER:

CITY MANAGER:

BRIEFINGS: NONE.

## ITEMS RECOMMENDED FOR ACTION:

AMPHITHEATER AT ELMWOOD PARK: The City Manager submitted a written communication recommending amendment of the City Code to establish regulations for smoking in the Amphitheater at Elmwood Park.

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

Council Member Bestpitch offered the following ordinance:

(#41653-012120) AN ORDINANCE amending and reordaining Article IV Parks, Chapter 24, Public Buildings and Property Generally, Code of the City of Roanoke (1979), as amended, by adding a new Section 24-97.1, Regulation of Smoking at Amphitheater at Elmwood Park; establishing 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 718.)

Council Member Bestpitch moved the adoption of Ordinance No. 41653-012120. The motion seconded by Council Member Price and adopted by the following vote:

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

NAYS: None-0.

(Council Member Osborne was not present when vote was recorded.)

AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY: The City Manager submitted a written communication recommending execution of amendment No. 4 to the Agreement for Purchase and Sale of Real Property for development of a downtown parking facility and hotel at 116 and 120 Church Avenue, S. E.

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

Council Member White-Boyd offered the following ordinance:

(#41654-012120) AN ORDINANCE authorizing the City Manager to execute Amendment No. 4 to the Agreement for Purchase and Sale of Real Property for the Development of a Downtown Parking Facility and Hotel, dated September 20, 2018 (the "Agreement") between the City of Roanoke, Virginia (the "City"), Market Holdings, LLC, ("MH") and Big Lick Hospitality, LLC ("Big Lick"), which proposed Agreement provided that the City, as the owner of certain real property of approximately 0.3607 acres, together with improvements thereon, situated at 120 Church Avenue, S. E., Roanoke, Virginia, designated as Official Tax Map No. 4011413 ("City Parcel"); MH, as the owner of certain real property of approximately 0.5755 acres, together with improvements thereon, situated at 116 Church Avenue, S. E., Roanoke, Virginia, designated as Official Tax Map No. 4011412 ("MH Parcel"); and Big Lick, agreed that the City would (i) acquire the MH Parcel; (ii) consolidate the MH Parcel with the City Parcel (collectively, the "Property"); (iii) construct on the Property and own a Parking Facility, in fee simple, and (iv) convey to Big Lick condominium units, certain air rights, and appropriate nonexclusive easement rights within the Parking Facility for the construction and operation of a Hotel Facility to accommodate the operation of a Hotel on portions of the Property, to amend certain terms of the Agreement to extend the Inspection Period, as defined in the Agreement; reordaining Ordinance No. 41267-091718, adopted on September 17, 2018, Ordinance No. 41450-052019, adopted on May 20, 2019, Ordinance No. 41514-071519, adopted July 15, 2019, and Ordinance No. 41595-102119 adopted October 21, 2019 only to the extent not inconsistent with this Ordinance; authorizing the City Manager to execute all documents necessary to perform, effectuate, administer, and enforce the proposed Amendment No. 4, Amendment No. 3, Amendment No. 2, Amendment No. 1, and the Agreement; and dispensing with the second reading of this Ordinance by title.

(For full text of ordinance, see Ordinance Book No. 80, page 719.)

Council Member White-Boyd moved the adoption of Ordinance No. 41654-012120. The motion seconded by Council Member Price and adopted by the following vote:

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

NAYS: None-0.

(Council Member Osborne was not present when vote was recorded.)



## COMMENTS OF CITY MANAGER.

The City Manager recognized Police Chief Tim Jones for 39 years of dedicated service with the City of Roanoke and publicized his pending retirement on January 31, 2020; with a members of the Police Departments in attendance, each Council Member praised Jones for his committed service. Chief Jones expressed his heartfelt appreciation and thanked them for the opportunity to serve the City of Roanoke.

REPORTS OF COMMITTEES: NONE.

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: NONE.

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

At 3:00 p.m., Mayor Lea declared the Council meeting in recess for a Closed Meeting in Council's Conference Room, Room 451; and thereafter to reconvene at 7:00 p.m., in the Council Chamber.

