

Minutes from RNA Meeting on ~~February~~ ^{March} 13, 2019
Noel C. Taylor Municipal Building
Room 159 (EOC) at 5:30 PM

Committee Members in Attendance

Kate Lewis, Chair
Charles E. Wilson, Vice-Chair
Ellie Rigby, Secretary
Bill Houck, Jr.
Jackie Moon
Sunni Purviance

Committee Members Absent

Jamaal L. Jackson
Cindy Pasternak

Guests

Tonya Pickett – Neighborhood Services Coordinator
Wayne Leftwich – Roanoke City Planning
Dan Webb – Roanoke City Code Enforcement
Josh Dietz – Assistant Commonwealth’s Attorney
Don Caldwell – Commonwealth’s Attorney

Welcome to Members and Guests

Chair Lewis called the meeting to order at 5:38 and welcomed all members and guests.

Reading and Approval of Minutes

Ms. Moon moved to adopt the Agenda. Mr. Houck seconded. Passed unanimously. Mr. Houck made a motion to accept minutes. Ms. Moon seconded. Passed unanimously.

Guest Presentations

• **Josh Dietz, Don Caldwell, and Dan Webb – Code Enforcement**

Mr. Caldwell spoke first. He indicated that the problems with the Code Enforcement is not just judges. He referred to the transformation of Roanoke in the 1970s – the start of the decline and blighted areas in the City. There was urban flight. There has been a lot of improvement, but you cannot ignore the fact that a lot of the housing in Roanoke is old and is expensive to rehabilitate. He is worried about saying something that will offend the group. He referred to older people without the resources to fix up the properties. There are issues with the older generation passing on properties to a younger generation that is not doing as well. Then they move out of the state and become absentee landlords. And there is also a problem with slumlords. There is also a population of renters that damage the properties. Code enforcement and the courts are trying to do something about it. Judge Talevi is the judge who does the most with it – the goal is compliance rather than punishment. Mr. Dietz is the code enforcement attorney.

Mr. Dietz gave a presentation on Codes and Courts. Judge Talevi is the judge in Roanoke for the General District Court who makes the decisions regarding fines, etc. Appeals to her decisions go to the Circuit Court – trial “de novo” – a new trial. The General District Court is not a court of record. All code cases are misdemeanors. There is no jury. Circuit Court has a jury except in rare circumstances, they are recorded. Code violations include Building or Maintenance Code, Zoning Ordinances, and Fire Prevention Codes. Some are undefined misdemeanors, others are Class 1 – Class 4. Class one carries up to a year in jail and a fine of \$2,500. Summons are issued by a magistrate (or sometimes another authorized person) after there is an accusation with probable cause. Must be proven beyond a reasonable doubt. Possible penalties: Building or Maintenance Code (Va Code section 36-106). The violations are

per property, not per landlord. They have to certify with a copy of the first conviction to prove a second conviction. Zoning Ordinance Violations (how property is being used – VA Code Sec. 15.2-2286.A.5). The judge usually gives an order to come into compliance in a certain period of time. The owner of the property is the responsible party. The commonwealth has to prove that it is in violation, that a notice of violation was given, and that the defendant is the responsible party. The Virginia Maintenance Code: 13VAC5-63-450 – incorporated by reference to the Statewide Building Code – Roanoke City's is in Section 36.2 and is incorporated similarly. The primary goal is compliance in order to solve the problems with the violations.

Ms. Lewis asked how many code cases are appealed. Mr. Dietz said that there are not too many. Ms. Lewis asked how many are convicted. Mr. Dietz said not very many as the goal is compliance. In zoning court, the defendants are not usually represented because most cases are not considered for incarceration – in that event, the court would have to appoint an attorney. People can also be given an opportunity to comply in Circuit Court. Mr. Caldwell recommended that RNA members attend a session of Code Compliance Court. The next Code Court Date is April 4th at 2:00pm.

There are emergency procedures for certain circumstances. Vacant properties can be boarded up. If it is in imminent danger of collapse, it can be demolished. Liens are issued for the cost of securing or demolishing the properties.

