

ROANOKE CITY COUNCIL-REGULAR SESSION

April 15, 2019

2:00 p.m.

The Council of the City of Roanoke met in regular session on Monday, April 15, 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 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. 41181-070218 adopted by the Council on Monday, July 2, 2018.

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

The Invocation was delivered by The Reverend Anthony Holmes, Pastor, Loudon Avenue Christian Church.

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.

LITTER OF NEWSPAPER CIRCULARS: Carol Pruner, 1839 Maiden Lane, S. W., appeared before the Council regarding litter of newspaper circulars in her neighborhood, particularly those delivered by the *Roanoke Times*.

CITY'S MUNICIPAL EQUALITY INDEX (MEI) SCORE: Luke Priddy, 302 5th Street, S. W., appeared before the Council to request improvement of the City's Municipal Equality Index (MEI) score that is measured by the Human Rights Campaign.

(See copy of communication and handout on file in the City Clerk's Office.)

Following discussion of the matter, Vice-Mayor Cobb suggested Council Member Osborne and him work with the City Administration to improve the Municipal Equality Index score.

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.

FY 2019 CITY MANAGER TRANSFER REPORT: A communication from the Director of Finance transmitting the FY 2019 City Manager Transfer Report for the third quarter January – March 2019, was before the 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 Vice-Mayor Cobb and adopted by the following vote:

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

NAYS: None-0.

OATHS OF OFFICE-LOCAL OFFICE ON AGING ADVISORY BOARD-COURT COMMUNITY CORRECTIONS PROGRAM REGIONAL COMMUNITY CRIMINAL JUSTICE BOARD-ROANOKE REGIONAL AIRPORT COMMISSION-FAIR HOUSING BOARD-PARKS AND RECREATION ADVISORY BOARD: Reports of qualification of the following individuals were before the Council:

Cindy McFall as the City representative to the Local Office on Aging Advisory Board for a one-year term of office ending February 29, 2020;

Deputy Chief Eric Charles as the Chief of Police designee of the Court Community Corrections Program Regional Community Criminal Justice Board for a three-year term of office ending June 30, 2022;

Cynthia Lawrence as a City representative of the Roanoke Regional Airport Commission for a four-year term of office ending March 9, 2023;

Jessie Coffman as a member of the Fair Housing Board for a three-year term of office ending March 31, 2022; and

Sue Williams as a member of the Parks and Recreation Advisory Board to fill the unexpired term of office Kwan Evans ending March 31, 2021.

(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 Vice-Mayor Cobb and adopted by the following vote:

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

NAYS: None-0.

REGULAR AGENDA

PUBLIC HEARINGS: NONE.

PETITIONS AND COMMUNICATIONS:

ROANOKE REGIONAL AIRPORT COMMISSION: Timothy Bradshaw, AAE, Executive Director, Roanoke Blacksburg Regional Airport, appeared before the Council and presented the Roanoke Regional Airport Commission proposed 2019 - 2020 Operating Budget and Proposed Capital Expenditures.

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

Council Member Davis offered the following resolution:

(#41420-041519) A RESOLUTION approving the Roanoke Regional Airport Commission's 2019 - 2020 proposed operating and capital budget upon certain terms and conditions.

(For full text of resolution, see Resolution Book No. 80, page 294.)

Council Member Davis moved the adoption of Resolution No. 41420-041519. The motion seconded by Vice-Mayor Cobb.

Following comments by the Executive Director, Resolution No. 41420-041519 was adopted by the following vote:

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

NAYS: None-0.

ROANOKE VALLEY RESOURCE AUTHORITY: Daniel D. Miles, Chief Executive Officer, Roanoke Valley Resource Authority, appeared before the Council and presented the Roanoke Valley Resource Authority's proposed 2019 - 2020 Annual Budget.

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

Council Member Price offered the following resolution:

(#41421-041519) A RESOLUTION approving the annual budget of the Roanoke Valley Resource Authority for Fiscal Year 2019 - 2020, upon certain terms and conditions.

(For full text of resolution, see Resolution Book No. 80, page 294.)

Council Member Price moved the adoption of Resolution No. 41421-041519. The motion seconded by Council Member Osborne.

Following comments by the Chief Executive Officer, Resolution No. 41421-041519 was adopted by the following vote:

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

NAYS: None-0.

REPORTS OF CITY OFFICERS AND COMMENTS OF CITY MANAGER:

CITY MANAGER:

BRIEFINGS:

Opioid Collective Response

Dr. Kimberly Horn, Associate Vice President of Clinical Research Collaboratives and Professor at Virginia Tech Carilion Research Institute and leader of the Roanoke Valley Collective Response, along with Dr. Cheri Hartman, Carilion Clinic, and Pam Meador, Director of the Drop-In Center, gave an update on efforts to combat opioid and addiction crisis.

