



Please click the links below to access the Council Agenda and Reports:

1. Council Action Agenda

Documents: [AG 02-16-16.PDF](#)

2. Council Agenda And Reports

Documents: [CAR 02-16-16.PDF](#), [MINS 07-06-15.PDF](#), [MINS 11-20-15.PDF](#)

- 2.I. 02-16-16 Perkins Resolution

Documents: [02-16-16 PERKINS RESOLUTION.PDF](#)

- 2.II. Mins 11-16-15

Documents: [MINS 11-16-15.PDF](#)

- 2.II.i. Mins 06-15-15

Documents: [MINS 06-15-15.PDF](#)

## **NOTICE:**

**The Full Agenda consists of scanned images of only those reports and communications submitted to the City Clerk before the deadline established for such agenda and will not include any matter or item brought before Council for consideration at the meeting.**

**The original documents are available for inspection in the Office of the City Clerk, Room 456 Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., Roanoke, Virginia 24011.**

**To receive the City Council agenda (without reports) automatically via e-mail, contact the Office of the City Clerk at [clerk@roanokeva.gov](mailto:clerk@roanokeva.gov) or (540) 853-2541.**

**The records of City Council and City Clerk's Office will be maintained pursuant to Section 42.1-82 of the Code of Virginia (1950), as amended, and the Commonwealth of Virginia, Library of Virginia Records Management and Imaging Services Division, Records Retention and Disposition Schedules, for compliance with Guidelines**



**FERRIS  
40433-021616**

**ROANOKE CITY COUNCIL  
REGULAR SESSION**

**FEBRUARY 16, 2016  
2:00 P.M.**

**CITY COUNCIL CHAMBER**

**AGENDA**

**1. Call to Order--Roll Call. Council Member Rosen was absent.**

The Invocation was delivered by Mayor David A. Bowers.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor David A. Bowers.

Welcome. Mayor David A. Bowers.

**NOTICE:**

Today's Council meeting will be televised live and replayed on RVTV Channel 3 on Thursday, February 18 at 7:00 p.m., and Saturday, February 20 at 4:00 p.m.; and video streamed through CivicPlus at [roanokeva.gov/councilmeetings](http://roanokeva.gov/councilmeetings). Council meetings are offered with closed captioning for the hearing impaired.

**ANNOUNCEMENTS:**

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**NOTICE OF INTENT TO COMPLY WITH THE AMERICANS WITH DISABILITIES ACT.** SPECIAL ASSISTANCE IS AVAILABLE FOR DISABLED PERSONS ADDRESSING CITY COUNCIL. EFFORTS WILL BE MADE TO PROVIDE ADAPTATIONS OR ACCOMMODATIONS BASED ON INDIVIDUAL NEEDS OF QUALIFIED INDIVIDUALS WITH DISABILITIES, PROVIDED THAT REASONABLE ADVANCE NOTIFICATION HAS BEEN RECEIVED BY THE CITY CLERK'S OFFICE.

PERSONS WISHING TO ADDRESS COUNCIL WILL BE REQUIRED TO CONTACT THE CITY CLERK'S OFFICE PRIOR TO THE COUNCIL MEETING, OR REGISTER WITH THE STAFF ASSISTANT AT THE ENTRANCE TO THE COUNCIL CHAMBER PRIOR TO COMMENCEMENT OF THE COUNCIL MEETING. ONCE THE COUNCIL MEETING HAS CONVENED, THERE WILL BE NO FURTHER REGISTRATION OF SPEAKERS, EXCEPT FOR PUBLIC HEARING MATTERS. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH; HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL-APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE MAY CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE TO COMPLETE AN ONLINE APPLICATION.

THE COUNCIL OF THE CITY OF ROANOKE IS SEEKING APPLICATIONS FOR THE FOLLOWING CURRENT VACANCIES AND/OR UPCOMING EXPIRATIONS OF TERMS OF OFFICE:

**BUILDING AND FIRE CODE OF APPEALS/AT-LARGE – TWO VACANCIES  
TERM OF OFFICE ENDING JUNE 30, 2018  
UNEXPIRED TERM OF OFFICE END JUNE 30, 2017**

**CITY OF ROANOKE FINANCE BOARD – ONE VACANCY  
UNEXPIRED TERM OF OFFICE ENDING JUNE 30, 2016**

**FAIR HOUSING BOARD – ONE VACANCY  
TERM OF OFFICE ENDING MARCH 31, 2019**

**PARKS AND RECREATION ADVISORY BOARD – ONE VACANCY  
UNEXPIRED TERM OF OFFICE ENDING MARCH 31, 2017**

**ROANOKE VALLEY-ALLEGHANY REGIONAL COMMISSION  
ONE VACANCY  
UNEXPIRED TERM OF OFFICE ENDING JUNE 30, 2018**

**HOTEL ROANOKE AND CONFERENCE CENTER COMMISSION  
ONE VACANCY  
FOUR-YEAR TERM OF OFFICE ENDING APRIL 12, 2020**

**EXPIRATION OF THE THREE-YEAR TERMS OF OFFICE OF SUZANNE P. MOORE AND ANNETTE LEWIS AS TRUSTEES OF THE ROANOKE CITY SCHOOL BOARD ENDING JUNE 30, 2016. TRUSTEE MOORE IS NOT ELIGIBLE FOR REAPPOINTMENT. DEADLINE FOR RECEIPT OF APPLICATIONS IS THURSDAY, MARCH 10, 2016. APPLICATIONS, QUESTIONS AND/OR ADDITIONAL INFORMATION, PLEASE CONTACT CITY CLERK'S OFFICE AT 853-2541.**

**2. PRESENTATIONS AND ACKNOWLEDGEMENTS:**

A Proclamation honoring the 284<sup>th</sup> birthday of the first President of the United States of America, George Washington on Monday, February 22, 2016.

**Mayor Bowers presented a ceremonial copy of proclamation to Phil Sheridan, First Vice President; and Al Linton, Secretary, Fincastle Resolutions Chapter of the Sons of the American Revolution; and Dr. M. Rupert Cutler, Preston Memorial Committee Co-Chairman.**

A resolution memorializing the late Alphonzo L. Holland, Sr.

**Adopted Resolution No. 40433-021616 (6-0)**

A resolution paying tribute to Police Chief Christopher Perkins.

**Adopted Resolution No. 40434-021616 (6-0).**

**The Mayor presented a ceremonial copy of resolution and Key to the City to Chief Perkins.**

### 3. 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.

Chris Craft, President, Wildwood Civic League, appeared before Council to request amenities in East Gate Park.

### 4. CONSENT AGENDA: (APPROVED 6-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY. Mayor called attention to three requests for Closed Meeting and an additional request for a Closed Meeting from the City Attorney.

C-1 A communication from Mayor David A. Bowers requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended.  
**RECOMMENDED ACTION: Concurred in the request.**

C-2 A communication from the City Manager requesting that the Council convene in a Closed Meeting to discuss the disposition of City-owned properties located at Jae Valley Road, Roanoke County, Virginia, bearing Roanoke County Official Tax Map Nos. 008900-03-2901 and 008900-03-2902, and adjacent to Back Creek, a tributary of the Roanoke River, where discussion in an open meeting would adversely affect the bargaining or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended.  
**RECOMMENDED ACTION: Concurred in the request.**

C-3 A communication from the City Attorney requesting that Council schedule a public hearing for Monday, March 21, 2016, at 7:00 p.m., or as soon thereafter as a matter may be heard, with regard to the conveyance of a permanent sewer line easement and a temporary construction easement to the Western Virginia Water Authority.  
**RECOMMENDED ACTION: Concurred in the request.**

- C-4 Minutes of the regular meetings of City Council held on Monday, June 15, 2015; Monday, July 6, 2015; Monday, November 16, 2015; and the Special Session held on November 20, 2015.  
**RECOMMENDED ACTION:** **Dispensed with the reading of the minutes and approve as recorded.**
- C-5 A communication from the City Clerk advising that Jerry Smith has tendered his resignation as a City representative of the Roanoke Valley-Alleghany Regional Commission and as a member of the Building and Fire Code Board of Appeals, effective immediately.  
**RECOMMENDED ACTION:** **Accepted the resignation and received and filed the communication.**
- C-6 A communication from the City Attorney requesting that the Council convene in a Closed Meeting regarding consultation with the City Attorney and briefing by staff pertaining to actual litigation, where such consultation and briefing in open meeting would adversely affect the negotiating or litigating position of City Council. This request is made pursuant to Section 2.2-3711.A.7, Code of Virginia (1950), as amended.  
**RECOMMENDED ACTION:** **Concurred in the request.**

### **REGULAR AGENDA:**

**5. PUBLIC HEARINGS: NONE.**

**6. PETITIONS AND COMMUNICATIONS: NONE.**

**7. REPORTS OF CITY OFFICERS AND COMMENTS OF CITY MANAGER:**

a. CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

1. Acceptance of the Juvenile Justice and Delinquency Prevention Title II Grant from the Virginia Department of Criminal Justice Services to be expended on the Roanoke City Public Schools to create and administer the Positive Alternatives to School Suspensions (PASS) Project.  
**Adopted Resolution No. 40435-021616 and Budget Ordinance No. 40436-021616. (6-0)**

2. Acceptance from the Department of Criminal Justice Services, the 2016 Violence Against Women Act (V-STOP) Grant to employ the Police Department's full-time non-sworn Domestic Violence Specialist.  
**Adopted Resolution No. 40437-021616 and Budget Ordinance No. 40438-021616. (6-0)**
3. Appropriation of grant funds from the Environmental Protection Agency's National Clean Diesel Campaign for the City to purchase a propane powered box truck for use by the Transportation Division.  
**Adopted Budget Ordinance No. 40439-021616. (6-0)**
4. Appropriation of funding for tenant upfit and furniture, fixtures and equipment in connection with relocation of the General Registrar's Office to 317 Kimball Avenue, S. W.  
**Adopted Budget Ordinance No. 40440-021616. (5-1, with Mayor Bowers voting no).**
5. Appropriation of Fleet Management Fund Retained Earnings for replacement of a ladder truck in the Fire-EMS Department.  
**Adopted Budget Ordinance No. 40441-021616. (6-0)**
6. Authorization to issue and execute additional amendments to the City's Contract with Mattern & Craig, Inc., for additional professional services for the second year of the City's Transportation Structures Inspection Program 2014 – 2018.  
**Adopted Resolution No. 40442-021616. (6-0)**
7. Authorization to execute Amendment No. 4 with CONMED, Inc., for additional medical services for care of inmates housed at the City Jail, retroactive to July 1, 2015.  
**Adopted Resolution No. 40443-021616 and Budget Ordinance No. 40444-021616. (6-0)**
8. Execution of an Amended and Restated New River Valley Commerce Park Participation and Revenue Sharing Agreement to reflect changes in the Commerce Park Project and to address other related provisions.  
**Adopted Ordinance No. 40445-021616 (6-0)**
9. Execution of a regional agreement among and between the City of Roanoke, the County of Roanoke, and the City of Salem, jurisdictions to open a Regional Collision Reporting Center.  
**Adopted Ordinance No. 40446-021616. (6-0)**

## COMMENTS OF CITY MANAGER.

The City Manager commented on the following items:

- Deputy Chief Tim Jones will serve as Acting Police Chief, effective March 1, 2016.
- The City will conduct a national search for a new police chief.

### Reception for Police Chief Chris Perkins

- Friday, February 26 from 3:00 p.m. to 5:00 p.m., in the Municipal North Lobby to honor Chief Perkins.
- Chris began working for the Roanoke Police Department in 1992, and his service has been an asset to our city and its leaders.
- As Police Chief, he was one of my first hires when I arrived in Roanoke and I couldn't be more proud of the work he's done for our citizens.
- He has initiated new methods and programs to make our city a safe place, and his efforts will have a lasting impact on not only the Police Department, but our entire city.
- City Council and the public are invited to the reception to thank the Chief for his service and in wishing him well.

### George Takei Coming to Roanoke

- Actor George Takei has accepted an invitation from Roanoke City Council and Local Colors of Western Virginia to come to Roanoke on May 4, 2016.
- We are calling it "An Evening with George Takei: On Inclusion and Diversity."
- Mr. Takei will share remarks about his personal experience as a Japanese-American held in American internment camps with his family in World War II.
- Admission to the event will be free and open to the public, but tickets will be required for entrance.
- Staff is working with Local Colors to iron out details.
- More information will be shared as the event date nears, so stay tuned.Voter Precincts Changes
- The City of Roanoke has recently realigned its 32 precincts into 21 precincts. Many voters will now be voting in a different location than they have in previous elections.
- New voter notices were sent in the mail to every registered voter in the city.
- Each notice contains important precinct information and voting location with a map. If your address of record is not up to date, you may not receive this important notice.
- To verify or to update your voter registration information, go to [www.elections.virginia.gov](http://www.elections.virginia.gov), or call the Office of Voter Registration and Elections at 853-2281.
- The City of Roanoke will have four elections this year. Please take the time to review and update your voter registration information.

**8. REPORTS OF COMMITTEES:**

- a. A report of the Roanoke City School Board requesting appropriation of funds for various educational programs; and a report of the Director of Finance recommending that Council concur in the request. Donna Caldwell, Director of Accounting, Spokesperson.  
**Adopted Budget Ordinance No. 40447-021616. (6-0)**

**9. UNFINISHED BUSINESS: NONE.**

**10. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:**

- a. A resolution honoring Frank Beamer, Virginia Tech Football Coach.  
**Adopted Resolution No. 40448-021616. (6-0)**

**11. MOTIONS AND MISCELLANEOUS BUSINESS:**

- a. Inquiries and/or comments by the Mayor and Members of City Council.