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

PRESENT: Council Members Djuna L. Osborne, Anita J. Price, Patricia White-Boyd, William D. Bestpitch, Joseph L. Cobb, Michelle L. Davis 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, Acting City Clerk.

The Invocation was delivered by The Reverend Dwight O. Steele, Sr., Pastor, Pilgrim Baptist Church.

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 Davis 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 Cobb and adopted by the following vote:

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

**NAYS:** None-0.

(Council Member Osborne abstained from voting inasmuch as she was not present for the Closed Session.)

#### **PRESENTATIONS AND ACKNOWLEDGEMENTS:**

**VIRGINIA COLTS AND VIRGINIA WOLVERINES AMERICAN YOUTH FOOTBALL TEAMS:** The Mayor recognized the Virginia Colts and Virginia Wolverines American Youth Football Teams and presented the teams and coaches with a certificate and City gift.

#### **PUBLIC HEARINGS:**

**VACATE TWO ADJOINING ALLEYS:** Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the Acting City Clerk having advertised a public hearing for Tuesday, January 21, 2020, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of Hamlar Properties, LLC, to vacate two adjoining alleys that run from Fairfax Avenue, N. W., to Moorman Avenue, N. W., and from 10<sup>th</sup> Street, N. W., to Fairfax Avenue, N. W., the matter was before the Council.

Inasmuch as the City Planning Commission continued the abovementioned matter to its Monday, March 9, 2020 meeting, the Mayor advised that the item was withdrawn since City Council had no jurisdiction to hear the matter at this time.

**VACATE AN ALLEY:** Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the Acting City Clerk having advertised a public hearing for Tuesday, January 21, 2020, 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 SW towards Luck Avenue S. W., adjacent to property located at 117 Franklin Road, S. W., Official Tax Map No. 1012613, and extending north to the southwest corner of 120 Luck Avenue, S. W., Official Tax Map No. 1012606, and to include the portion of the alley running parallel to Franklin Road, S. W., and Luck Avenue, S. W., continuing east from its intersection with the aforementioned alley to the southeast corner of the building on 120 Luck Avenue, S. W., the matter was before the body.

Inasmuch as the City Planning Commission continued the abovementioned matter to its Monday, February 10, 2020 meeting, the Mayor advised that the item was withdrawn since City Council had no jurisdiction to hear the matter at this time.

**VACATE A PORTION OF GREGORY AVENUE, N. E.:** Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the Acting City Clerk having advertised a public hearing for Tuesday, January 21, 2020, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of Investments, LLC, to vacate a portion of Gregory Avenue N. E., north of 901 11<sup>th</sup> Street, N. E., and running between 11<sup>th</sup> Street, N. E., and Cherokee Street, N. E., the matter was before the body.

Inasmuch as the City Planning Commission continued the abovementioned matter to its Monday, February 10, 2020 meeting, the Mayor advised that the item was withdrawn since 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 Acting City Clerk having advertised a public hearing for Tuesday, January 21, 2020, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of Valley Funeral Home to rezone property located at 5005 Melrose Avenue, N. W., Official Tax Map No. 6110147, from CN, Commercial-Neighborhood District, and R-5, Residential Single-Family 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, December 31, 2019, and Tuesday, January 7, 2020.

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

# 528

The City Planning Commission submitted a written report recommending that the proposed rezoning facilitates the addition of a funeral home within an existing commercial section on the Melrose Avenue Corridor; and while no major changes to the existing building are proposed, many changes will be required to meet the CG zoning district standards, as restricted by the conditions proffered regarding use, landscaping, and signage.

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

Council Member White-Boyd offered the following ordinance:

(#41655-012120) AN ORDINANCE rezoning certain property located at 5005 Melrose Avenue, N. W., from CN, Commercial-Neighborhood District, and R-5, Residential Single-Family 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 721.)

Council Member White-Boyd moved the adoption of Ordinance No. 41655-012120. The motion seconded by Council Member Davis.