Dr. Horn emphasized the goal of the Collective Response was to foster collaboration, and raise awareness of available resources and partnership opportunities. Dr. Hartman advised City Council that the group was developing a comprehensive model that focuses on comprehensive care and does not limit itself to a narrow perspective with regard to syringe services. Dr. Horn said a final draft of a broader blueprint addressing the opioid epidemic would be available by June 2019.

Following the update, Council Member Bestpitch and Davis praised the group for being the only such community coalition in the state, and for helping to devise a harm-reduction program. City Manager Bob Cowell commented that the update on the Comprehensive Harm-reduction Program was only the first victory in what would be a series of initiatives from the Collective Response, which was a major undertaking by a large group of dedicated people.

In conclusion, Mr. Cowell expressed appreciation for the update and stated he looked forward to additional presentations in the future. Vice-Mayor Cobb thanked Dr. Horn and the group for the update, and advised the comments would be received and filed.

Recommended Budget FY2019-2020

The City Manager and Director of Finance Amelia C. Merchant summarized the proposed Fiscal Year 2019 - 2020 Recommended Budget, by highlighting the following items:

- Support of Roanoke City Public Schools
- Fire and Police Support
- Mental health services in Jail facility and Jail operations support
- Children's Services Act needs
- Registrar operations, election needs

- Vehicle maintenance needs
- Library teen services and library utilities
- Greenway, trail and park maintenance
- Support for Blue Ridge Behavioral Healthcare and Health Department

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

Mr. Cowell advised that the recommended budget was balanced, met the standards of the priorities established by City Council, totaled \$299,431,000.00 and highlighted that the budget increased by \$7.7 million or 2.65 percent.

Ms. Merchant reviewed the FY 2020 revenue estimates by major category noting, that intergovernmental taxes were \$76 million and personal property taxes were \$122 million of the total budget; adding that permits, fees and licenses grew by \$31,800.00 and charges for services experienced growth of \$766,808.00.

Regarding the proposed fee adjustments, Ms. Merchant stated that the Fire/EMS re-inspection fees were currently \$33.00, and the second re-inspection would increase to \$50.00; fire permit fees currently at \$35.00 will increase to \$50.00; and a fire site survey report fee currently at \$35.00 will increase to \$50.00. She highlighted the variations in each priority noting that the allocation based on the funding formula was 27.8 percent of all of the resources to Roanoke City Public Schools with an increase of \$2,100,339.00 over adopted FY 2019.

In terms of reserved allocations and funding for external agencies, Ms. Merchant advised that the budget included a 2.75 percent compensation increase for City employees and outside agencies, such as Blue Ridge Behavioral Healthcare, Health Department, Hotel Roanoke Conference Center Commission, Service District Taxes (downtown and Williamson Road) and Visit Virginia's Blue Ridge.

In reviewing the FY 2020 – 2024 Capital Improvement Program, Ms. Merchant advised that the investments were within the parameters of the debt policy with consideration of required debt service. She mentioned that one-time uses such as capital project contingency, elections, enterprise zones, grant match and infrastructure would ideally be included in the budget as reoccurring costs, and hopefully in the future the expenditures could be added to the base budget.

With regard to the parking fund considerations, the last comprehensive rate increase was in 2015 and the recommendation was to increase monthly and residential rates by \$5.00 per month to generate an estimated \$250,000.00 annually in revenue.

In reviewing the budget calendar, Ms. Merchant called attention to a public hearing scheduled for Thursday, April 25, at 7:00 p.m., to hear the views of citizens regarding the Recommended 2019 - 2020 Budget. She mentioned that the Council's budget study briefing on Monday, May 6 at 9:00 a.m., was scheduled during the Informal Session of Council; and lastly, adoption of the Fiscal Year 2019 – 2020 budget at a recessed meeting on Monday, May 13, at 2:00 p.m.

There being no additional questions and/or comments by the Council Members, Mayor Lea thanked Mr. Cowell and Ms. Merchant for the informative presentation and advised that the briefing would be received and filed.

ITEMS RECOMMENDED FOR ACTION:

EXTENSION OF THE AGREEMENT: The City Manager submitted a written communication recommending extension of the agreement between the City of Roanoke and Old School Partners, II, LLC, for 13 Church Avenue, S. E.

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

Council Member Bestpitch offered the following ordinance:

(#41422-041519) AN ORDINANCE authorizing the City Manager to execute Amendment No. 2 to the Contract for Purchase and Sale of Real Property, dated June 19, 2018 (the "Contract") between the City of Roanoke, Virginia (the "City"), and Old School Partners II, LLC, a Virginia limited liability company ("Buyer"), to sell to the Buyer certain real property located at 13 Church Avenue, S. E., consisting of approximately 0.2037 acres, together with all improvements thereon consisting of Historic Fire Station No. 1 ("Building"), designated as Official Tax Map No. 4011706 (the "Property"), for the development of the Property and Building by Buyer to include some combination of retail, light manufacturing (workshop, maker space, studio), and hospitality uses limited to hotel rooms, a tasting room, and Live Entertainment ("Project"), to amend certain terms of the Contract to extend the Due Diligence Period, as defined in the Contract, and the Closing Date, as defined in the Contract; reordaining Ordinance No. 41176-061818, adopted on June 18, 2018, and Ordinance No. 41338-121718, adopted on December 17, 2018, only to the extent not inconsistent with this Ordinance; 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 295.)