**Council Member Bestpitch made a motion to authorize Rob Catron, Legislative Liaison for the City, to represent the interest of the City in opposing legislation to (i) preempt local ordinances that regulate homestays or Air BnB operations; and (ii) exempt property of railroad corporations from stormwater utility fees assessed on all property owners within a locality. The motion was seconded by Council Member Ferris and adopted.**

- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council. **NONE.**

**12. RECESSED – 3:50 P.M.**

**13. RECONVENED – 4:37 P.M.**

**CERTIFICATION OF CLOSED MEETING. (6-0)**

**14. ADJOURNED – 4:37 P.M.**

**INASMUCH AS THERE BEING NO PUBLIC HEARINGS SCHEDULED TO COME BEFORE THE COUNCIL, THE 7:00 P.M. MEETING WAS CANCELLED.**



**ROANOKE CITY COUNCIL  
REGULAR SESSION**

**FEBRUARY 16, 2016  
2:00 P.M.**

**CITY COUNCIL CHAMBER**

**AGENDA**

**1. Call to Order--Roll Call.**

The Invocation will be delivered by The Reverend James W. Beckner, Pastor, Community Advent Christian Church.

The Pledge of Allegiance to the Flag of the United States of America will be led by Mayor David A. Bowers.

Welcome. Mayor Bowers.

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ONE VACANCY  
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**EXPIRATION OF THE THREE-YEAR TERMS OF OFFICE OF SUZANNE P. MOORE AND ANNETTE LEWIS AS TRUSTEES OF THE ROANOKE CITY SCHOOL BOARD ENDING JUNE 30, 2016. TRUSTEE MOORE IS NOT ELIGIBLE FOR REAPPOINTMENT. DEADLINE FOR RECEIPT OF APPLICATIONS IS THURSDAY, MARCH 10, 2016. APPLICATIONS, QUESTIONS AND/OR ADDITIONAL INFORMATION, PLEASE CONTACT CITY CLERK'S OFFICE AT 853-2541.**

**2. PRESENTATIONS AND ACKNOWLEDGEMENTS:**

A Proclamation honoring the 284<sup>th</sup> birthday of the first President of the United States of America, George Washington on Monday, February 22, 2016.

P 8

A resolution memorializing the late Alphonzo L. Holland, Sr.

P 10

A resolution paying tribute to Police Chief Christopher Perkins.

**3. 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.**

4.

**CONSENT AGENDA:**

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C-1 A communication from Mayor David A. Bowers requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended.

P 13

RECOMMENDED ACTION: Concur in the request.

C-2 A communication from the City Manager requesting that the Council convene in a Closed Meeting to discuss the disposition of City-owned properties located at Jae Valley Road, Roanoke County, Virginia, bearing Roanoke County Official Tax Map Nos. 008900-03-2901 and 008900-03-2902, and adjacent to Back Creek, a tributary of the Roanoke River, where discussion in an open meeting would adversely affect the bargaining or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended.

P 14

RECOMMENDED ACTION: Concur in the request.

C-3 A communication from the City Attorney requesting that Council schedule a public hearing for Monday, March 21, 2016, at 7:00 p.m., or as soon thereafter as a matter may be heard, with regard to the conveyance of a permanent sewer line easement and a temporary construction easement to the Western Virginia Water Authority.

P 15

RECOMMENDED ACTION: Concur in request.

C-4 Minutes of the regular meetings of City Council held on Monday, June 15, 2015; Monday, July 6, 2015; Monday, November 16, 2015; and the Special Session held on November 20, 2015.

RECOMMENDED ACTION: Dispense with the reading of the minutes and approve as recorded.

C-5 A communication from the City Clerk advising that Jerry Smith has tendered his resignation as a City representative of the Roanoke Valley-Alleghany Regional Commission and as a member of the Building and Fire Code Board of Appeals, effective immediately.

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RECOMMENDED ACTION: Accept the resignation and receive and file the communication.

**REGULAR AGENDA:**

**5. PUBLIC HEARINGS: NONE.**

**6. PETITIONS AND COMMUNICATIONS: NONE.**

**7. REPORTS OF CITY OFFICERS AND COMMENTS OF CITY MANAGER:**

a. CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

1. Acceptance of the Juvenile Justice and Delinquency Prevention Title II Grant from the Virginia Department of Criminal Justice Services to be expended on the Roanoke City Public Schools to create and administer the Positive Alternatives to School Suspensions (PASS) Project.

P 20  
R 22  
B/O 23

2. Acceptance from the Department of Criminal Justice Services, the 2016 Violence Against Women Act (V-STOP) Grant to employ the Police Department's full-time non-sworn Domestic Violence Specialist.

P 24  
R 26  
B/O 27

3. Appropriation of grant funds from the Environmental Protection Agency's National Clean Diesel Campaign for the City to purchase a propane powered box truck for use by the Transportation Division.

P 28  
B/O 29

4. Appropriation of funding for tenant upfit and furniture, fixtures and equipment in connection with relocation of the General Registrar's Office to 317 Kimball Avenue, S. W.

P 30  
B/O 32

- |    |  |                        |
|----|--|------------------------|
| 5. | Appropriation of Fleet Management Fund Retained Earnings for replacement of a ladder truck in the Fire-EMS Department.   | P 33<br>B/O 34         |
| 6. | Authorization to issue and execute additional amendments to the City's Contract with Mattern & Craig, Inc., for additional professional services for the second year of the City's Transportation Structures Inspection Program 2014 – 2018. | P 35<br>R 37           |
| 7. | Authorization to execute Amendment No. 4 with CONMED, Inc., for additional medical services for care of inmates housed at the City Jail, retroactive to July 1, 2015.  | P 39<br>R 42<br>B/O 43 |
| 8. | Execution of an Amended and Restated New River Valley Commerce Park Participation and Revenue Sharing Agreement to reflect changes in the Commerce Park Project and to address other related provisions.                                     | P 44<br>O 61           |
| 9. | Execution of a regional agreement among and between the City of Roanoke, the County of Roanoke, and the City of Salem, jurisdictions to open a Regional Collision Reporting Center.  | P 63<br>O 74           |

**COMMENTS OF CITY MANAGER.**

**8. REPORTS OF COMMITTEES:**

- |    |  |                        |
|----|--|------------------------|
| a. | A report of the Roanoke City School Board requesting appropriation of funds for various educational programs; and a report of the Director of Finance recommending that Council concur in the request. Donna Caldwell, Director of Accounting, Spokesperson. | P 75<br>P 76<br>B/O 77 |
|----|--|------------------------|

**9. UNFINISHED BUSINESS: NONE.**

**10. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:**

- a. A resolution honoring Frank Beamer, Virginia Tech Football Coach.

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**11. MOTIONS AND MISCELLANEOUS BUSINESS:**

- a. Inquiries and/or comments by the Mayor and Members of City Council.
- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

**CERTIFICATION OF CLOSED MEETING.**

**12. ADJOURN.**

**INASMUCH AS THERE ARE NO PUBLIC HEARINGS SCHEDULED TO COME BEFORE THE COUNCIL, THE 7:00 P.M. MEETING HAS BEEN CANCELLED.**

Office of the Mayor

CITY OF  ROANOKE

# Proclamation

**WHEREAS**, George Washington born on February 22, 1732, into a Virginia planter family, he was educated and apprenticed with the experience and training in surveying;

**WHEREAS**, as a surveyor, Washington surveyed the Shenandoah lands of Lord Fairfax and as a soldier, fought in the French and Indian War as a commissioned lieutenant colonel;

**WHEREAS**, from 1759 to the outbreak of the American Revolution, Washington managed his lands at Mount Vernon; served in the Virginia House of Burgesses; married Martha Dandridge Curtis; grew to believe that the British administration of the colonies to be unjust; and added his voice to the cause for American liberty;

**WHEREAS**, when the Second Continental Congress assembled in Philadelphia in May 1775, as a delegate from Virginia, Washington was elected Commander in Chief of the Continental Army, took command of his ill-trained troops at Cambridge, Massachusetts, and embarked on a war that was to last eight grueling years;

**WHEREAS**, finally in 1781 with the aid of French allies, Washington forced the surrender of General Lord Charles Cornwallis at Yorktown;

**WHEREAS**, he was again called to service to preside over the Constitutional Convention at Philadelphia in 1787 and, when the new Constitution was ratified, was elected President;

**WHEREAS**, on April 30, 1789, Washington, standing on the balcony of Federal Hall on Wall Street in New York, took his oath of office as the first President of the United States of America;

**WHEREAS**, after two terms as President, Washington retired from public life, voluntarily relinquishing the Presidency and establishing the precedent for the peaceful transition of power in the fledgling American democracy;

**WHEREAS**, the Revolutionary War hero, Henry Lee, would say of President George Washington that he was "first in war, first in peace, and first in the hearts of his countrymen";

**WHEREAS**, the national organization Sons of the American Revolution, organized on the 100th anniversary of the inauguration of George Washington as our nation's first President, and its Roanoke-based unit, the Fincastle Resolutions Chapter, exist to keep alive their ancestors' story of patriotism and courage in the belief that the story of man's struggle against tyranny will continue to inspire and sustain succeeding generations in defending freedom; and

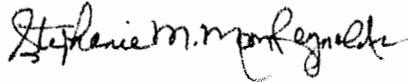
**WHEREAS**, our nation celebrates the contributions of George Washington to the founding of our country on the third Monday of February.

**NOW, THEREFORE, I**, David A. Bowers, Mayor of the City of Roanoke, Virginia, do hereby recognize and celebrate the 284th birthday of President George Washington on February 22, 2016 throughout this great, six-time All-America City, as

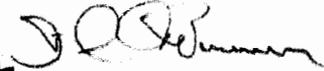
**PRESIDENT GEORGE WASHINGTON DAY.**

GIVEN under our hands and seal of the City of Roanoke this sixteenth day of February in the year two thousand and sixteen.

ATTEST:



Stephanie M. Moon Reynolds  
City Clerk



David A. Bowers  
Mayor



2.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION memorializing the late Alphonzo LaSalle Holland, Sr., 2003 Citizen of the Year and a native of Roanoke.

WHEREAS, the members of Council learned with sorrow of the passing of Mr. Holland on Saturday, December 12, 2015;

WHEREAS, Mr. Holland graduated from Lucy Addison High School, attended Hampton Institute, and studied at La Salle University and the Philippines Golden State College;

WHEREAS, Mr. Holland served in the U.S. Army, including tours of duty during World War II and the Korean War, and with his service in the Army Reserves until 1976, dedicated 30 years of service to his country;

WHEREAS, Mr. Holland was employed by Norfolk and Western Railway in 1938 and, between tours of duty, worked as a freight handler, custodian, and assistant tariff supervisor until he retired in 1985;

WHEREAS, Mr. Holland was a member of the Executive Board of the National D-Day Memorial Foundation, Central YMCA, WBRA-TV Advisory Committee, American Red Cross of Roanoke, Virginia Transportation Museum, National Council of Community Justice, Roanoke Valley Race Relations Committee, and Rebuilding Together With Christmas in April;

WHEREAS, Mr. Holland was a member and past president of the Big Brothers/Big Sisters Organization; the League of Older Americans; the Roanoke Branch NAACP; past Regional Vice Chair, NAACP; and YMCA Family Center;

WHEREAS, Mr. Holland volunteered his services to Lucy Addison Middle School and the Harrison Museum of African-American Culture and, as an active member of High Street Baptist Church, served as a member of its Board of Trustees for more than 50 years, its Brotherhood Ministry, and its Senior and Cathedral Choirs and Men's Chorus;

WHEREAS, Mr. Holland was a life member of Delta Nu Alpha Transportation Fraternity, and was the first and only African-American to hold the office of president in this organization;

WHEREAS, Mr. Holland was a member of the F&AAYM Masons, Sahara Desert; and a life member of VFW, American Legion Post 1444;

WHEREAS, Mr. Holland was interested in making a better community for future generations of African-Americans and was known for working out discrimination issues between supervisors and employees, and for traveling to Selma, Alabama, to march for Civil Rights;

WHEREAS, Mr. Holland was involved in the Norfolk & Western African-American Heritage Group's efforts to publish "African American Railroad Workers of Roanoke: Oral Histories of the Norfolk & Western," a book documenting the oral histories of African-American railroad workers including Mr. Holland whose story is featured as Chapter 1;

WHEREAS, Mr. Holland gave generously of his time and energy to make the Roanoke Valley a better place to live.

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. City Council adopts this resolution as a means of recording its deepest regret and sorrow at the passing of Alphonzo LaSalle Holland, Sr., extending to his family its sincerest condolences, and recognizing the indelible legacy he left to Roanoke and his fellow citizens.

2. The City Clerk is directed to forward an attested copy of this resolution to Mr. Holland's wife, Sara Pettigrew Holland, and his children Alphonzo, Jr., Carrieoma Brooks and Mary Ann Cummings all of Roanoke.

ATTEST:

City Clerk

C-1



**CITY OF ROANOKE  
OFFICE OF THE MAYOR**

215 CHURCH AVENUE, S.W., SUITE 452  
ROANOKE, VIRGINIA 24011-1594  
TELEPHONE: (540) 853-2444  
FAX: (540) 853-1145

**DAVID A. BOWERS**  
Mayor

February 16, 2016

The Honorable Vice-Mayor David B. Trinkle and Members  
of the Roanoke City Council  
Roanoke, Virginia

Dear Vice-Mayor Trinkle and Members of Council:

This is to request a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended.

Sincerely,

David A. Bowers  
Mayor

DAB:ctw



# CITY COUNCIL AGENDA REPORT

**To: Honorable Mayor and Members of City Council**  
**Meeting: February 16, 2016**  
**Subject: Request for Closed Meeting**

This is to request that City Council convene a closed meeting to discuss the disposition of City-owned properties fronting along Jae Valley Road (State Route 116), Roanoke County Official Tax Map Nos. 008900-03-2901 and 008900-03-2902, and adjacent to Back Creek, a tributary of the Roanoke River, in Roanoke County, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to §2.2-3711.A.3, Code of Virginia (1950), as amended.