The Mayor inquired if there were persons present who wished to speak on the matter; and acknowledged a citizen's written statement of objection with regard to parking concerns in the neighborhood.

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

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

Vice-Mayor Cobb acknowledged the citizens' parking concerns and inquired of the number of available parking spaces and the amount of funeral services to be held at the site; whereby, Buck Simmons, owner and operator of Valley Funeral Home, replied that the new location would not accommodate gatherings for funeral services and that approximately 25 parking spaces were available.

Mr. Simmons explained that Valley Funeral Home performs approximately 160 burials and/or cremations annually and the vast majority were cremations and envisioned hosting funeral services at local churches, not at the funeral home and crematory.

Vice-Mayor Cobb inquired if the property was zoned appropriately for a crematory; whereupon, R. Brian Townsend, Assistant City Manager for Community Development, confirmed that the application met the requirements of the Zoning Ordinance as it pertains to parking and stated that zoning to CG would not be subject to a minimum parking requirement.

Following in-depth dialogue with regard to the rezoning request and property usage at 5005 Melrose Avenue, N. W., Ordinance No. 41655-012120 was adopted by the following vote:

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

NAYS: None-0.

**FORMER MELROSE LIBRARY:** Pursuant to instructions by the Council, the Acting City Clerk having advertised a public hearing for Tuesday, January, 21, 2020 at 7:00 p.m., or as soon thereafter as the matter may be heard, to receive citizen comments with regard to the proposal of the City of Roanoke to lease of a portion of City-owned property located at 2607 Salem Turnpike, N. W., Official Tax Map No. 2420206, commonly known as Former Melrose Library to the City of Roanoke Redevelopment and Housing Authority, to be used as the site for the new HUD designated EnVision Center, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Monday, January 13, 2020.

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

The City Manager submitted a written report recommending execution of such Lease Agreement between the City of Roanoke and the City of Roanoke Redevelopment and Housing Authority for a term of eighteen (18) months, approved as to form by the City Attorney.

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

Vice-Mayor Cobb offered the following ordinance:

(#41656-012120) AN ORDINANCE authorizing the City Manager to execute a lease agreement with the City of Roanoke Redevelopment and Housing Authority, for the lease of City-owned property located at 2607 Salem Turnpike, N. W., Roanoke, Virginia, designated as Official Tax Map No. 2420206, commonly known as Former Melrose Library ("Property"); and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 80, page 723.)

Vice-Mayor Cobb moved the adoption of Ordinance No. 41656-012120. The motion seconded by Council Member White-Boyd.

# 530

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. 41656-012120 was adopted by the following vote:

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

NAYS: None-0.

UNFINISHED BUSINESS:

PROPOSED SALE OF PROPERTY LOCATED AT 23 CENTRE AVENUE, N. W.: Having continued the matter at the December 16, 2019, Council meeting with regard to a proposal of the City of Roanoke for the Contract for Purchase and Sale of Real Property between the City of Roanoke and Roanoke Higher Education Authority, wherein the City proposed to sell a portion of certain real property located at 23 Centre Avenue, N. W., the matter was again before the body.

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

The Mayor advised that the matter was postponed at the December 16 City Council meeting and called on the City Manager for remarks.

The City Manager advised that many letters were sent to the Council with regard to the matter and the contract prepared by the City Attorney represented the proposed changes in project area.

The City Attorney added that after hearing comments from the public, the applicant and others, if Council was so inclined to proceed with the contract, a motion would be in order to amend and substitute the originally presented ordinance from September 16 with the ordinance included in the current agenda package.

Mayor Lea recognized the following individuals to speak with regard to the matter:

Dr. Kay Dunkley, Executive Director, Roanoke Higher Education Center, recapped advising that the Higher Education Authority received capital budget funding of \$328,000.00 from the Commonwealth of Virginia, with an additional \$120,000.00 available in July 2020, to create a courtyard to connect the campus facilities, establish an outdoor learning lab for culinary arts, and to honor pioneers of the Gainsboro community who have contributed to business development, education, and civil rights.