Council Member Bestpitch moved the adoption of Ordinance No. 41422-041519. The motion seconded by Council Member Osborne and adopted by the following vote:

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

NAYS: None-0.

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

ROANOKE RIVER GREENWAY "BRIDGE THE GAP" PROJECT: The City Manager submitted a written communication recommending modification of Ordinance No. 40940-082117 adopted August 21, 2017 to rescind authorization to acquire certain real property interests by eminent domain related to the Roanoke River Greenway "Bridge the Gap" Project.

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

Council Member Bestpitch offered the following ordinance:

(#41423-041519) AN ORDINANCE amending Ordinance No. 40940-082117, adopted August 21, 2017, to rescind the authorization granted by City Council to acquire certain property interests on, over, under, and across certain parcels of real property owned by Walker Machine and Foundry Corporation by institution of eminent domain proceedings pursuant to applicable law; affirming the authority granted by City Council pursuant to Ordinance No. 40940-082117 adopted August 21, 2017 for the acquisition of certain property interests on, over, under, and across certain parcels of real property owned by Walker Machine and Foundry Corporation by negotiations; 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 297.)

Council Member Bestpitch moved the adoption of Ordinance No. 41423-041519. The motion seconded by Vice-Mayor Cobb and adopted by the following vote:

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

NAYS: None-0.

ROANOKE RIVER GREENWAY "BRIDGE THE GAP" PROJECT: The City Manager submitted a written communication recommending amendment of Ordinance No. 40143-010515, adopted January 5, 2015, to prohibit a portion of Official Tax Map No. 1420202 from being used for the Roanoke River Greenway "Bridge the Gap" Project or other recreational purposes.

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

Council Member White-Boyd offered the following ordinance:

(#41424-041519) AN ORDINANCE amending Ordinance No. 40143-010515, adopted by Roanoke City Council on January 5, 2015 ("Ordinance") which authorized the City to acquire certain property interests needed by the City in connection with Phase II of the Roanoke River "Bridge the Gap" Greenway Project ("Project") to prohibit a portion of certain real property acquired by the City pursuant to the Ordinance from being used to construct a public greenway or other public recreational park or facility; authorizing the City Manager to convey a license agreement to Walker Machine and Foundry Corporation ("Walker Foundry") across that portion of City owned property bearing Official Tax Map No. 1420202, located adjacent to real property owned by Walker Foundry bearing Official Tax Map Nos. 1410204 and 1410205, for purposes of ingress and egress to property of Walker Foundry bearing Official Tax Map No. 1420201; affirming the authority granted by City Council pursuant to the Ordinance for the acquisition of property interests needed by the City for the Project by negotiations; 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 299.)

Council Member White-Boyd moved the adoption of Ordinance No. 41424-041519. The motion seconded by Council Member Price and adopted by the following vote:

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

NAYS: None-0.

COMMENTS OF CITY MANAGER.

The City Manager offered the following comments:

Public Safety Telecommunicators Week

- The second week of April is designated as National Public Safety Telecommunicators Week.
- April 14 through April 20, Roanoke will honor the men and women who serve as public safety communications officers in our city.
- In addition, the E-911 Center will recognize its Dispatcher of the Year during this week.
- The center's dispatchers handle more than 275,000 emergency and non-emergency calls each year, dispatching calls to Roanoke Police, Fire and EMS personnel to meet the needs of the public in emergencies and on a routine basis.

Regional Hazard Mitigation Plan

- The Roanoke Valley-Alleghany Regional Commission will hold public meetings to allow citizens to review and comment on the draft Roanoke Valley-Alleghany Hazard Mitigation Plan.
- A public meeting for Roanoke residents to review the plan will be on Wednesday, April 24, 5:00 p.m. to 7:00 p.m., at the Roanoke Higher Education Center, Room 410, 108 North Jefferson Street.
- Information about the region's natural hazards, including mapping and plan drafts, will be on display at the meeting.

Community School's Strawberry Festival

- Kicking off festival season each year on the first weekend in May, the Strawberry Festival brings the community together with an atmosphere of good, old-fashioned family fun.
- Friday, May 3 – 10:00 a.m. to 5:30 p.m.; Saturday, May 4 – 10:00 a.m. to 4:00 p.m. in Elmwood Park.
- Offerings will include homemade shortcakes, strawberry treats, kids' games and more.
- Community School coordinates and sponsors the Strawberry Festival with parents, alumni, staff, and community volunteers. All proceeds from the event go toward school operating costs, financial aid, and supplemental outside learning opportunities for students and faculty.
- More information is available at www.strawberryfestivalroanoke.org

REPORTS OF COMMITTEES: NONE.