Christopher P. Morrill  
 City Manager

Distribution: Council Appointed Officers  
 Brian Townsend, Assistant City Manager for Community Development  
 Wayne Bowers, Director, Economic Development



CITY OF ROANOKE  
OFFICE OF THE CITY ATTORNEY  
464 MUNICIPAL BUILDING  
215 CHURCH AVENUE, SW  
ROANOKE, VIRGINIA 24011-1595

**Daniel J. Callaghan**  
City Attorney

TELEPHONE 540-853-2431  
FAX 540-853-1221  
EMAIL: cityatty@roanokeva.gov

**Timothy R. Spencer**  
**Steven J. Talevi**  
**David L. Collins**  
**Heather P. Ferguson**  
**Laura M. Carini**  
Assistant City Attorneys

February 16, 2016

The Honorable Mayor and Members  
of City Council  
Roanoke, Virginia

Re: Authorization for Scheduling and Advertisement for a Public Hearing  
for Conveyance of Permanent Sewer Line Easement and Temporary  
Construction Easement to the Western Virginia Water Authority Across  
Roanoke Official Tax Map No. 1040202.

Dear Mayor Bowers and Members of Council:

**BACKGROUND:**

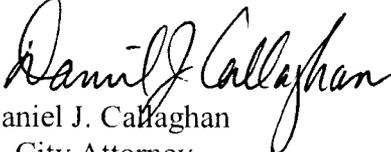
The Western Virginia Water Authority ("Authority") has requested the City of Roanoke convey a permanent sewer line easement and a temporary construction easement to the Authority across City owned real estate designated as Roanoke Official Tax Map No. 1040202. Both easements are approximately 20' in width and collectively comprise approximately 15,600 square feet. The purpose of the easements are for the installation, maintenance, and operation of a sewer line to relocate an existing 8" sewer main that will be impacted by the Franklin Road bridge replacement, and to connect such sewer main to the existing sewer main located on the property.

A public hearing is required pursuant to Section 15.2-1800 of the Code of Virginia before City Council may authorize the conveyance of such easements.

**RECOMMENDATION:**

Authorize the City Manager to schedule a public hearing in Council Chamber for Monday, March 21, 2016, at 7:00 p.m., or at such time as the matter may be heard, or at such later date and time as the City Manager may determine, regarding the proposed conveyance of the permanent sewer line easement and temporary construction easement to the Western Virginia Water Authority.

Sincerely,

  
Daniel J. Callaghan  
City Attorney

DJC/lsc

C-3

Consideration: N/A, see exemption below

Prepared and Recorded By:  
Western Virginia Water Authority  
601 S. Jefferson St., Suite 300  
Roanoke, Virginia 24011

Return to same address noted above

Tax Map No. 1040202

Exemptions claimed: Grantee is exempt from recordation taxes and fees pursuant to Section 58.1-811(A)(3) and (C)(5) of the Code of Virginia (1950), as amended.

THIS EASEMENT AGREEMENT is made this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by and between the CITY OF ROANOKE, VIRGINIA, a political subdivision of the Commonwealth of Virginia ("Grantor"); and the WESTERN VIRGINIA WATER AUTHORITY, a water and sewer authority created pursuant to Chapter 51 of Title 15.2 of the Code of Virginia (1950), as amended ("Grantee").

WITNESSETH:

WHEREAS, the Grantor is the owner of real estate located in the City of Roanoke, Virginia, designated as Roanoke Official Tax Map No. 1040202, known as 210 Reserve Ave SW. ("Property"),

WHEREAS, the Grantee desires to obtain a permanent sewerline easement and temporary construction easement over, under, and across the Property for the installation, maintenance, and operation of a sewer line and communication equipment, to relocate an existing 8" sewer main that will be impacted by the Franklin Road Bridge replacement, and connect such sewer main to the existing sewer main located on the property ("Project")

WHEREAS, Grantor desires to convey such easements to Grantee for such purposes under the terms and conditions contained herein; and

NOW, THEREFORE, THAT FOR AND IN CONSIDERATION of the sum of One Dollar (\$1.00), paid in hand at and with the execution and delivery of this Easement Agreement, and other good and valuable consideration, the receipt, adequacy and sufficiency of which is hereby acknowledged, the Grantor does hereby GRANT and CONVEY unto the Grantee, its successors and assigns, the following described easement, to-wit:

A new PERMANENT Twenty foot (20') RIGHT and SEWERLINE EASEMENT to construct, install, improve, operate, inspect, use, maintain, repair or replace a sewer line or lines, manholes, together with related improvements including slope(s), if applicable, together with the right of ingress and egress thereto from a public road, upon, over, under, and across those tracts or parcels of land belonging to the Grantor, acquired by deed dated March 15, 1941, and recorded in the Clerk's Office for the Circuit Court of the City of Roanoke, Virginia, as Deed Book 1664, Page Number 54, and designated on the Land Records as Tax Map No. 1040202 (the "Property"). The location of said easement is generally described on the exhibit titled "Permanent 20' Sewerline Easement Being Granted to by City of Roanoke Western Virginia Water Authority" attached hereto as "Exhibit A" dated December 25, 2015, prepared by the Western Virginia Water Authority, Engineering Services, and by this reference made a part hereof, and more particularly described as being centered over the constructed sewer line or lines,

TOGETHER WITH A TEN FOOT (10') TEMPORARY CONSTRUCTION EASEMENT, as further described on the attached Exhibit A, for the purpose of construction and installation of the sewer line. The temporary construction easement shall expire upon completion of the sewer line connection, at which time such interest shall automatically revert to the Grantor, and in no event shall the temporary construction easement continue beyond July 1, 2017.

The permanent sewer line easement and temporary construction easement are collectively referred to herein as the "Easement."

The Grantee agrees to restore and repair any actual damage to the Property which may be caused by the construction, reconstruction, or maintenance of said Project except as hereinafter provided. The Grantor agrees that the Grantee will not be expected to restore the Property to the identical original condition, but rather as near thereto as is practicable to the condition at the time the easement was granted, and that the Grantor will cooperate with the Grantee in effectuating such restoration.

It is expressly agreed between the parties hereto that the Grantee and its agents shall have the right to inspect the Easement herein granted and to cut, clear, and remove all undergrowth, obstructions, or improvements lying within, upon, or adjacent to said Easement, that in any way endangers or interferes with the proper use of the same. The Grantor covenants that no building or structure shall be erected upon or within the Easement herein granted or placed in such location as to render said Easement inaccessible. In the event that this covenant is violated, the Grantee shall not be obligated to repair, replace, or otherwise be responsible for such improvements if damaged or removed.

The Grantor acknowledges that the plans for the aforesaid Project as they affect the Property have been fully explained to Grantor or Grantor's authorized representative. The fixtures, facilities, lines, utilities, and any other improvements placed upon, under, or across the Property by the Grantee or its assigns and further grantees shall remain the property of the Grantee or its assigns and further grantees. The easement herein granted is in addition to, and not in lieu of, any easement or right-of-way now in existence or which may be acquired in the future.

The Grantor covenants and agrees for itself, and for its successors, successors in title, executors, legal representatives and assigns that the consideration aforementioned and the covenants herein shall be in lieu of any and all claims to compensation by reason of the location, construction, operation, maintenance, or reconstruction of or within the Easement herein granted.

To have and to hold unto the Grantee, its successors and assigns forever.

WITNESS the following signature(s):

GRANTOR:

CITY OF ROANOKE, VIRGINIA, a political subdivision of the Commonwealth of Virginia

By: \_\_\_\_\_

Title: \_\_\_\_\_

COMMONWEALTH OF VIRGINIA

COUNTY OF ROANOKE to wit:

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by Christopher P. Morrill, the City Manager of the City of Roanoke, Virginia,, for and on behalf of the City of Roanoke.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_ My Registration Number is: \_\_\_\_\_

GRANTEE:

WESTERN VIRGINIA WATER AUTHORITY

By: \_\_\_\_\_

Robert Benninger

Title: Director of Engineering Services

COMMONWEALTH OF VIRGINIA

CITY OF ROANOKE to wit:

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016 by Robert Benninger, Director of Engineering Services for the Western Virginia Water Authority, on behalf of said corporation, Grantee.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_ My Registration Number is: \_\_\_\_\_



**CITY OF ROANOKE  
OFFICE OF THE CITY CLERK**

215 Church Avenue, S. W., Suite 456

Roanoke, Virginia 24011-1536

Telephone: (540) 853-2541

Fax: (540) 853-1145

E-mail: [clerk@roanokeva.gov](mailto:clerk@roanokeva.gov)

STEPHANIE M. MOON REYNOLDS, MMC  
City Clerk

CECELIA F. MCCOY  
Deputy City Clerk

CECELIA T. WEBB, CMC  
Assistant Deputy City Clerk

February 16, 2016

The Honorable Mayor and Members  
of the Roanoke City Council  
Roanoke, Virginia

Dear Mayor Bowers and Members of Council:

This is to advise that Jerry Smith has tendered his resignation as a City representative of the Roanoke Valley-Alleghany Regional Commission and as a member of the Building and Fire Code Board of Appeals, effective immediately.

Sincerely,

Handwritten signature of Stephanie M. Moon Reynolds in cursive.

Stephanie M. Moon Reynolds, MMC  
City Clerk



# CITY COUNCIL AGENDA REPORT

**To:** Honorable Mayor and Members of City Council  
**Meeting:** February 16, 2016  
**Subject:** Acceptance and Appropriation of Juvenile Justice and Delinquency Prevention Title II Grant Funds for 2016.

## **Background:**

The Virginia Department of Criminal Justice Services has awarded the City of Roanoke Federal funding from the Juvenile Justice and Delinquency Prevention Title II grant program. This funding will be used by Roanoke City Public Schools to create and administer the Positive Alternatives to School Suspension (PASS) Project. The amount of the grant is \$73,408 for a one year term beginning January 1, 2016.

The PASS Project provides interventions to prevent school discipline problems that can lead to school removals and early intervention with the juvenile justice system which contribute to the school-to-prison pipeline. Behavioral, social, and academic interventions are provided through restorative justice programming and supportive counseling targeted at Roanoke City Public Schools' most at-risk youth in grades six—eight. This Project provides academic and behavioral support to adolescents in a supportive and enriching environment with the ultimate goal of ensuring that school-aged youth “by-PASS” early law enforcement involvement and juvenile courts.

## **Considerations:**

Roanoke City Public Schools has actively been engaged in activities to address the rates of school removals and associated law enforcement contacts. Across Virginia, often students are rapidly referred to law enforcement and the juvenile justice system with little or no process for interventions beforehand. This occurs frequently for students with behavioral, psychological, and academic challenges. The PASS Project seeks to divert juveniles from the juvenile justice system through a process of interventions before disciplinary issues require court or law enforcement attention.

## **Recommended Action:**

Adopt a resolution accepting the Juvenile Justice and Delinquency Prevention Title II Grant funding from the Virginia Department of Criminal Justice Services Grant # 16-A3230JJ13 for the Positive Alternatives to School Suspensions (PASS) Project.

Authorize the City Manager to execute any forms required by the Virginia Department of Criminal Justice Services in order to accept these funds; such documents to be approved as to form by the City Attorney.

Adopt the accompanying budget ordinance to establish a revenue estimate for Federal grant funds of \$73,408 and appropriate funding in the amount of \$73,408 into expenditure accounts to be established by the Director of Finance.



Christopher P. Morrill  
City Manager

Distribution: Council Appointed Officers  
Brian Townsend, Assistant City Manager for Community Development  
Jane Conlin, Director of Human and Social Services  
Yolanda Conaway-Wood, Executive Director for Student Services, Roanoke City Public Schools  
James O'Hare, Youth Care Administrator

TLS

7.a.1.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION accepting the Juvenile Justice and Delinquency Prevention Title II grant from the Virginia Department of Criminal Justice Services, and authorizing execution of any required documentation on behalf of the City.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

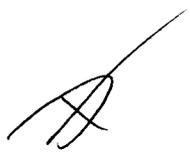
1. The City of Roanoke does hereby accept the Juvenile Justice and Delinquency Prevention Title II grant from the Virginia Department of Criminal Justice Services in the amount of \$73,408.00, with no local match from the City, for the term beginning January 1, 2016, to be expended on the Roanoke City Public Schools to create and administer the Positive Alternatives to School Suspension (PASS) Project, in accordance with all the terms, provisions and conditions relating to the receipt of such funds, as more particularly described in the City Council Agenda Report dated February 16, 2016.

2. The City Manager and the City Clerk are hereby authorized to execute, seal, and attest, respectively, the grant agreement and all necessary documents required to accept the grant, all such documents to be approved as to form by the City Attorney.

3. The City Manager is further directed to furnish such additional information as may be required in connection with the City's acceptance of this grant.

ATTEST:

City Clerk.



IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to appropriate funding from the Virginia Department of Criminal Justice Services for the Juvenile Justice and Delinquency Prevention Grant, amending and reordaining certain sections of the 2015-2016 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that the following sections of the 2015-2016 Grant Fund Appropriations be, and the same are hereby, amended and reordained to read and provide as follows:

Appropriations		
Fees for Professional Services	35-630-5032-2066	\$ 2,891
Administrative Supplies	35-630-5032-2030	11,158
Expendable Equipment (<\$5,000)	35-630-5032-2035	2,358
Program Activities	35-630-5032-2066	57,001
Revenues		
Juvenile Justice and Delinquency Prevention FY16	35-630-5032-5032	73,408

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



## CITY COUNCIL AGENDA REPORT

**To:** Honorable Mayor and Members of City Council  
**Meeting:** February 16, 2016  
**Subject:** 2016 Violence Against Women Act: V-STOP Grant

### **Background:**

The Department of Criminal Justice Services of the Commonwealth of Virginia has awarded the Roanoke Police Department \$28,193 in grant funding as part of the Violence Against Women Act (V-STOP). The Roanoke Police Department will use the award to fund its existing Domestic Violence Specialist position.

Unfortunately, the 2016 V-STOP grant, like the 2015, 2014, 2013 and 2012 V-STOP grant awards, was 15% less than the 2011 grant award. To maintain current salary and benefit levels for the position, the City of Roanoke will be required to provide a total local match of \$23,438.

The Domestic Violence Specialist is an essential employee who is tasked with providing services to the victims of domestic violence. The Domestic Violence Specialist investigates domestic violence offenses, ensures that victims receive support services throughout their case, prepares cases for prosecution and directs police department resources towards apprehending the most dangerous offenders.