Dan Webb – City Code Enforcement

The Division of Code Enforcement was created 33 years ago. The Rental Inspection Districts were created in response to a house fire in Southeast that killed a grandmother and 5 grandchildren in an illegal duplex. The rental inspection program can be in conservation and rehabilitation districts. It is in southeast in Belmont, Morningside, Fallon Park. In Northwest, Gainsboro, Gilmer, Harrison, Melrose-Rugby, Loudon-Melrose. In Southwest West End, Hurt Park, Mountain View, Old Southwest. They also include Washington Park, Villa Heights, a complex on Tinker Creek, and 300 units on Westside Blvd and a trailer park on Williamson Road and an apartment building. These districts lined up with the areas with the most violations. Indian rock Village and Morningside public housing units are being removed from inspections because HUD inspects them. The scattered sites will still be included. The apartments on Timker Creek and Westside Blvd are being proposed for removal and adding 40 duplexes on Eastern Ave. that have had a lot of violations. They also want to go up by Washington Park to Hunt Avenue, 10th Street, Rockland, and Kellogg. Owner-occupied is excluded. Code enforcement is also always looking for new rental properties in the districts that need to be inspected as part of the program. These changes will be presented at the next Roanoke City Council and scheduled for a public hearing with council approval on April 15th at 7pm. If it is approved then they will send out mailings.

Mr. Webb said that a house can sit vacant and boarded up forever. He referred to one specific case in 1985 where a homeowner was sited for a vacant property, but they made the repairs necessary and kept it boarded up, and they keep doing so each time they get a violation. They are being maintained to the minimum code and are up to date on the taxes.

Reports of Special Interest

- **City Plan 2040 – Wayne Leftwich, Roanoke City Sr. Planner**

There will be open house meetings coming up at the libraries where the draft policies put together by the working groups will be presented to the public. Mr. Leftwich talked about how the Interwoven Equity group had additional meetings to have more turnout for the equity discussions. Following the open house meetings in late March and early April. Then they will have stakeholder meetings (schools, libraries, Stormwater, etc.) and then holding focus groups of people who are not likely to have otherwise engaged with the process to present portions of the plan to the public for feedback. April will be focused on the hard to reach areas. They will have more public meetings in Southeast and Northwest as well – similar to the Equity meetings.

- • **Neighborhood Reports - All**

Ms. Lewis

Raleigh Court

No report

South Roanoke Neighbors

The library meeting was on March 12th. There were about 50 people there, the assistant city manager, city engineer, and head librarian were there. They changed the location to be next to the post office. They might separate out the book drop.

Grandin Village Business Association

No report

Ms. Purviance

Starview Heights

Not much going on. Working on their by-laws. She is helping them get a logo together.

Riverland/Walnut

No report. She set up a facebook page and an event, but then the meeting was canceled.

Southeast Action Forum

Promoted the open house meetings. There was interest in an Equity Meeting.

Ms. Moon

No Neighborhood Reports

She has started a Northeast Roanoke page.

Mr. Houck

Old Southwest

He is setting up a meeting with the new president of OSW.

Greater Deyerle

Mike Daim is the new president and they don't meet again until April.

Ms. Rigby

MOTA

Meeting on Interwoven Equity. No other reports.

Ms. Pickett

Franklin Road Bridge

The ribbon cutting is scheduled during the day, but the Old Southwest neighborhood was not happy with that.

Reports of Officers – Standing Committees

- **Neighborhood Month – Presidents Council Meeting**

Mr. Houck and Ms. Lewis have met for planning. Let them know your schedule in May so that they can get it on the calendar. They are thinking an evening during the week or a luncheon on the weekend. They are thinking of making it a potluck and then the RNA will provide a main dish. Ms. Lewis will start a doodle poll for the dates.

- **Neighborhood Grant Review Committee – Ms. Lewis**

The RNA will need to vote next month while we await more information from Mr. Holland about whether Wasena will qualify for CDBG funds.

Unfinished Business

- **Gun Buyback Program - Lewis**

No update. Mr. Cobb is trying to start an initiative in violence response. Ms. Pickett indicated that what Mr. Cobb is proposing cannot happen until it goes before City Council for a resolution.

New Business

- **RNA Shirts**

Tabled until the next meeting.

Open Forum/Announcements

- **Peterscreek Area Residents Neighborhood Meeting – Tuesday, March 19th 6pm-7pm**
- **Valley Clean-up Day is April 6th**

Closed Session called at 7:28

Adjourn

Mr. Russel has resigned so new candidates will be considered at the next meeting. Chair Lewis adjourned the meeting at 7:35pm.