UNFINISHED BUSINESS: NONE.

INTRODUCTION AND CONSIDERATION OR ORDINANCES AND RESOLUTIONS:

RECOGNIZING THE 50TH ANNIVERSARY OF THE ROANOKE VALLEY-ALLEGHANY REGIONAL COMMISSION: Council Member Bestpitch offered the following resolution acknowledging and recognizing the 50th Anniversary of the Roanoke Valley-Alleghany Regional Commission:

(#41425-041519) A RESOLUTION commending the Roanoke Valley-Alleghany Regional Commission on its 50 Years of Service to the Region.

(For full text of resolution, see Resolution Book No. 80, page 301.)

Council Member Bestpitch moved the adoption of Resolution No. 41425-041519. The motion seconded by Vice-Mayor Cobb and adopted by the following vote:

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

NAYS: None-0.

MOTION AND MISCELLANEOUS BUSINESS:

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

KIWANIS PANCAKE AND AUCTION DAY: Council Member Bestpitch encouraged everyone to support the Kiwanis Pancake and Auction Day sponsored by Haley Toyota on Saturday, May 11 from 7:00 a.m. – 1:00 p.m., at The Berglund Center. Proceeds to benefit local charities.

EQUALITY VIRGINIA (EV) OUTSTANDING VIRGINIANS: Vice-Mayor Cobb commented on Equality Virginia (EV) OUTstanding Virginians recognition during the 16th Annual Commonwealth Dinner held on Saturday, April 13 at the Greater Richmond Convention Center, whereby he was honored as one of eight Outstanding Virginians for 2019, and the only one from Southwest Virginia, adding the remaining honorees were Jay Corprew, Virginia Beach; Reverend Lacette Cross, Richmond; Ray and Kathy Green, Glen Allen; Bill Harrison, Richmond; Honorable Levar Stoney, Mayor of Richmond; Jay Timmons, McLean; and Arlington Gay and Lesbian Alliance, Arlington.

NCAA BASKETBALL CHAMPIONSHIP-RNA CRAFT COFFEE-TOE+LINE:
Council Member Osborne congratulated the University of Virginia on its NCAA Basketball Championship. She called attention to the grand opening of RNA craft coffee establishment held on Saturday, April 13; and awareness of Toe+Line, a female-owned clothing boutique, that features recyclable denim manufactured in Guatemala.

10TH ANNIVERSARY OF FOOT LEVELERS BLUE RIDGE MARATHON:
Council Member Davis remarked about the 10th Anniversary of Foot Levelers Blue Ridge Marathon held on April 13, at 7:35 a.m. at Elmwood Park. She mentioned the issuance of a proclamation declaring April 13 as "Blue Ridge Marathon 10th Anniversary Day."

COVE ROAD REPAVING AND 10TH STREET IMPROVEMENT PROJECT:
Mayor Lea called attention to a Community Meeting to receive updates on the Cove Road Repaving and 10th Street Improvement Project scheduled for Tuesday, April 16 at 6:30 p.m. at Garden of Prayer No. 7 in the Fellowship Hall.

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

At 3:57 p.m., Mayor Lea declared the Council meeting in recess to be reconvened at 4:00 p.m., in the Council Chamber, to conduct four School Board interviews.

At 4:08 p.m., the Council meeting reconvened in the Council Chamber, with Mayor Lea presiding and all Members of the Council in attendance, to consider the following applicants for two upcoming vacancies on the Roanoke City School Board for three year terms of office, each, commencing July 1, 2019 and ending June 30, 2022:

Lutheria H. Smith	-	4:00 p.m.
Joyce W. Watkins	-	4:30 p.m.
Angela S. Penn	-	5:00 p.m.
Natasha N. Saunders	-	5:30 p.m.

(See list of questions for School Board Applicants on file in the City Clerk's Office.)

The Mayor announced each interview would consist of approximately 25 minutes and should entail the purpose for the applicant's willingness to serve on the School Board; and Council, in its discretion, may follow-up with questions.

He stated that upon arrival, the applicant will go to the Council's Conference Room; and thereafter accompanied to the Council Chamber. They will arrive at least 10 minutes early in case the previous interview has concluded. Once the interview concludes, they will leave since no official action will occur.

Lastly, he concluded that City Council would receive citizen comments regarding the applicants' appointment to the School Board during its 7:00 p.m. public hearing session; and subsequently, City Council would elect two successful applicants at a future meeting.

At 5:51 p.m., the interviews concluded, and Mayor Lea declared the Council Meeting in recess until 7:00 p.m., in Council Chamber, Room 450, Noel C. Taylor Municipal Building.

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 Joseph L. Cobb, Michelle L. Davis, Djuna L. Osborne, Anita J. Price (arrived late), Patricia White-Boyd, William D. Bestpitch 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 Stephanie M. Moon Reynolds, City Clerk.