### **Recommended Action:**

Accept the 2016 V-STOP Grant described above and authorize the City Manager to execute the grant agreement and any related documents; all such documents to be approved as to form by the City Attorney.

Adopt the accompanying budget ordinance to establish a revenue estimate in the Grant fund for State grant funds of \$28,193, transfer funding in the amount of \$23,438 from account 35-300-9700-5415 to provide the local match funding, and appropriate total funding of \$51,631 for salary and benefits into accounts to be established by the Director of Finance in the Grant Fund.



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CHRISTOPHER P. MORRILL  
City Manager

Distribution: Council Appointed Officers  
R. Brian Townsend, Assistant City Manager  
Barbara A. Dameron, Director of Finance  
Christopher C. Perkins, Chief of Police  
Amelia C. Merchant, Director of Management and Budget

JHS

7.a.2.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION authorizing acceptance of the 2016 V-STOP Grant made to the City of Roanoke by the Virginia Department of Criminal Justice Services, and authorizing execution of any required documentation on behalf of the City.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The City Manager is hereby authorized on behalf of the City to accept from the Virginia Department of Criminal Justice Service, the 2016 V-STOP Grant in the amount of \$28,193.00, with a required local match of \$9,398.00, and an additional local match of \$14,040.00, making the total funding \$51,631.00, to employ the Police Department's full-time non-sworn Domestic Violence Specialist, as more particularly described in the City Council Agenda Report dated February 16, 2016.

2. The City Manager and the City Clerk are hereby authorized to execute, seal, and attest, respectively, the grant agreement and all necessary documents required to accept the grant, all such documents to be approved as to form by the City Attorney.

3. The City Manager is further directed to furnish such additional information as may be required in connection with the acceptance of the foregoing grant.

ATTEST:

City Clerk.

DLW

7.a.2.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to appropriate funding from the Commonwealth of Virginia for the Police Department Domestic Violence Program Grant (VSTOP), amending and reordaining certain sections of the 2015-2016 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that the following sections of the 2015-2016 Grant Fund Appropriations be, and the same are hereby, amended and reordained to read and provide as follows:

Appropriations		
Regular Employee Salary	35-640-3122-1002	\$ 35,965
ICMA Retirement	35-640-3122-1115	5,686
401h Health Savings	35-640-3122-1117	360
FICA	35-640-3122-1120	2,751
Medical Insurance	35-640-3122-1125	6,048
Dental Insurance	35-640-3122-1126	350
Life Insurance	35-640-3122-1130	471
Revenues		
VSTOP Grant CY2016 - State	35-640-3122-3122	28,193
VSTOP Grant CY2016 - Local	35-640-3122-3123	23,438

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



## CITY COUNCIL AGENDA REPORT

**To:** Honorable Mayor and Members of City Council

**Meeting:** February 16, 2016

**Subject:** EPA Clean Diesel Cost Share Grant Acceptance

### Background:

The Fleet Management Division, in partnership with Virginia Clean Cities and James Madison University, has received approval of an application for funding from the Environmental Protection Agency's National Clean Diesel Campaign. This program will provide a twenty five percent matching contribution towards the City of Roanoke's purchase of a propane powered box truck for use by the Transportation Division. The City's share of funding amounts to \$56,233.

### Considerations:

Acceptance of this funding will increase the City of Roanoke's use of alternative fuels, which will provide cost savings as well as environmental benefits. Propane is a cleaner burning fuel than diesel which results in lower greenhouse gas emissions. The cost per gallon of propane at present is .60 cents per gallon as compared to diesel fuel at \$1.97 per gallon. Propane fuel infrastructure is in place at the Public Works Service Center to support the use of this vehicle.

### Recommended Action:

Adopt the accompanying budget ordinance, appropriating revenue and expenditure estimates in the amount of \$18,744 into accounts established by the Director of Finance in the Grant Fund. Transfer funding in the amount of \$56,233 from Fleet Management Fund - Fleet Replacement.

CHRISTOPHER P. MORRILL  
City Manager

**Distribution:** Council Appointed Officers  
Barbara A. Dameron, Director of Finance  
Sherman Stovall, Assistant City Manager for Operations  
Michael Shockley, Director of General Services



IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE appropriating funding from James Madison University for the National Clean Diesel Funding Assistance program funded by the Environmental Protection Agency, amending and reordaining certain sections of the 2015-2016 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that the following sections of the 2015-2016 Grant Fund Appropriations be, and the same are hereby, amended and reordained to read and provide as follows:

**Fleet Management Fund**

Appropriations

Fleet Replacement	17-440-2642-9010	(\$ 56,233)
Transfer to Grant Fund	17-250-9310-9535	56,233

**Grant Fund**

Appropriations

Vehicular Equipment	35-440-5801-9010	74,977
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Revenues

Vehicle Emission Reduction FY16-JMU	35-440-5801-5801	18,744
Vehicle Emission Reduction FY16-Local	35-440-5801-5802	56,233

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



# CITY COUNCIL AGENDA REPORT

**To:** Honorable Mayor and Members of City Council  
**Meeting:** February 16, 2016  
**Subject:** Relocation of General Registrar's Office and Appropriation of Funding for Tenant Upfit and Furniture, Fixtures and Equipment (FFE)

## **Background:**

For the past several months, City Administration has been working with the City Registrar, Andrew Cochran, on identified space needs. The current Registrar's Office, located on the first floor of the Municipal Building - North, has approximately 1,100 square feet of office space and 850 square feet of equipment storage space. The Registrar also rents 700 square feet of off-site storage space. The Registrar has identified the need for additional office space, space for absentee voting, equipment storage space, and training/meeting room space.

The City's Engineering Office developed a renovation plan for the office space to meet the basic needs, including absentee voting; however, there is not sufficient space to address identified needs for storage, training, and meeting areas. Because of space constraints within the Municipal Building, the Registrar began looking at options outside of the Municipal Building. After considering several potential spaces, a vacant building at 317 Kimball Avenue, N.E., has been identified as the preferred site. The building is centrally located, one block east of the Wells Avenue/Williamson Road intersection, across the street from Member One Credit Union, and has off-street parking. It is also on the bus line.

## **Considerations:**

The Kimball Avenue space will allow the Registrar to better serve the citizens of the City of Roanoke.

There is a tenant upfit cost of approximately \$102,000. Additionally, a \$48,000 funding need for furniture, fixtures, and equipment (FFE) has been identified. Funding is available in capital project contingency for tenant upfit and FFE.

The cost of rent and other expenses is projected to be approximately \$67,000 annually or \$12 per square foot. Lease funding for the remainder of the fiscal year will be provided through City Manager Contingency once the City takes possession of the property.

Relocating the office of the General Registrar will require establishing a new central absentee voting precinct. City Administration will present an ordinance for this new precinct location in accordance with applicable provisions of State Code for consideration by City Council.

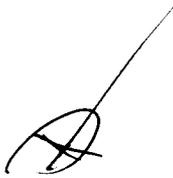
**Recommended Action:**

Adopt the accompanying budget ordinance transferring funding in the amount of \$150,000 from Capital Project Contingency into an account established by the Director of Finance for tenant upfit and FFE.



-----  
CHRISTOPHER P. MORRILL  
City Manager

**Distribution:** Council Appointed Officers  
Barbara A. Dameron, Director of Finance  
Sherman Stovall, Assistant City Manager for Operations



IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to transfer funding from the Capital Improvement Reserve to the Registrar's Office Tenant Upfit and Furniture, Fixtures, and Equipment (FFE) project, amending and reordaining certain sections of the 2015-2016 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that the following sections of the 2015-2016 Capital Projects Fund Appropriations be, and the same are hereby, amended and reordained to read and provide as follows:

Appropriations		
Appropriated from General Revenue	08-440-9466-9003	\$ 48,000
Appropriated from Contingency	08-530-9575-9220	( 48,000 )

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



## CITY COUNCIL AGENDA REPORT

**To:** Honorable Mayor and Members of City Council  
**Meeting:** February 16, 2016  
**Subject:** Appropriation of Fleet Management Fund Retained Earnings for Fleet Replacement

### Background:

Fleet Management, in conjunction with Fire/EMS, has created a replacement plan for fire apparatus and equipment. The current plan has identified the need to replace Ladder 2 in fiscal year 2017. However, this ladder truck has been out of service intermittently during the current fiscal year and has become a priority for replacement.

Fire/EMS has identified an appropriate replacement vehicle which is available for delivery in March 2016. The estimated cost is \$978,000.

### Considerations:

Funding is available in Fleet retained earnings for the replacement of this ladder truck. By purchasing this vehicle now, the City will save on price escalations and repair expenditures for existing equipment.

Additionally, this provides Fire/EMS with the needed resources to maintain service delivery times and reduce unneeded staff rotations based on equipment availability.

### Recommended Action:

Adopt the accompanying budget ordinance to appropriate funding in the amount of \$978,000 from Fleet Management Retained Earnings to Fleet Equipment - Maintenance (Account 017-440-2642-9015).

CHRISTOPHER P. MORRILL  
 City Manager

**Distribution:** Council Appointed Officers  
 Sherman M. Stovall, Assistant City Manager for Operations  
 Michael B. Shockley, Director of General Services  
 Michael Cosby, Fleet Manager

BD

7.a.5.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to appropriate funding from the Fleet Management Fund Retained Earnings for the replacement of a ladder truck, amending and reordaining certain sections of the 2015-2016 Fleet Management Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that the following sections of the 2015-2016 Fleet Management Fund Appropriations be, and the same are hereby, amended and reordained to read and provide as follows:

Appropriations		
Appropriated from General Revenue	17-440-2642-9010	\$ 978,000
Fund Balance		
Retained Earnings - Available	17-3348	(978,000)

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



## CITY COUNCIL AGENDA REPORT

**To:** Honorable Mayor and Members of City Council  
**Meeting:** February 16, 2016  
**Subject:** Authorization to Amend Contract with Mattern & Craig, Inc. for Transportation Structures Inspection Program 2014-2018

### **Background:**

The City of Roanoke has approximately 115 bridges, culverts, and tunnels and 15 overhead signs that require periodic professional engineering inspections and reporting in accordance with all applicable federal, state, and City guidelines to determine the current structural and safety status of such items and if repair or replacement is required for any such items. The City entered into a contract with Mattern & Craig, Inc. dated July 8, 2014, to provide engineering services for proper inspections and reports to the City on 39 of the bridge structures, as well as other related services (Contract). The Contract was for a one-year period with the option of being extended for up to four additional one-year periods. The Contract and Amendments No. 1 through No. 4 were issued for the first year services. By Resolution No. 40291-070615, City Council authorized issuance and execution of Amendment No. 5 to the Contract for additional professional services for the second year.

### **Considerations:**

The City desires to exercise its option to have Mattern & Craig, Inc. provide additional services as permitted under the Contract to include deck condition assessment and bridge design services of the Dale Avenue Bridge over Tinker Creek and bridge design services for the replacement of the Berkley Road Bridge over Tributary A to Glade Creek. Mattern & Craig, Inc. has submitted a proposal in the amount of \$25,200 and \$174,900 respectively for this work, which is acceptable to City staff, for a proposed Amendment No. 6 in the total amount of \$200,100.

In addition to the above fee, other project expenses connected with the project may involve encountering unexpected conditions that may necessitate Mattern & Craig, Inc. providing services over and above those stipulated above. Therefore, future amendments may be needed to the Contract to perform additional services as the project develops. The total of such other amendments is not expected to exceed an additional \$25,000 over and above the previously referenced \$200,100, for total new contract amendments not to exceed \$225,100.

Funding for Amendment No. 6 is available in account 08-530-9469, Dale Avenue over Tinker Creek Bridge Rehabilitation, and account 08-530-9594, Berkley Road over Glade Creek Bridge Renovation.

Council approval is required to amend the Contract.

**Recommended Action:**

Authorize the City Manager to execute additional amendments as described in this Council Report, approved as to form by the City Attorney, to the Contract in an amount not to exceed \$225,100 for additional professional services, including Amendment No. 6 for a total of \$200,100 as set forth above.

Authorize the City Manager to take such actions and to execute such documents as approved as to form by the City Attorney, as may be necessary to provide for the implementation, administration, and enforcement of the Contract, as amended by all such amendments.



CHRISTOPHER P. MORRILL  
City Manager

Distribution: Council Appointed Officers  
Sherman M. Stovall, Assistant City Manager for Operations  
Barbara A. Dameron, Director of Finance  
Robert K. Bengtson, P.E., Director of Public Works  
Philip C. Schirmer, P.E., L.S., City Engineer

dc

7.a.6.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION authorizing the City Manager's issuance and execution of additional amendments to the City's Contract with Mattern & Craig, Inc., for additional professional services for the second year of the City's Transportation Structures Inspection Program (2014-2018); and authorizing the City Manager to take such actions and execute such documents as may be necessary to provide for the implementation, administration, and enforcement of such Contract, as amended.

BE IT RESOLVED by the Council of the City of Roanoke that:

1. The City Manager is hereby authorized, for and on behalf of the City, to issue and execute additional amendments as may be necessary to the City's Contract with Mattern & Craig, Inc., in an amount not to exceed an additional \$225,100, including Amendment No. 6 in the amount of \$200,100, for additional professional services for the second year of the City's Transportation Structures Inspection Program (2014-2018), which includes providing deck condition assessment and bridge design services of the Dale Avenue Bridge over Tinker Creek and bridge design services for the replacement of the Berkley Road Bridge over Tributary A to Glade Creek, all as more fully set forth in the City Council Agenda Report dated February 16, 2016.

2. The form of such Amendment No. 6 and any additional amendments shall be approved by the City Attorney.

3. Amendment No. 6, and such additional amendments, shall provide authorization for additions to the work, with an increase in the amount of the Contract, and provide that the total amount of Amendment No. 6 and such other amendments will not exceed an additional \$225,100, all as set forth in the above mentioned City Council Agenda Report.

4. The City Manager is further authorized to take such actions and execute such documents as may be necessary to provide for the implementation, administration, and enforcement of the Contract, as amended by Amendment No. 6 and any such additional amendments. Such documents shall be approved as to form by the City Attorney.