She also pointed out that in December 2019, the footprint of the plaza was reduced from 16,138 square feet to 11,691 square feet at the request of Gainsboro stakeholders and noted that honorees of the plaza will be based upon feedback received from a designated committee comprised of individuals from Gainsboro Southwest Community Organization, Gainsboro Preservation District, Inc., Roanoke Chapter of the NAACP, the Oliver White Hill Foundation and any other stakeholder with an interest in the project.

Lastly, she reminded the Council that the Higher Education Center was also a neighbor and resident of the Gainsboro community with a mission to provide access to educational opportunities to the citizens of the region and the graduates took pride in the degrees and endorsements earned in an effort to be work-force ready, move laterally within their field, and seek upward mobility.

Following further discussion of the reduced footprint of the plaza, the following speakers appeared before the Council with regard to the project:

Hu Tehuti, President, African Nation Inc., 1916 Mercer Avenue, N. W. (in opposition)  
Reverend David Denham, 3512 Wright Road, S. W. (in opposition)  
Thomas Schwendeman, 1098 St. Clair Lane, Vinton, Virginia (in opposition)  
Evelyn Slone, 120 Campbell Avenue, S. W., (in support)  
Jordan Bell, 5208 Lancelot Lane, N. W. (in opposition)  
James Jordan, P.O. Box 6405, (in opposition)  
Terry Huxhold, 1125 16th Street, S. E. (in opposition)  
Shmura Glenn, 1816 Staunton Avenue, N. W. (in opposition)  
Martin Jeffrey, 421 Fairfax Avenue, N. W. (in opposition)

Following extensive dialogue by the Council Members with regard to the matter, Council Member Bestpitch offered a motion to amend the ordinance from September 16 on the table, by substituting it with the revised ordinance submitted as part of the current agenda package. The motion seconded by Council Member White-Boyd and adopted by the following vote:

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

NAYS: Council Member Davis-1.

Council Member Bestpitch offered the following ordinance, as amended:

(#41657-012120) AN ORDINANCE authorizing the proper City officials to execute a Contract for Purchase and Sale of Real Property ("Contract") between the City of Roanoke, Virginia ("City"), and the Roanoke Higher Education Authority (the "Buyer"), to sell to the Buyer an approximately 0.2684 acre parcel of City-owned property, such property being a portion of City-owned property located at 23 Centre Avenue, N. W., Roanoke, Virginia, designated as Official Tax Map No. 2013016, upon certain terms and conditions; authorizing the City Manager to execute such further documents and take such further actions as may be necessary to accomplish the above matters; and dispensing with the second reading of this Ordinance by title.

(For full text of ordinance, see Ordinance Book No. 80, page 724.)

Council Member Bestpitch moved the adoption of Ordinance No. 41657-012120, as amended. The motion seconded by Council Member Price and adopted by the following vote:

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

NAYS: Council Member Davis-1.

HEARING OF CITIZENS UPON PUBLIC MATTERS: 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.

WILDWOOD COMMUNITY: Chris Craft, 1501 Eastgate Avenue, N. E., appeared before the Council regarding issues of the Wildwood community.

DEFENSE OF UNBORN CHILDREN: Bradley Townsend, 8148 Otterview Drive, Hollins, Virginia, appeared before the Council and spoke in defense of unborn children.

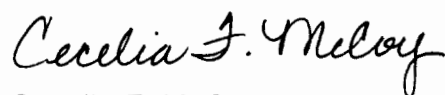
HIGHER EDUCATION CENTER: Patricia McLawhorn, 275 Walton Road, Radford, Virginia, appeared before the Council regarding the sale of property at the Higher Education Center.



There being no further business to come before the Council, Mayor Lea declared the regular meeting adjourned at 10:05 p.m.

APPROVED

ATTEST:



Cecelia F. McCoy, CMC  
Acting City Clerk



Sherman P. Lea, Sr.  
Mayor

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