The Invocation was delivered by The Reverend Rachel Thompson, Associate Pastor for Youth and Young Adults, Second Presbyterian Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Brenda Hale, President, Roanoke Branch – NAACP.

At this point, 7:03 p.m., Council Member Price entered the Council Chamber.

PUBLIC HEARINGS:

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, April 15, 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 at 0, 914, 922, 924, and 930 Hershberger Road, N. W., 4802 Winsloe Drive, N. W., and 3222 Oaklawn Avenue, N. W., bearing Official Tax Map Nos. 2170153, 217016, 2170108, 2170107, 2170106, 2170113 and 2170117, respectively, from R-5, Residential Single-Family District, to MXPUD, Mixed Use Planned Unit Development, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, March 26, 2019 and Tuesday, April 2, 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 while Amended Application No. 2 represented a substantial change in residential density, the design details and transportation improvements included as part of the development plan mitigate the density increase; and the resulting proposal was consistent with the City's Comprehensive Plan, Williamson Road Area Plan, and Zoning Ordinance as the subject property would be developed 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:

(#41426-041519) AN ORDINANCE to rezone certain properties located at 0 (zero), 914, 922, 924, and 930 Hershberger Road, N. W., 4802 Winsloe Drive, N. W., and 3222 Oaklawn Avenue, N. W., from R-5, Residential Single-Family District, to MXPUD, Mixed Use Planned Unit Development District; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 80, page 303.)

Council Member Bestpitch moved the adoption of Ordinance No. 41426-041519. The motion seconded by Vice-Mayor Cobb.

William Herrin, Associate, Alam Design and Family Builders, appeared before Council in support of petitioner.

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

Valerie A. Brown, Executive Director, Williamson Road Area Business Association, appeared before the Council in support of the proposed development of Hershberger Meadows.

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

Jeff Patterson, 3216 Oaklawn Avenue, N. W., appeared before the Council and expressed concerns about the storm water runoff.

Karen Mathis, 3209 Oaklawn Avenue, N. W., appeared before the Council in opposition of the proposed project because of the possible increase traffic.

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

In response to an inquiry from Council Member Bestpitch about a signalized intersection at Winsloe Drive and Hershberger Road, N. W., Mr. Herrin stated since the traffic impact in this area has been a major concern; as a part of the development, Alam Design would develop the intersection with a turn lane, which according to the Traffic Study, would decrease the traffic flow.

He also responded to comments by the Vice-Mayor regarding water and sewer, and concerns about fencing that was discussed at a recent community meeting and shared plans for a large landscaping buffer with evergreens rather than a solid fence.

There were additional comments and questions raised regarding stormwater runoff and whether an underground retention would be large enough. The petitioner answered in the affirmative. Ian Shaw, Planning Commission Agent, assured the Council that the Planning Department would review and address concerns during the development review process.

In reply to inquiries from Council Members Price and White-Boyd regarding the traffic study being revisited following the development of the property, Mr. Dalmolin responded in the affirmative.

There being no additional comments and/or questions by the Council Members, Ordinance No. 41426-041519 was adopted by the following vote:

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

NAYS: None-0.

VACATE AN ALLEY BETWEEN THE 1900 BLOCK OF PATTERSON AVENUE, S. W., AND CHAPMAN 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 Monday, April 15, 2019 at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of Roy G. Main, Jr., to vacate an alley between the 1900 block of Patterson Avenue and Chapman Avenue, S. W., extending 100 feet in an easterly direction from the alley's intersection with 20th Street, S. W., along the entire southern border of Official Tax Map No. 1313501 and the entire northern border of Official Tax Map No. 1313510, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, March 26, 2019 and Tuesday, April 2, 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 applicant shall submit a subdivision plat to the Agent for the Planning Commission, receive all required approvals of, and record the plat with the Clerk of the Circuit Court for the City of Roanoke. Such plat shall combine all properties which would otherwise dispose of the land within the right-of-way to be vacated in a manner consistent with the law, and retain appropriate easements for the installation and maintenance of any and all existing utilities that may be located within the right-of-way, including the right of ingress and egress.
- 2.) Upon meeting all conditions to the granting of the application, the applicant shall deliver a certified copy of this ordinance for recordation to the Clerk of the Circuit Court of Roanoke, Virginia, as Grantor, and in the same of the petitioner, and the names of any other parties of interest who may so request, as Grantees. The applicant shall pay such fees and charges as are required by the Clerk to effect such recordation.
- 3.) Upon recording a certified copy of this ordinance with the Clerk of the Circuit Court of the City of Roanoke, Virginia, the applicant shall file with Engineer for the City of Roanoke, Virginia, the Clerk's receipt, 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 the adoption of this ordinance, then such ordinance will be null and void with no further action by City Council being necessary, unless extended by the Agent for the Planning Commission for an additional six (6) months prior to the end of the one year period.