ATTEST:

City Clerk.



# CITY COUNCIL AGENDA REPORT

**To:** Honorable Mayor and Members of City Council

**Meeting:** February 16, 2016

**Subject:** Consider Approval of Amendment No. 4 to the Contract with CONMED, INC. Retroactive to July 1, 2015 for providing medical services to inmates housed in the City Jail.

## Background:

CONMED, INC. ("CONMED") provides medical services to inmates housed in the City of Roanoke's Jail. The contract with CONMED was set to expire on June 30, 2015. However, CONMED and the Sheriff have been negotiating a new contract to begin on February 1, 2016. The City Jail has incurred medical expenses of \$1,039,956.00 for the seven (7) months in which the parties operated under an extension to original contract. The rates during the extension period were the same as the original contract.

## Considerations:

As previously noted, the Jail also contracts with CONMED, INC. to provide inmate medical services for all inmates at the City Jail. While the parties negotiated a new contract, the City Jail continued to incur medical cost for treatment of the inmates housed in the City Jail. The cost for these medical services over the seven (7) months during the contract extension is \$1,039,956.00. The Sheriff has requested a \$1,039,956.00 increase in the contract with CONMED, INC. to cover the existing charges due under the extension. The amount due will be paid out of the Sheriff's fund for Fees from Professional Services, account no. JA2-0341-01-140-3310-2010.

## Recommended Action:

Authorize the City Manager to execute Amendment No. 4 retroactive to July 1, 2015, as mentioned above, approved as to form by the City Attorney, to the City's Contract with CONMED, INC. in an amount not to exceed \$3,419,868.00 which is an increase of \$1,039,956.00.

Authorize the City Manager to take such actions and to execute such documents, as may be necessary to provide for the implementation, administration, and enforcement of Amendment No. 4 to the above-mentioned Contract with CONMED, INC., as well as the Contract itself.



-----  
Christopher P. Morrill  
City Manager

Distribution: Council Appointed Officers  
Honorable Tim Allen, Sheriff  
R. Brian Townsend, Assistant City Manager for Community Development  
Sherman M. Stovall, Assistant City Manager for Operations  
Michael Shockley, Director of General Services and Sustainability

**AMENDMENT NO. 4**

This is Amendment No. 4 to Contract No. 86UHL6 dated July 1, 2010 that was extended through January 31, 2016, between the City of Roanoke, Virginia, (City) and CONMED, INC. (Contractor). The effective date of this Amendment is retroactively to August 1, 2015.

This Amendment amends the above Contract as follows:

**1. Section 2. Contract Amount: Change:**

The not to exceed amount set forth in Amendment No. 3 is hereby changed from \$2,379,912.00 to \$3,419,868.00, an increase of \$1,039,956.00, as approved by City Council, by authorization by Resolution No. 39948-051914. and such change is to be effective retroactively to August 1, 2015.

Except as amended and/or modified above, all the terms and provisions of the above Contract, and any prior amendments thereto, shall continue in full force and effect.

IN WITNESS WHEREOF, the parties agree to the above Amendment and hereby sign such Amendment by their authorized representatives.

**CITY OF ROANOKE:**

**CONMED, INC.**

By: \_\_\_\_\_  
Christopher P. Morrill, City Manager/Date

By: \_\_\_\_\_  
President/Vice President/Date

\_\_\_\_\_  
Witness/Date

\_\_\_\_\_  
Typed or Printed Name and Title

Appropriation and Availability of Funds  
Required for this Contract Amendment  
Certified

\_\_\_\_\_  
Attest/Witness/Date

\_\_\_\_\_  
Director of Finance/Date  
Account #: 01-140-3310-2010

\_\_\_\_\_  
City Attorney (Approved as to Form)/Date

\_\_\_\_\_  
City Attorney  
(Approved as to Execution)/Date

JS

7.a.7.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION authorizing the City Manager's issuance and execution of Amendment No. 4 to the City Contract with CONMED, INC., in an amount not to exceed \$3,419,868.00 for additional medical services for care of inmates housed at the City Jail; and authorizing the City Manager to execute such amendment retroactive to July 1, 2015.

BE IT RESOLVED by the Council of the City of Roanoke that:

1. The City Manager and the City Clerk are authorized to execute and attest, respectively, on behalf of the City of Roanoke, in a form approved by the City Attorney, the attached Amendment No. 4, substantially in the form attached hereto, retroactive to July 1, 2015, in an amount not to exceed \$3,419,868.00 for additional medical services for care of inmates housed at the City Jail, all as more fully set forth in the City Council Agenda Report to this Council dated February 16, 2016. The City entered into the original Contract with CONMED, INC. on July 1, 2010 (Contract).

2. The City Manager is further authorized to take such actions and execute such other documents as may be necessary to provide for the implementation, administration, and enforcement of Amendment No. 4 to the above mentioned Contract, as well as the Contract, as amended. The form of any such additional documents shall be approved by the City Attorney.

ATTEST:

City Clerk

7.a.7.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to increase the medical services expenditure for Roanoke Jail Inmates, amending and reordaining certain sections of the 2015-2016 General Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that the following sections of the 2015-2016 General Fund Appropriations be, and the same are hereby, amended and reordained to read and provide as follows:

Appropriations			
Fees for Professional Services	01-140-3310-2010		\$1,039,956

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



## CITY COUNCIL AGENDA REPORT

**To:** Honorable Mayor and Members of City Council  
**Meeting:** February 16, 2016  
**Subject:** Amended and Restated New River Valley Commerce Park Participation and Revenue Sharing Agreement

### **Background:**

In September, 1998, in order to promote economic development opportunities at a multi-regional level, the City of Roanoke joined with fourteen other jurisdictions in the Roanoke and New River Valley regions to form "Virginia's First Regional Industrial Facility Authority" (Authority). The Authority was formed in order to provide the framework for the planning, development and implementation of specific economic development projects to benefit the member jurisdictions.

One such project, The New River Valley Commerce Park (Commerce Park), located adjacent to the New River Valley Airport in Pulaski County, was initiated by twelve of the Authority's member jurisdictions through the execution of the "New River Valley Commerce Park Project Participation Agreement-Initial Phase" (Agreement), dated October 14, 1999. This Agreement established the initial scope of the Commerce Park project, outlined the investment to be made into the project by participating member jurisdictions and the Authority (through the purchase of shares), and addressed future revenue sharing from the Commerce Park to the participating member jurisdictions. The Agreement was amended in 2001 in order to provide for the withdrawal of Wythe County from the Agreement, and to provide for the purchase of Wythe County's shares in the Commerce Park project by some of the remaining participating jurisdictions.

The Agreement was further amended in 2010 to update the definition of the Commerce Park's scope and future plans, to change how the Participation Committee voting procedures were administered, to update the Commerce Park's financing plan, and to update how future property tax revenues from the Commerce Park were to be shared with all participating jurisdictions.

### **Considerations:**

Since Commerce Park's inception, the City of Roanoke has controlled approximately six percent (6%) of the shares in support of the original financing of the Commerce Park. By comparison, Pulaski County, the host locality, controls approximately forty-nine percent (49%) of the shares, Giles County

approximately twelve percent (12%), Montgomery County eleven and one half percent (11.5%), and Roanoke County approximately six percent (6%) of shares.

Participating member jurisdictions, through the New River Valley Commerce Park Participation Committee and the Board of the Authority, have determined that further maturation of the Commerce Park, including a recently completed project, and consideration of future projects, necessitates further modifications to the Agreement governing the management and oversight of the Commerce Park. However, rather than further amend the Agreement as amended in 2001 and 2010, it was determined that it would be prudent to adopt an amended and restated Agreement to accurately reflect the contexts, conditions, and business practices of the Commerce Park as they are today and as they are anticipated for the future.

The Amended and Restated New River Valley Commerce Park Participation and Revenue Sharing Agreement (Restated Agreement) (Attachment 1) addresses the following:

- Acknowledges prior agreements; however consolidates the Agreement and all previous amendments into one new agreement thus simplifying the understanding of how the Commerce Park is to be managed and developed;
- Updates the comprehensive project description and definition of the Commerce Park as they exist today, including the boundaries of the Commerce Park project, and provides flexibility for project changes in the future;
- Updates the current distribution of shares held by the member jurisdictions;
- Modifies the current governance structure by dissolving the New River Valley Commerce Park Participation Committee and thus streamlining the decision making process while preserving the rights and responsibilities of the member jurisdictions as originally intended;
- Clarifies member jurisdiction voting procedures;
- Updates the Commerce Park Financing Plan;
- Updates and broadens revenue sharing provisions for member jurisdictions, and clarifies the revenue distribution process for member jurisdictions from developments in the Commerce Park;
- Requires the execution of performance agreements with all future industries or businesses locating in the Commerce Park; and,

- Clarifies that the relevant provisions of the Code of Virginia will govern the process for the future withdrawal of any member jurisdictions.

The Restated Agreement does not change the extent or amount of the City of Roanoke's original, ongoing, or future financial obligations to the Commerce Park. Nor does the Restated Agreement change the City's membership role, responsibilities, or voting privileges for the Commerce Park project. The Restated Agreement was approved by the New River Valley Commerce Park Participation Committee and by the Board of the Authority on December 9, 2015. The Restated Agreement is now in the process of being approved by the governing bodies of the eleven currently participating jurisdictions.

**Recommended Action:**

Authorize the Mayor and City Clerk to execute and attest, respectively, The Amended and Restated New River Valley Commerce Park Participation and Revenue Sharing Agreement, in a form substantially similar to the one attached hereto as Attachment 1, with the form of such Restated Agreement to be approved by the City Attorney.

Authorize the Mayor and / or the City Manager to take such actions and execute such documents as necessary to implement, administer, and enforce such Restated Agreement, the form of all such documents to be approved by the City Attorney.



Christopher P. Morrill  
City Manager

Attachment

Distribution: Council Appointed Officers  
Brian Townsend Assistant  
City Manager for Community Development  
Barbara A. Dameron, Director of Finance  
Wayne Bowers, Director of Economic Development

**AMENDED AND RESTATED**  
**NEW RIVER VALLEY COMMERCE PARK**  
**PARTICIPATION AND REVENUE SHARING AGREEMENT**

THIS AMENDED AND RESTATED PARTICIPATION AND REVENUE SHARING AGREEMENT ("Agreement") is dated this 9th day of December, 2015, between and among Virginia's First Regional Industrial Facility Authority and the Participants defined below.

**WITNESSETH:**

**WHEREAS**, the undersigned governing bodies are each member localities of Virginia's First Regional Industrial Facility Authority ("Authority") a body corporate, organized, and created pursuant to the Virginia Regional Industrial Facilities Act, Chapter 64 Title 15.2 of the Code of Virginia, 1950, as amended ("Act") and the Agreement Creating Virginia's First Regional Industrial Facility Authority dated September 1, 1998; and

**WHEREAS**, pursuant to the authority granted under the Act to enter into agreements for the development of regional economic development projects the Authority and the County of Craig, Virginia, the County of Giles, Virginia, the County of Montgomery, Virginia, the County of Pulaski, Virginia, the County of Roanoke, Virginia, the County of Wythe, Virginia, the County of Bland, Virginia, the City of Radford, Virginia, the City of Roanoke, Virginia, the Town of Dublin, Virginia, the Town of Pearisburg, Virginia, and the Town of Pulaski, Virginia ("Original Participants") each entered into the New River Valley Commerce Park Project Participation Agreement – Initial Phase dated as of October 14, 1999 ("Participation Agreement") for the development of the Commerce Park Project; and

**WHEREAS**, the Original Participants financed the acquisition of the Commerce Park Property and Initial Phase of the Commerce Park Project through the sale of shares which were financed by the Original Participants ("Financed Shares"); and

**WHEREAS**, on August 8, 2001, the Participation Agreement was amended whereby County of Wythe was allowed to sell its shares to the remaining participants and withdraw from the Participation Agreement leaving the County of Craig, Virginia, the County of Giles, Virginia, the County of Montgomery, Virginia, the County of Pulaski, Virginia, the County of Roanoke, Virginia, the County of Bland, Virginia, the City of Radford, Virginia, the City of Roanoke, Virginia, the Town of Dublin, Virginia, the Town of Pearisburg, Virginia, and the Town of Pulaski, Virginia as the remaining participants (“Participants”); and

**WHEREAS**, on December 31, 2010, the Participation Agreement was amended a second time to expand the scope of the Project Description; amend the voting approval required to lease, use or otherwise dispose of real or personal property comprising the Commerce Park; amend the Finance Plan; and amend the revenue sharing provisions; and

**WHEREAS**, pursuant to the Participation Agreement, the Commerce Park is undertaken in the name of the Authority, but the Project Participation Committee has the sole responsibility for decisions related to the construction, management, and overall implementation of the Commerce Park; and

**WHEREAS**, the Participants are both members of the Project Participation Committee and members of the Authority; and

**WHEREAS**, the Participation Agreement requires that the Authority approve the decisions of the Committee, which needlessly duplicates and complicates management and oversight of the Commerce Park; and

**WHEREAS**, the Participants as members of the Participation Committee and as members of the Authority desire to dissolve the Committee and thereafter exercise their decision making responsibilities for the Commerce Park, as Participant shareholders and as members of the Authority; and

**WHEREAS**, the Authority and Participants desire to amend and restate the Participation Agreement to (1) expand the scope of the Project Description to include the overall management and development of the Commerce Park; (2) dissolve the Project Participation Committee (“Committee”); (3) preserve the voting rights of the Participants as shareholders in the Commerce Park; (4) update the Finance Plan for the Commerce Park; (5) amend the original share payments to include only the payment of debt service; and (6) amend the Revenue Sharing provisions.

**NOW THEREFORE**, the Authority and Participants acknowledge and agree that the original Commerce Park Project Participation Agreement and all subsequent Amendments thereto are hereby superseded by this Amended and Restated Participation Agreement as of the date of its adoption.

#### **I. COMMERCE PARK DESCRIPTION AND PURPOSE**

The Project shall be known as the New River Valley Commerce Park (“Commerce Park”), which currently consists of approximately 973 acres located generally at VA-100 and Laboratory Drive (Route 790) in Dublin, Virginia (depicted on Exhibit A attached hereto)<sup>1</sup>, and shall include the management and development of the Commerce Park for the purpose of promoting economic and workforce development as authorized pursuant to the Virginia Regional Industrial Facilities Act, Chapter 64 of Title 15.2 of the Code of Virginia, 1950, as amended, and the Agreement Creating Virginia’s First Regional Industrial Facility Authority.

#### **II. COMMERCE PARK UNDERTAKEN IN THE NAME OF THE AUTHORITY**

The Authority shall hold title to and have the power to lease, use, sell, encumber, transfer, and dispose of any real or personal property comprising the Commerce Park and may exercise all powers vested to the Authority pursuant to Virginia Code § 15.2-6405 with respect to the Commerce Park, upon approval of the Board of the Authority and Participants as set forth herein. Financing for the Commerce Park shall be arranged in the name of the Authority but all loan obligations for the

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<sup>1</sup> The actual property making up the Commerce Park may change from time to time upon approval of the Authority and Participants as set forth herein.

Commerce Park shall be the sole responsibility of those Participants who agree to take on debt through Project Agreements.

### **III. NEW RIVER VALLEY COMMERCE PARK PARTICIPATION COMMITTEE**

The New River Valley Commerce Park Participation Committee is hereby dissolved. The Authority assumes responsibility for all of the decisions related to the operation and development of the Commerce Park, subject to approval of the Board of the Authority and the Participants' Representatives as set forth in Section V herein.

### **IV. SHARES**

There is no set number of authorized shares for the Commerce Park. The Authority may issue shares upon approval of the Authority and Participants as set forth in Section V herein. There is only one class of shares, the purchase of which may be financed or paid in full upon issuance. Each Participant's ownership interest in the Park is determined by the total number of shares owned by the Participant as a percentage of the total number of shares issued.

For the Financed Shares, the annual payment by Participants shall include only the amount necessary for the payment of the annual debt service that was incurred for the purchase of land for the Commerce Park (not including the Red Sun Farms grading debt), the financing costs, and all expenses related to the debt. Upon payment in full of the debt, the Participants' annual payments for the Financed Shares shall cease.

Payments for the Financed Shares are due to the Authority annually on or before September 30<sup>th</sup>. Should any Participant fail or neglect to remit its share payment and such failure continues for more than forty-five (45) days following written demand by the Authority, such failure shall be considered a material breach of this Agreement and Participant shall forfeit all voting rights and rights to revenue sharing until all money due and owed by the Participant, including, but not limited to, reasonable attorneys' fees and collection costs incurred by the Authority, is paid in full. The

Participant in default shall not be relieved of its portion of the Commerce Park debt and any request to withdraw from the Authority shall be subject to Section X of this Agreement.

Participants may sell their shares to other Authority members subject to the approval of the terms of the sale by the Participants and the Authority, which approval shall not be unreasonably withheld. The Authority and each Participant acknowledges and agrees that it currently has an ownership interest in the Commerce Park as set forth in Exhibit B.

## **V. VOTING**

Each Participant shall appoint one of its representatives on the Board of the Authority to vote its shares. Each share shall be entitled to one vote; however, Participants must vote all of their shares as a block.

The Authority may not issue shares; incur debt; lease, sell, encumber, transfer, or dispose of any real or personal property comprising the Commerce Park; spend or distribute Revenue except as provided herein; or enter into any performance agreement or project agreement without an affirmative vote of both a majority of the shares entitled to vote and an affirmative vote of two-thirds of the Board Members of the Authority. In addition, no Participant may sell its shares without the approval of a majority of the shares and majority vote of the Board Members of the Authority. All other Commerce Park decisions may be made by a simple majority vote of the Board of the Authority.

## **VI. COMMERCE PARK FINANCING PLAN**

The current Financing Plan for the Commerce Park is set forth in Exhibit C, which may be amended from time to time. In addition, upon approval of the Board of the Authority, the Authority may appropriate member dues from time to time to finance expenses related to the management, operation, and development of the Commerce Park. All financed debt obligations for the Commerce Park shall remain the responsibility of the Participants in the Commerce Park and not the Authority. With the exception of Authority dues, no Participant or Authority member shall be responsible for any monetary obligation or debt without its express consent. The Participants remain solely

responsible for discharging the Authority's debt obligations in respect to the Commerce Park as set forth herein or in separate Project Agreements.

#### **VII. COMMERCE PARK BUDGET**

A proposed annual budget for the Commerce Park shall be developed by the Executive Director each year as part of the Authority's annual budget for each fiscal year beginning the following July 1. The budget shall include all contemplated expenditures for operations, capital expenses, project expenses, and debt service, and all anticipated revenues from taxes, grants, and other sources. This annual budget shall be presented to the Participants and Board Members of the Authority in time for amendment and adoption prior to July 1 of each year.

#### **VIII. REVENUE SHARING**

Pulaski County agrees to designate the following taxes received by Pulaski County from all business(es) and industry(ies) sited in the Commerce Park ("Business") as Revenue to be paid to the Authority and distributed as set forth herein.

**Machinery and Tools Tax:** Ninety-Five Percent (95%) of the machinery and tools taxes collected by Pulaski County for each Business located in the Commerce Park, shall be paid to the Authority annually on or before December 31, in perpetuity, or until otherwise agreed to by the parties. Pulaski County shall retain Five Percent (5%) of the machinery and tools taxes collected. In the event that the Machinery and Tools Tax is abolished by the General Assembly and replaced with an alternate tax structure, the alternate tax revenue collected from each Business in the Commerce Park shall be paid by Pulaski County to the Authority. Should the Machinery and Tools Tax not be replaced with an alternate tax, the parties agree to consider and negotiate a substitute source of Revenue to replace the Machinery and Tools Tax.

**Business Personal Property and Real Estate Tax:** Pulaski County agrees to remit to the Authority a percentage of the business personal property and real estate taxes ("Taxes") collected from each Business sited in the Commerce Park as Revenue for fifteen (15) years from the due date

of each Business' first assessment. For years one (1) through nine (9), Pulaski County will pay the Authority One Hundred Percent (100%) of the Taxes collected for each Business. For years ten (10) through eleven (11), Pulaski County shall remit to the Authority Seventy-five Percent (75%) of the Taxes collected. For years twelve (12) through thirteen (13), Pulaski County shall remit to the Authority 50% of the Taxes collected. Finally, for years fourteen (14) through fifteen (15), Pulaski County shall remit Twenty-five Percent (25%) of the Taxes collected. If during the fifteen (15) years a Business leaves the Park and a new Business takes its place, the Taxes remitted shall be calculated on the new Business for the years remaining in the original fifteen (15) year period ( at minimum) according to the percentages noted above. However, the parties to this Agreement may negotiate an alternative arrangement as appropriate.

**Miscellaneous Revenue:**

Miscellaneous Revenue includes, but is not necessarily limited to, Commerce Park land leases, business rent, land sale proceeds, revenue received from share purchases, and the discretionary appropriation of Authority dues to the Commerce Park. In addition, the Authority may add a water use surcharge of up to \$1.00 per 1,000 gallons of water used by any Business in the Park. Miscellaneous Revenue may be used by the Authority and Participants to benefit the Commerce Park as negotiated in Project Agreements, in other financing arrangements, or in any lawful manner as determined by the Authority and Participants.

**Distribution of Revenue:**

All Revenue received from Pulaski County shall be distributed by the Authority as follows: Prior to any distribution of Revenue, the Authority shall retain One Percent (1%) of all Revenue collected by Pulaski County and paid to the Authority as an administrative fee. Next, Revenue received by Pulaski County from each Business shall be used to pay off any debt incurred to facilitate the siting of that Business in the Park as memorialized in a Project Agreement or some other agreement (i.e. Red Sun Farms Grading Project Agreement). Any remaining Revenue may be

distributed to Participants based upon each Participant's percentage of Commerce Park shares owned or used for any other lawful purpose as approved by the Participants and Authority pursuant to Section V herein.

**Revenue Payments Subject to Appropriation by Pulaski County:** Notwithstanding the foregoing, Pulaski County's agreement to remit the Revenue described herein to the Authority is a moral obligation and not a legal debt of Pulaski County. The payment of the Revenue described herein to the Authority is subject to annual appropriation by the Pulaski County Board of Supervisors.

#### **IX. REQUIREMENTS FOR DEVELOPMENT OF THE COMMERCE PARK**

All businesses locating in the Commerce Park shall execute a Performance Agreement with the Authority subject to approval by the Authority and Participants as set forth in Section V. The Performance Agreement may contain such terms and conditions as the parties agree. Each business locating to the Commerce Park shall be responsible for meeting all applicable federal, state, and local laws and the Commerce Park Restrictive Covenants, as may be amended, whether or not recorded in the public records.

#### **X. WITHDRAWAL OF PARTICIPANT**

Participants in the Commerce Park may withdraw from the Authority only as set forth in Virginia Code § 15.2-6415 or as the remaining Participants and the Authority may unanimously agree. The conditions of withdrawal must also be accepted by all secured debt and bondholders or their representatives.

#### **XI. LIMITATION OF LIABILITY/ANNUAL APPROPRIATION**

The Participants are solely responsible for discharging the Authority's obligations for the Commerce Park. The Authority is not responsible for the financing and debts of the Commerce Park. The revenue sharing, payments, and contributions to the Authority as set forth herein are specifically authorized pursuant to Virginia Code §§ 15.2-6406 and 15.2-6407. In the event such code provisions are held invalid so that payments and contributions hereunder may be considered a debt of a local

government pursuant to Article VII, Section 10 of the Virginia Constitution, such payments and contributions shall not be debt of such participating local government, but shall be subject to and dependent upon annual appropriations being made from time to time by its governing body. Each participating locality agrees that its chief administrative officer shall annually request, using his or her best efforts, to secure the governing body's approval of such annual appropriations necessary to make the payments and contributions required by this Agreement. No provision herein shall be construed as a pledge of the full faith and credit of a participating local government.

#### **XII. COMMERCE PARK RECORDS**

All records of the Commerce Park shall be maintained with the records of Virginia's First Regional Industrial Facility Authority in the designated administrative office within a participating member locality.

#### **XIII. AMENDMENT**

This Agreement may be amended from time to time as the parties may agree, provided all amendments shall be in writing and shall require the unanimous consent of all Participants and the consent of the Authority.

#### **XIV. SEVERABILITY**

If any provision of this Agreement is held invalid by any court of competent jurisdiction, such holding shall not invalidate the remaining provisions herein.

#### **XV. EXECUTION OF COUNTERPARTS**

This Agreement may be executed in any number of counterparts each of which shall be an original and together shall constitute but one and the same Agreement.

**IN WITNESS WHEREOF**, the Governing Bodies identified, by authorized action, have caused this Agreement to be executed, and their respective seals to be affixed hereto and attested by their respective clerks or secretaries commencing this \_\_\_\_ day of \_\_\_\_\_, 2016.

VIRGINIA'S FIRST REGIONAL INDUSTRIAL FACILITY AUTHORITY

Attest: Approved as to form:

\_\_\_\_\_  
Secretary of the  
Authority Board

\_\_\_\_\_  
Attorney, VFRIFA

\_\_\_\_\_  
Chairman, Authority Board

COUNTY OF BLAND, VIRGINIA

Attest: Approved as to form:

\_\_\_\_\_  
Clerk, Board of Supervisors

\_\_\_\_\_  
County Attorney

\_\_\_\_\_  
Chairman, Board of Supervisors

COUNTY OF CRAIG, VIRGINIA

Attest: Approved as to form:

\_\_\_\_\_  
Clerk, Board of Supervisors

\_\_\_\_\_  
County Attorney

\_\_\_\_\_  
Chairman, Board of Supervisors

TOWN OF DUBLIN, VIRGINIA

Attest: Approved as to form:

\_\_\_\_\_  
Clerk, Town Council

\_\_\_\_\_  
Town Attorney

\_\_\_\_\_  
Mayor

COUNTY OF GILES, VIRGINIA

Attest: Approved as to form:

\_\_\_\_\_  
Clerk, Board of Supervisors

\_\_\_\_\_  
County Attorney

\_\_\_\_\_  
Chairman, Board of Supervisors

COUNTY OF MONTGOMERY, VIRGINIA

Attest: Approved as to form:

\_\_\_\_\_  
Clerk, Board of Supervisors

\_\_\_\_\_  
County Attorney

\_\_\_\_\_  
Chairman, Board of Supervisors

TOWN OF PEARISBURG, VIRGINIA

Attest: Approved as to form:

\_\_\_\_\_  
Clerk, Town Council

\_\_\_\_\_  
Town Attorney

\_\_\_\_\_  
Mayor

COUNTY OF PULASKI, VIRGINIA

Attest: Approved as to form:

\_\_\_\_\_  
Clerk, Board of Supervisors

\_\_\_\_\_  
County Attorney

\_\_\_\_\_  
Chairman, Board of Supervisors

TOWN OF PULASKI, VIRGINIA

Attest: Approved as to form:

\_\_\_\_\_  
Clerk, Town Council

\_\_\_\_\_  
Town Attorney

\_\_\_\_\_  
Mayor

CITY OF RADFORD, VIRGINIA

Attest: Approved as to form:

\_\_\_\_\_  
Clerk, City Council

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Mayor

CITY OF ROANOKE, VIRGINIA

Attest: Approved as to form:

\_\_\_\_\_  
Clerk, City Council

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Mayor

COUNTY OF ROANOKE, VIRGINIA

Attest: Approved as to form:

\_\_\_\_\_  
Clerk, Board of Supervisors

\_\_\_\_\_  
County Attorney

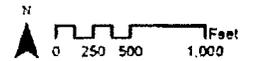
\_\_\_\_\_  
Chairman, Board of Supervisors