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

Council Member White-Boyd offered the following ordinance:

(#41427-041519) AN ORDINANCE permanently vacating, discontinuing and closing a public right-of-way in the City of Roanoke running perpendicular to 20th Street, S. W., and between Chapman Avenue, S. W., and Patterson Avenue, S. W., 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 305.)

Council Member White-Boyd moved the adoption of Ordinance No. 41427-041519. The motion seconded by Council Member Price.

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. 41427-041519 was adopted by the following vote:

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

NAYS: None-0.

CITY'S RENTAL INSPECTION DISTRICTS: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, April 15, 2019 at 7:00 p.m., or as soon thereafter as the matter may be heard on a proposal of the City of Roanoke to consider amendments to the City's Rental Inspection Districts, the matter was before the body.

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

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

The City Manager submitted a written report recommending authorization to amend and reordain Section 7-34, Findings, designation of rental inspection districts, Code of the City of Roanoke (1979), as amended, to amend the definitions of the districts by the addition and removal of certain areas.

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

Council Member Price offered the following ordinance:

(#41428-041519) AN ORDINANCE amending and re-ordaining Section 7-34, Findings, designation of rental inspection districts, Section 7-35, Definitions, Section 7-36, Applicability, Section 7-39, Exemptions, Section 7-42, Display of certificate of exemption, Section 7-43, Alteration of certificate of exemption, and Section 7-45, Appeals, Article III, Rental Certificate of Compliance, Chapter 7, Building Regulations, of the Code of the City of Roanoke (1979) as amended, to amend the designations of certain of the City's rental inspection districts by expansion of some of the districts, elimination of some districts and portions of other districts, and to make certain other changes to conform with applicable state law and current practices; 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 307.)

Council Member Price moved the adoption of Ordinance No. 41428-041519. The motion seconded by Council Member Davis.

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 additional comments and/or questions by the Council Members, Ordinance No. 41428-041519 was adopted by the following vote:

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

NAYS: None-0.

EASEMENT ON CITY-OWNED PROPERTY LOCATED AT 502 19TH STREET, S. E.: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, April 15, 2019 at 7:00 p.m., or as soon thereafter as the matter may be heard on a proposal of the City of Roanoke to grant an above and below ground utility easement with an approximate width of 10 feet, across City-owned property located at 502 19th Street, S. E., bearing the Official Tax Map No. 4310101, to Appalachian Power Company, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Monday, April 8, 2019.

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

The City Manager submitted a written report recommending execution of a Deed of Easement with Appalachian Power Company, 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 White-Boyd offered the following ordinance:

(#41429-041519) AN ORDINANCE authorizing the conveyance of a ten foot wide underground and above ground utility easement, under and across City-owned property located in the City of Roanoke, Virginia, situated at 502 19th St., S. E., designated as Official Tax Map No. 4310101, commonly known as Fallon Park ("Property") to Appalachian Power Company, upon certain terms and conditions; and dispensing with the second reading of this Ordinance by title.

(For full text of ordinance, see Ordinance Book No. 80, page 319.)

Council Member White-Boyd moved the adoption of Ordinance No. 41429-041519. The motion seconded by Council Member Price.

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 additional comments and/or questions by the Council Members, Ordinance No. 41429-041519 was adopted by the following vote:

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

NAYS: None-0.

SCHOOLS: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, April 15, 2019 at 7:00 p.m., or as soon thereafter as the matter may be heard, to receive views of citizens regarding appointment of two Roanoke City School Board Trustees for three-year terms of office, each, commencing on July 1, 2019. The candidates being Lutheria H. Smith, Joyce W. Watkins, Angela S. Penn and Natasha N. Saunders, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, April 5, 2019.

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

The Mayor inquired if there were persons present who wished to speak in support of the abovementioned four candidates; whereupon,, the following citizens appeared before Council:

Joyce W. Watkins

Jennifer Alston, 3252 Dresden Circle, Roanoke County
Dwight O. Steele, 7907 Carriage Park Drive, Roanoke County
Anthony Smith, 3020 Circle Drive, S. W.

Angela S. Penn

The Reverend David Jones, Pastor, Williams Memorial Baptist Church
Lorena Wilson, 4758 Westvale Road, N. E.
Tabatha Cooper, 2407 Laura Road, N. W.
Jessica Jennings, 1811 Lonna Drive, N. W.
Ted Edlich, 3596 Parkwood Drive, Roanoke County
Thomas Penn, 1624 Hanover Avenue, N. W.
Brenda Hale, President, Roanoke Chapter NAACP
Curtis Thompson, 1733 McMillian Court, N. W.
Stacey Sheppard, 1854 Wildwood Road, Salem, Virginia
Charlotte Moore, 5415 Bandy Road, S. W.
Karen Mason, 3686 Belle Avenue, N. E.
A communication from Edward M. Smith
(See communication on file in the City Clerk's Office.)

Natasha N. Saunders

Jordan Bell, 5208 Lancelot Lane, N. W.

Marquita Saunders, 2203 Montauk Road, N. W.

There being no further speakers, the Mayor declared the public hearing closed, and remarked that all comments would be received and filed. He also pointed out that the selection of two School Board Trustees would be announced at a subsequent Council meeting.

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.

GENDER BIAS AND LAW ENFORCEMENT INVOLVING CASES OF SEXUAL ASSAULT AND ABUSE: Barbara Andes, 2803 Rosalind Avenue, S. W., appeared before the Council to follow-up on lack of response from comments made at the March 18 Council meeting regarding gender bias and law enforcement involving cases of sexual assault and abuse.

FUNDING AND RESOURCES TO ASSIST WITH COMPACTING SEXUAL ASSAULT IN THE CITY OF ROANOKE: Catherine Koebel, 2625 Longview Avenue, S. W., appeared before the Council regarding funding and community resources to assist with compacting sexual assault in the City of Roanoke.

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

COUNCILMANIC ELECTIONS: Mayor Lea questioned the process of municipal elections being held in November versus May; whereupon, the City Attorney advised that he received a request from Council Member Osborne to research the matter.

He reviewed the study as submitted in 2012; and in 2016, the State Code was amended to clarify that City Council could adopt an ordinance notwithstanding the provisions of the City Charter to change the election day.

The City Attorney opined if Council were to change the Councilmanic election from May to November, the Charter should be amended as well in order to conform to the State Code.

He concluded that while the State Code does not require a public hearing, time should be taken to consider the benefits and challenges. He agreed to draft a detailed memo and submit his findings with the Council; and consider a public hearing to receive public comment on the matter as well.

Council Member Bestpitch commented that robust discussion with regard to the pros and cons was imperative and all considerations should be explored thoroughly and cautiously before making such changes that may not be in the best interest of the voters of the City of Roanoke.

Mayor Lea suggested that the information from the City Attorney be reviewed thoroughly in order to make an informed decision; and he agreed with Council Member Bestpitch's comment. He also emphasized that the matter had been previously discussed extensively at a past Council meeting, and if the matter needed to be revisited, so be it.

APPROPRIATE CRITERIA/POLICY FOR RESPONSES: In connection with citizens' requests referred to the City Manager, Vice-Mayor Cobb remarked that all Members of Council valued citizen engagement, experiences and concerns; however, even though the City Manager and staff responses are timely, the missing link was the lack of communication with regard to the process.

He mentioned in moving forward, it would be beneficial to continue to honor citizen engagement, and strengthen the communication and reply process because a lack of response often leads to frustration on the part of citizens.

Council Member White-Boyd concurred in the Vice-Mayor's comments, adding after the recent events involving the Chief of Police, the community did not have a chance to follow up with Council to discuss what was being done or what should be done; whereby there was not an opportunity to engage all parties, the issue and concerns were left unresolved.

The City Attorney offered to follow up with the Chief of Police; and with regard to the prior comments of Ms. Barbara Andes, he understood that the Police Department implemented some of the requirements and recommendations, which were approximately three years ago.

With regard to hearing of citizens during Council meetings, the City Manager remarked that his obligation was to provide information back to the Council; and if a matter was recommended for response, he responded to the Council and not necessarily back to whoever made the claim, charges or question.

He continued that if Council felt the response warranted additional clarification or other information needed to be shared, he only needed to be advised.

Council Member Bestpitch reminded the Council of the clause listed on the agenda which read "response recommendation or report to Council as the City Manager may deem appropriate"; and he cautioned all not to expect the City Manager to respond to every person who spoke before the Council, adding for many citizens do not want to be engaged, only want responses based on what they wish to hear.

Council Member Davis commented that Council Member Bestpitch made an excellent point and in the case of Ms. Andes, she was speaking on the Council's response to Mr. Priddy's comments, which was incumbent upon the Council to respond to the constituents, and what was done for one should be done for all. She further stated that the Council-Appointed Officers were the only City employees the Council could hire and terminate.

Following additional dialogue with regard to the citizen response process, the City Manager reminded everyone that Council was not allowed to engage in dialogue with any person at the podium because the general public had not been given benefit of knowing if Council would or would not engage in discussion of those items.

COVE ROAD REPAVING AND 10TH STREET IMPROVEMENT PROJECT: Mayor Lea reiterated a Community Meeting to receive updates on the Cove Road Repaving and 10th Street Improvement Project scheduled for Tuesday, April 16 at 6:30 p.m. at Garden of Prayer No. 7 in the Fellowship Hall.

At 7:57 p.m., the Mayor declared the Council meeting in recess until Thursday, April 25, 2019, at 7:00 p.m., in the Council Chamber, for the purpose of conducting public hearings on the City of Roanoke Recommended Fiscal Year 2019 – 2020 Budget at 7:00 p.m.; Proposed Real Estate Tax Increase at 7:10 p.m.; and the Recommended 2019 – 2020 HUD Funds Budget and 2019 – 2020 Annual Update to the 5-year Consolidated Plan at 7:20 p.m.