Virginia's  
First Regional  
Industrial Facility  
Authority

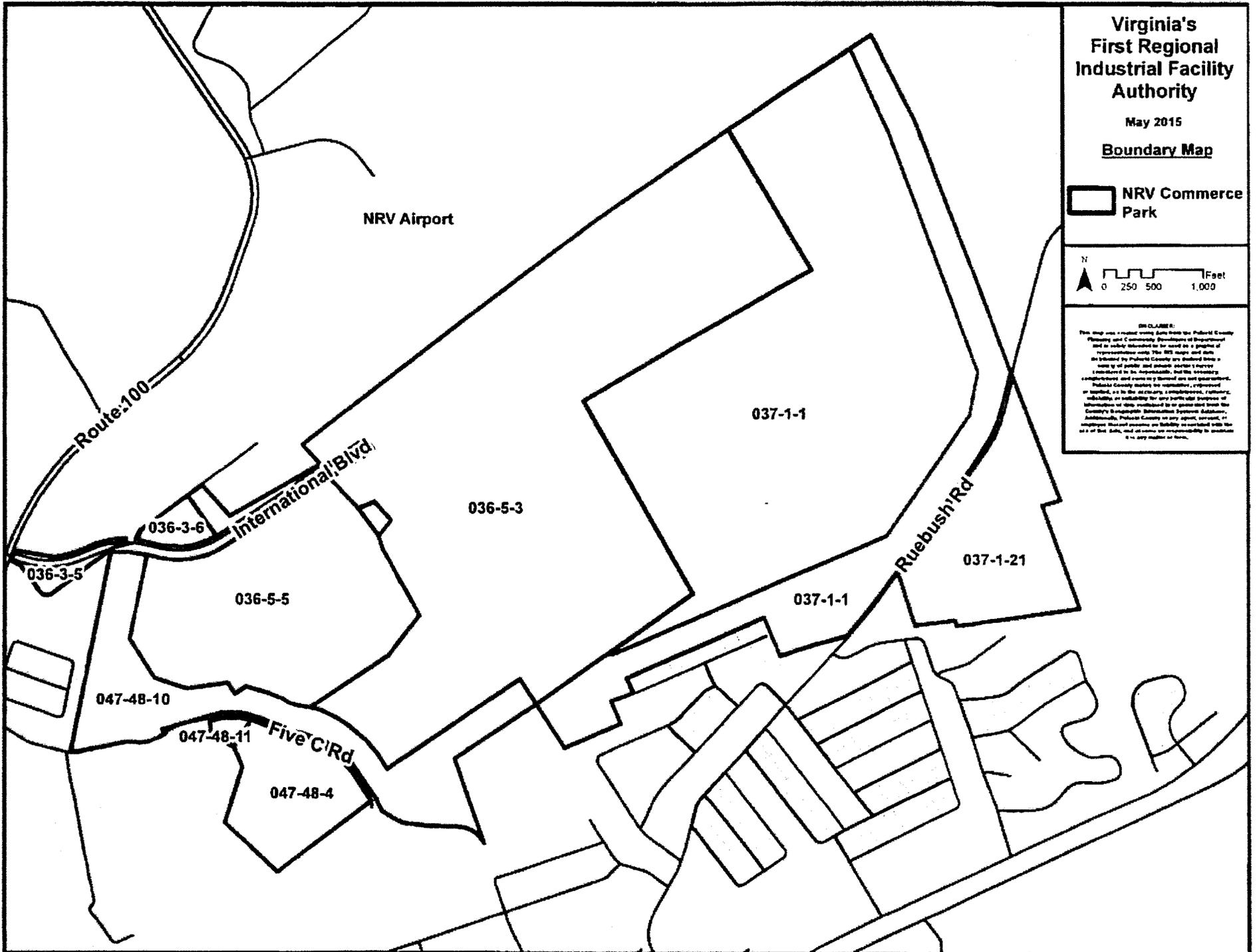
May 2015

Boundary Map

 NRV Commerce  
Park



**DISCLAIMER:**  
This map was created using data from the Pulaski County Planning and Community Development Department and is being submitted for use as a graphic of representation only. The GIS maps and data as obtained by Pulaski County are deemed to be a source of public and possible private sector information to be available, but the accuracy, completeness and extent is limited and not guaranteed. Pulaski County makes no representation, expressed or implied, as to the accuracy, completeness, reliability, suitability or availability for any particular purpose of information of this website or its products from the County's Geographic Information System. Additionally, Pulaski County is not responsible for any errors or omissions that may occur in any use of this data, and it makes no representation to maintain it in any manner or form.



**Virginia's First Regional Industrial Facility Authority  
New River Valley Commerce Park  
Shares and Ownership Percentage**

	Original Shares (1999)			CPPA Amendment 1 (2001)			Excess Dues Share Offering (2011)		
	# Shares	\$/ Share	\$ Total Shares	# Shares	\$/ Share	\$ Total Shares	# Shares	\$/ Share	\$ Total Shares
Bland County	2,000.00	\$ 2.75	\$ 5,500.00	145.53	\$ 2.75	\$ 400.14	681.82	\$ 40.00	\$ 27,272.73
Craig County	2,000.00	\$ 2.75	\$ 5,500.00	125.00	\$ 2.75	\$ 343.75	0.00	\$ 40.00	\$ -
Giles County	18,932.00	\$ 2.75	\$ 52,063.00	1,377.60	\$ 2.75	\$ 3,788.21	999.96	\$ 40.00	\$ 39,998.53
Montgomery County	18,932.00	\$ 2.75	\$ 52,063.00	1,377.60	\$ 2.75	\$ 3,788.21	0.00	\$ 40.00	\$ -
Pulaski County	60,907.00	\$ 2.75	\$ 167,494.25	4,609.80	\$ 2.75	\$ 12,676.83	999.96	\$ 40.00	\$ 39,998.53
Roanoke County	10,000.00	\$ 2.75	\$ 27,500.00	638.30	\$ 2.75	\$ 1,755.00	0.00	\$ 40.00	\$ -
Wythe County*	9,000.00	\$ 2.75	\$ 24,750.00	-9,000.00	\$ 2.75	\$ (24,750.00)	0.00	\$ 40.00	\$ -
City of Radford	7,950.00	\$ 2.75	\$ 21,862.50	507.44	\$ 2.75	\$ 1,395.00	681.82	\$ 40.00	\$ 27,272.73
City of Roanoke	10,000.00	\$ 2.75	\$ 27,500.00	0.00	\$ 2.75	\$ -	681.82	\$ 40.00	\$ 27,272.73
Town of Dublin	1,006.00	\$ 2.75	\$ 2,766.50	73.20	\$ 2.75	\$ 201.72	999.96	\$ 40.00	\$ 39,998.53
Town of Pearisburg	2,000.00	\$ 2.75	\$ 5,500.00	145.53	\$ 2.75	\$ 400.14	681.82	\$ 40.00	\$ 27,272.73
Town of Pulaski	7,273.00	\$ 2.75	\$ 20,000.75	0.00	\$ 2.75	\$ -	681.82	\$ 40.00	\$ 27,272.73
	<b>150,000.00</b>			<b>0.00</b>	<b>Wythe shares</b>		<b>6,408.98</b>		

	RSF Grading Agreement (2014)			Gas Line Extension (2014)			International Blvd ROW Survey (2014)			TOTAL CURRENT	
	# Shares	\$/ Share	\$ Total Shares	# Shares	\$/ Share	\$ Total Shares	# Shares	\$/ Share	\$ Total Shares	# Shares	% of Shares
Bland County	0.00	\$ 40.00	\$ -	0.00	\$ 40.00	\$ -	0.00	\$ 40.00	\$ -	2,827.35	1.60%
Craig County	0.00	\$ 40.00	\$ -	0.00	\$ 40.00	\$ -	0.00	\$ 40.00	\$ -	2,125.00	1.20%
Giles County	0.00	\$ 40.00	\$ -	0.00	\$ 40.00	\$ -	0.00	\$ 40.00	\$ -	21,309.56	12.04%
Montgomery County	0.00	\$ 40.00	\$ -	0.00	\$ 40.00	\$ -	0.00	\$ 40.00	\$ -	20,309.60	11.47%
Pulaski County	10,000.00	\$ 40.00	\$ 400,000.00	10,500.00	\$ 40.00	\$ 420,000.00	0.00	\$ 40.00	\$ -	87,016.76	49.16%
Roanoke County	0.00	\$ 40.00	\$ -	0.00	\$ 40.00	\$ -	0.00	\$ 40.00	\$ -	10,638.30	6.01%
Wythe County*	0.00	\$ 40.00	\$ -	0.00	\$ 40.00	\$ -	0.00	\$ 40.00	\$ -	0.00	0.00%
City of Radford	0.00	\$ 40.00	\$ -	0.00	\$ 40.00	\$ -	0.00	\$ 40.00	\$ -	9,139.26	5.16%
City of Roanoke	0.00	\$ 40.00	\$ -	0.00	\$ 40.00	\$ -	0.00	\$ 40.00	\$ -	10,681.82	6.03%
Town of Dublin	0.00	\$ 40.00	\$ -	0.00	\$ 40.00	\$ -	0.00	\$ 40.00	\$ -	2,079.16	1.17%
Town of Pearisburg	0.00	\$ 40.00	\$ -	0.00	\$ 40.00	\$ -	0.00	\$ 40.00	\$ -	2,827.35	1.60%
Town of Pulaski	0.00	\$ 40.00	\$ -	0.00	\$ 40.00	\$ -	100.00	\$ 40.00	\$ 4,000.00	8,054.82	4.55%
	<b>10,000.00</b>			<b>10,500.00</b>			<b>100.00</b>			<b>177,008.98</b>	<b>100.00%</b>
										<b>Total distributed</b>	

\*Wythe County withdrew from the Commerce Park Participation Committee and sold their 9,000 shares to other members  
Original Shares + Amend #1 (\$2.75/ ea) is basis for annual dues

20

7.a.8.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE approving an Amended and Restated New River Valley Commerce Park Participation and Revenue Sharing Agreement (Restated Agreement); authorizing the Mayor and the City Clerk to execute and attest, respectively, such Restated Agreement; authorizing the Mayor and/or the City Manager to take such actions and execute such documents as necessary to implement, administer, and enforce such Restated Agreement; and dispensing with the second reading of this Ordinance by title.

WHEREAS, the City entered into the New River Valley Commerce Park Project Participation Agreement-Initial Phase dated October 14, 1999 (Participation Agreement), which was authorized by Ordinance No. 34498-100499, adopted October 4, 1999, by which the City became a participant in the New River Valley Commerce Park Project which was being undertaken by Virginia's First Regional Industrial Facility Authority (Authority);

WHEREAS, by an Amendment to the Participation Agreement, authorized by Ordinance No. 35542-090401, adopted September 4, 2001, the City and the other parties to the Participation Agreement allowed the withdrawal of the County of Wythe, Virginia, from the Participation Agreement and the New River Valley Commerce Park Project;

WHEREAS, by an Amendment to the Participation Agreement, authorized by Ordinance No. 38812-051710, adopted May 17, 2010, the City and the other participating member jurisdictions, through the New River Valley Commerce Park Participation Committee and the Authority determined it necessary to amend the Participation Agreement further to reflect changes in the Commerce Park Project and to address other related provisions;

WHEREAS, participating member jurisdictions, through the New River Valley Commerce Park Participation Committee and the Authority have determined that it is necessary to amend the Participation Agreement further to reflect changes in the Commerce Park Project and to address other related provisions, all as further set forth and outlined in the City Council Agenda Report dated February 16, 2016, and the proposed Restated Agreement attached to such report; and

WHEREAS, the Authority has requested the City to authorize such Restated Agreement in order to address those items and matters set forth in such Restated Agreement.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. City Council hereby approves the provisions of the Restated Agreement as set forth in the City Council Agenda Report dated February 16, 2016, provided that such Restated Agreement will be the same or substantially similar to the one attached to such report.

2. The Mayor and the City Clerk are hereby authorized, on behalf of the City, to execute and attest, respectively, a Restated Agreement in a form substantially similar to the one attached to the above mentioned City Council Agenda Report, such Restated Agreement to be approved as to form by the City Attorney.

3. The Mayor and/or the City Manager are each authorized to take such actions and execute such documents as necessary to implement, administer, and enforce such Restated Agreement.

4. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this Ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



# CITY COUNCIL AGENDA REPORT

**To:** Honorable Mayor and Members of City Council  
**Meeting:** February 16, 2016  
**Subject:** Regional Collision Reporting Center

## **Background:**

The City of Roanoke, Roanoke County, and the City of Salem are partnering together to become the first jurisdictions in the United States to open a Regional Collision Reporting Center. Pursuant to the approval of this agreement, Accident Support Services International will open a Regional Collision Reporting Center in a jointly agreed upon location to provide collision reporting services to citizens within the Roanoke Valley. Roanoke County is scheduled to approve the regional agreement at their next regularly scheduled board meeting on February 23, 2016. The City of Salem has yet to schedule approval of the agreement, however their City Council has been briefed on the issue at a work session.

The Regional Collision Reporting Center will handle crash reporting, insurance company notification and insurance estimation on the majority of vehicular crashes that occur in the Roanoke Valley. The Regional Collision Reporting Center will handle only property damage claims. The Center will not settle or seek to resolve personal injury claims. Law enforcement agencies in the Roanoke Valley will still respond to crash locations to provide traffic safety and assist citizens involved in crashes. Referral to the Collision Reporting Center will be voluntary. Law enforcement agencies will still investigate all crashes that involve criminal activity, hazardous materials, and/or extenuating/unusual circumstances.

Collision Reporting Centers are funded solely by insurance providers and result in significant cost savings to those insurance providers by reducing overhead and fraud. There will be no cost to the participating jurisdictions involved with Regional Collision Reporting Centers.

Citizens will benefit from the establishment of the Regional Collision Reporting Center because they will receive professional streamlined customer friendly services and will only be required to travel to a single location to report a crash to their insurance company. Law enforcement agencies will benefit by a reduction in staffing commitments to these types of crashes, providing more time for active community based policing.

**Recommended Action:**

Approve the Regional Collision Reporting Center Agreement and authorize the City Manager to execute the agreement in a form substantially similar to that which is attached to this report, and any related documents; all such documents to be approved as to form by the City Attorney.