The recessed meeting of Roanoke City Council was called to order on Thursday, April 25, 2019 at 7:00 p.m., in the Council Chamber, Room 450, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., with Mayor Sherman P. Lea, Sr., presiding.

PRESENT: Council Members Joseph L. Cobb, Michelle L. Davis, Anita J. Price, Djuna L. Osborne, William D. Bestpitch and Mayor Sherman P. Lea, Sr.-6.

ABSENT: Council Member Patricia White-Boyd-1.

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 Mayor Lea.

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

Mayor Lea announced that the purpose of the recessed meeting was to conduct three public hearings regarding the Recommended Fiscal Year 2019 - 2020 City of Roanoke Budget; Proposed Real Estate Tax Rate Increase; and Recommended 2019 - 2020 HUD Funds Budget and 2019 - 2020 Annual Update to the 5-Year Consolidated Plan.

He explained there would be no discussion or action taken by the Council during or at the conclusion of the public hearings.

RECOMMENDED FISCAL YEAR 2019 - 2020 CITY BUDGET: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Thursday, April 25, 2019, at 7:00 p.m., or as soon thereafter as the matter may be heard, to afford persons an opportunity to speak and state their views concerning all aspects of the Recommended Fiscal Year 2019 - 2020 City Budget, in the amount of \$299,431,000.00, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Wednesday, April 17, 2019.

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

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

Christopher Levering, President, Roanoke City Police Association, requested implementation of short and long-term measures to address the needs of salary adjustments and personnel retention.

(See copy of remarks and handout on file in the City Clerk's Office.)

Matthew Kelley, 3051 Hemlock Road, S. W., spoke in support of increased funding for parks and recreation.

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

PROPOSED REAL ESTATE TAX INCREASE: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Thursday, April 25, 2019, at 7:10 p.m., or as soon thereafter as the matter may be heard, to afford persons an opportunity to speak and state their views concerning all aspects of the proposed increase in property tax levies, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Monday, March 25, 2019; and *The Roanoke Tribune* on Thursday, March 28, 2019.

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

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

CITY'S PROPOSED 2019 - 2020 HUD FUNDS BUDGET AND 2019 - 2020 ANNUAL UPDATE TO THE 5-YEAR CONSOLIDATED PLAN: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Thursday, April 25, 2019, at 7:20 p.m., or as soon thereafter as the matter may be heard, to afford persons an opportunity to speak and state their views concerning all aspects of the City's Proposed 2019 - 2020 HUD Funds Budget and 2019 - 2020 Annual Update to the 5-Year Consolidated Plan, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Monday, March 25, 2019; and *The Roanoke Tribune* on Thursday, March 28, 2019.

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

Keith Holland, Community Resources Program Administrator, advised that the HUD Funds Budget figures had changed since publication of the public hearing. He pointed out that the revised proposed plan funds 27 different activities among the various nonprofits and neighborhood associations.

In summary, Mr. Holland stated the City would once again be focusing a majority of the funds into the Melrose-Orange Target Area, with a concentration on affordable and sustainable housing for low to moderate income citizens, human services aimed at low to moderate income families, homelessness prevention and rapid rehousing, and addressing blight conditions.

(See copy of statement and FY 2020 HUD Funds summary on file in the City Clerk's Office.)

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

Jenny Lee, Development Director, Habitat for Humanity, expressed appreciation for City's support of Habitat for Humanity.

Deborah Tucker, recipient of a Habitat home, 2754 Brandon Avenue, S. W., expressed appreciation to Habitat for changing the lives of families.

Jackie Bledsoe, 1950 Montclair Drive (Roanoke County), expressed appreciation for CDBG funding for playground equipment in Horton Park.

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

Comments by the Mayor and Members of Council:

Council Member Bestpitch announced the Haley Toyota Kiwanis Pancake and Auction Day on Saturday, May 11 from 7:00 a.m. – 1:00 p.m., at the Berglund Center.

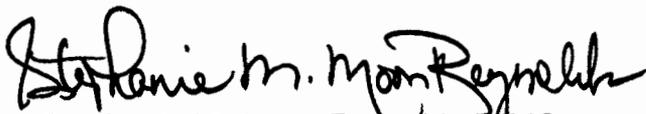
Mayor Lea expressed sincerest appreciation to Ric Morrison for his support at Community Solutions Center.

The Mayor announced that the City Council would adopt the Recommended FY 2019 - 2020 Budget, along with other related measures during its Recessed Meeting on Monday, May 13 at 2:00 p.m., in the City Council Chamber.

There being no further business to come before the Council, Mayor Lea declared the Recessed meeting adjourned at 7:41 p.m.

A P P R O V E D

ATTEST:



Stephanie M. Moon Reynolds, TMC
City Clerk



Sherman P. Lea, Sr.
Mayor