CHRISTOPHER P. MORRILL  
City Manager

Attachment

Distribution: Council Appointed Officers  
R. Brian Townsend, Assistant City Manager  
Christopher C. Perkins, Chief of Police  
Amelia C. Merchant, Director of Management and Budget

**ROANOKE VALLEY REGIONAL  
COLLISION REPORTING CENTER AGREEMENT**

THIS AGREEMENT is made and entered into on this \_\_\_ day of \_\_\_\_\_, 2016, by and between the City of Roanoke, (“Roanoke City”); the County of Roanoke, (“Roanoke County”); and the City of Salem, (“Salem”), each of which is a political subdivision or municipality of the Commonwealth of Virginia (the “Participating Localities”), and Roanoke Accident Support Services Ltd., a corporation organized under the laws of Virginia (“RASS”).

**WITNESSETH:**

WHEREAS, §46.2-373 of the Code of Virginia requires every law-enforcement officer who in the course of duty investigates a motor vehicle accident resulting in injury to or death of any person or total property damage to an apparent extent of \$1,500 or more to forward a written report of the accident to the Department of Motor Vehicles within twenty-four hours after completing the investigation; and

WHEREAS, the governing bodies of Roanoke City, Roanoke County, and Salem have determined that it is in the best interest of their three jurisdictions to enter into an agreement with RASS to operate a Regional Collision Reporting Center (“Center” or “Reporting Center”) to act as a clearing house for reporting on all such accidents that occur within the three jurisdictions; and

WHEREAS, the Participating Localities are authorized to enter into this joint Agreement pursuant to §15.2-1300 of the Code of Virginia; and

NOW, THEREFORE, the City Council for the City of Roanoke, the Board of Supervisors of the County of Roanoke and the City Council for the City of Salem, Virginia, in consideration of the mutual obligations and mutual benefits accruing to their respective localities from this Agreement, have agreed upon the terms of a contract among themselves, and with RASS, which are as follows:

**ARTICLE I. SERVICES**

Sec. 1-1. RASS shall cooperate with the police officers of the Participating Localities in the discharge of their motor vehicle accident investigations and reporting mandates as required by the Code of Virginia.

Sec. 1-2. The Participating Localities agree to provide to RASS in printed or in electronic form all information relevant to RASS’s lawful activities relating to motor vehicle accidents within their jurisdictions. RASS understands that the Participating Localities are obligated to disclose and provide public documents in accordance with the Virginia Freedom of Information Act. The Participating Localities shall allow RASS access to their records management systems in order to transmit completed reports to appropriate agencies.

Sec. 1-3. Obligation of RASS Regarding the Center. The location or relocation of any Reporting Center or a second Reporting Center must be approved by the Executive Committee. During the term of this Agreement RASS shall:

- a. provide all the equipment and staff necessary to provide accident reporting

services to customers at no cost to the Participating Localities at a Reporting Center selected, operated and maintained by RASS;

- b. pay all applicable taxes, including any Sales Tax, if applicable, rates, duties, levies, assessments and impositions whatsoever, whether county, municipal, State or otherwise levied, charged or assessed;
- c. pay all applicable business taxes, if any, in respect of the business carried on by RASS;
- d. comply with all federal, state, county and municipal laws, by-laws, rules and regulations affecting the Center;
- e. ensure that the Center is fully functional from 10:00 a.m. to 6:00 p.m. Monday through Friday of each week during the term of this Agreement, except for legal holidays, and that the determination of further days and times of operation be the discretion RASS.
- f. ensure that employees of RASS, while on duty at the Center, wear a uniform of a style to be approved by the Executive Committee, or an identification tag that indicates the name of the employee and the name of RASS;
- g. ensure that employees RASS act in a courteous and professional manner and maintain a neat and tidy appearance when providing services at the Center;
- h. ensure that all interior and exterior signage installed or in use at the Center is approved by the Executive Committee prior to installation or use; and
- i. operate the Center at no cost to the Participating Localities.

Sec. 1-4 Obligation of RASS Regarding Collision Reporting Services. During the term of this Agreement RASS shall:

- a) provide only accident reporting services and information processing services at the Center and shall not allow any other services to be provided on the premises of the Center;
- b) only offer or make available to a customer of the Center the names of companies, groups, or individuals that are recommended by the insurance company of the customer, provided that RASS is not prohibited from contacting, on behalf of the customer, companies, groups or individuals that are recommended by such insurance company;
- c) respect the right of the customers of the Center to choose to avail or not avail themselves of any or all of the services of RASS provided on behalf of an insurance company and shall not, at any time, use unlawful or misleading information or tactics or pressure a customer, in order to convince the customer to use any of the offered services;

d) comply with all applicable requirements set forth in Virginia Code §38.2-510 and inform all customers that they have the right to seek repairs from their own repair shop, not just those facilities recommended by their insurance carrier.

e) post signage, the content and location which shall be approved by the Executive Committee, advising customers of the Center of their right of choice regarding services offered by RASS on behalf of an insurance company and the independence of the services provided from that of the Participating Localities;

f) be permitted to offer advice and assistance to a customer of the Center respecting matters arising from the incident being reported, but shall provide such advice and assistance only in accordance with the policy requirements of the insurance company of the customer and any other legal restrictions or requirements;

g) not permit the display of advertising for any commercial vendors at the Center, but the foregoing shall not be construed to restrict the availability of materials provided by any governmental authority or the insurance industry or the advertising of the services provided by RASS on behalf of insurance companies;

h) not permit commercial vendors to operate at the Center, but the foregoing shall not be construed to restrict the representation of an insurance company at the Center or the provision of services which an insurance company has purchased, and nothing in this Agreement shall be construed to prevent an insurance company from recommending the use of specific vendors which have been approved by the insurance company;

i) ensure that the operating name of RASS shall not be a name that is likely to lead a person to reasonably believe RASS is an agency of the Participating Localities;

j) report, in writing, monthly during the Pilot period and quarterly thereafter, to the Participating Localities on the activity of the Center during the preceding reporting period, which report shall include, but not to be limited to, information respecting the number of persons which have used the services of the Center, the range and type of services offered by the Center, the number and type of complaints received about service at the Center and any action taken in response to such complaints;

k) notify the Participating Localities in writing of any oral or written complaints received from members of the public and customers of the Center ("Customer Complaints"), about the operation or services of the Center within seventy-two hours of receipt of the complaint, each such notice to be accompanied by a copy of any materials submitted by the complainant;

l) attempt, in good faith, to resolve the matter giving rise to the Customer Complaint involving a property loss claim in accordance with any procedure for complaint resolution established by the Participating Localities, and resolve the matter giving rise to the Customer Complaint to the satisfaction of the Participating Localities;

m) RASS will not attempt to resolve and/or settle any personal injury claims;

n) use any information, reports, data or material supplied by the Participating Localities only in accordance with the law or any restrictions imposed from time-to-time by any one of the Participating Localities on such use; however it is understood by the parties that any such restrictions will not prevent RASS from disclosing such information to insurance companies that is otherwise allowed by law.

Sec. 1-5 Conflict of Interests Obligations of RASS. During the term of this Agreement RASS shall not:

- a) operate or have any direct or indirect interest in or control over any automobile body repair shop or automobile rental facility and shall ensure that no director, officer or employee of RASS or any of its affiliated companies operates or has any direct or indirect interest in or control over any automobile body repair shop or automobile rental facility;
- b) employ, or be wholly or partly owned by, an officer or employee of a police department, or any other municipal or state officer or employee, an officer or employee of an insurance company or an officer or employee of an automobile body repair shop or automobile rental facility; and
- c) replace any officers or directors of RASS, or add any additional officers or directors, without the prior written permission of the Executive Committee.

Nothing in this Agreement shall be deemed to prevent or hinder RASS from being compensated by insurance companies in connection with RASS's operation of the Center.

## **ARTICLE II. OPERATIONAL AND FISCAL MATTERS**

Sec. 2-1. Participating Localities. The Participating Localities to this Agreement are the City of Roanoke, the County of Roanoke and the City of Salem.

Sec.2-2. Executive Committee. The Executive Committee shall serve as an advisory board to RASS for the Regional Collision Center. The Executive Committee shall consist of the Chiefs of Police of the Participating Localities, or their designees, and a non-voting member selected by RASS.

Sec. 2-7. Indemnification and Insurance. Each Participating Locality will maintain its own workers' compensation and public official's liability insurance coverage, and will retain its full legal responsibility for injuries or property damage arising from its employees' use of the Regional Collision Center ("Retained Liability"). Nothing in this agreement shall be interpreted as an assumption of joint and several liability, a waiver of sovereign, governmental, or qualified immunity, or as an indemnification of any Participating Locality, by any of the others. Except with respect to Retained Liability, RASS shall at all times indemnify and save harmless the Participating Localities, and all their officers, employees, agents and representatives of and from any and all manner of claims, demands, losses, costs, charges, actions and other proceedings whatsoever, made or brought against, suffered by or imposed, on either or both

of them in respect of any loss, damage or injury (including fatal injury) to any person or property directly or indirectly arising out of, resulting from or sustained as a result of RASS's willful wrongdoing or negligent occupation, use or operation of the Center.

### **ARTICLE III. OPERATIONS AND DISPUTE RESOLUTION**

Sec. 3-1. Term. The term of this Agreement shall commence on June 1, 2016 and shall terminate on November 30, 2017, for an 18 month Pilot Project. Upon the approval of all parties to this agreement, the Term of this Agreement may be extended to terminate on November 30, 2021, unless sooner terminated or further extended as provided herein. If such extension occurs, as of each five (5) year anniversary date of November 30, 2021, the term of this Agreement shall automatically be extended for two additional five (5) year terms beyond the then existing date of termination, unless one or more of the Participating Localities chooses to withdraw from this Agreement in accordance with the process outlined Article IV.

Sec. 3-2. Operator. The day to day operation of the Center shall be performed by the vendor chosen to manage the Regional Collision Center on behalf of the Participating Localities. The Participating Localities have determined that the sole source available to provide these services in the United States is RASS.

Sec. 3-3. Executive Committee. The oversight of this Agreement regarding the location and operation of the Center shall be the responsibility of an Executive Committee as set forth herein. The composition and purposes of the Executive Committee are as follows:

(1) Each Participating Locality shall appoint a member of the Executive Committee, and RASS shall provide one non-voting member for the Executive Committee.

(2) The Executive Committee will meet at least quarterly, once the Center is established and becomes operational. Special meetings may be called by any two members by actual notice delivered to all members at least 48 hours prior to the meeting date, or may be held at any time upon attendance at meetings by all members.

(3) A quorum necessary to take action at any meeting shall be two (2) members, or their officially-appointed designees. A majority vote of the members in attendance shall decide any issue presented unless otherwise set forth in this Agreement.

(4) The members of the Executive Committee shall elect a chair and secretary from its members to serve for two years.

(5) The meetings of the Executive Committee shall be conducted pursuant to the parliamentary procedures as set forth in "Roberts Rules of Order."

### **ARTICLE IV. WITHDRAWAL AND/OR TERMINATION.**

Sec. 4-1. Withdrawal. Any Participating Locality under this Agreement may withdraw and terminate such locality's participation in the Roanoke Valley Regional Collision Reporting Center Agreement by having its Chief Executive Officer deliver that locality's intent to withdraw by U.S. certified mail return receipt requested a formal written notice to the Chief Executive Officer of the other Participating Localities at least six (6) months prior to that localities anticipated date of withdrawal. The purpose of this notice requirement is to give the nonwithdrawing party or parties at least six (6) months' notice of the withdrawing locality's

decision to no longer participate in the Executive Committee and Agreement.

Sec. 4-2. Responsibility of Compliance. Any Participating Locality who gives a notice of withdrawal shall be responsible for complying with such Agreement until the effective date of the withdrawal notice as referred to in Section 5-1 above.

Sec. 4-3. Future Operation of Regional Collision Reporting Center. Upon receipt of a notification of withdrawal, the nonwithdrawing localities, in their sole discretion, may continue their participation in the operations of the Center with such modifications as they deemed appropriate.

Sec. 4-4. Cooperation upon Withdrawal. The withdrawing locality shall cooperate with the nonwithdrawing localities in order to provide for a smooth transition of operations of the Center, including, but not limited to, executing any documents and/or providing any information the nonwithdrawing localities may reasonably request.

Sec. 4-5 Termination. The Participating Localities may terminate this agreement with RASS upon three (3) month's written notice to RASS in the event that:

- a) legal requirements, in the Participating Localities' sole opinion, prohibit any Participating Locality from continuing its participation in the Center; or
- b) RASS makes an assignment for the benefit of creditors, or becomes insolvent or commits an act of bankruptcy as defined by the Bankruptcy Code (U.S.11USC), or if RASS is subject to voluntary or compulsory liquidation or winding-up, or if the Center becomes abandoned.

The Participating Localities may terminate this Agreement following 30 days' written notice to RASS from any of the Chiefs of Police that RASS has breached any of the provisions of this Agreement; provided however, that RASS shall have the opportunity to correct the situation giving rise to the breach to the satisfaction of the Chief of Police within the 30 day notice period.

Either the Participating Localities or RASS may terminate this Agreement on six (6) months' written notice to the other party, during which time RASS shall continue to operate the Center in accordance with the terms and conditions of this Agreement, provided however that the Participating Localities shall not terminate the Agreement under this subparagraph:

- a) for the sole purpose of entering into an arrangement or agreement with another person to operate a reporting center; and/or
- b) for the sole purpose of entering into an arrangement or agreement with another person to sell information to third parties; and/or
- c) to operate an information vending service; and/or

d) to operate a business which uses the information contained in the accident reporting computing records and produces reports which can be sold to third parties.

## ARTICLE V. MISCELLANEOUS

Sec. 5-1. Effective Date. The effective date of this agreement shall be January 1, 2016.

Sec. 5-2. Notices. Notices hereunder shall be sent by certified mail to the respective parties to the following officers or their successors:

Thomas C. Gates, County Administrator  
COUNTY OF ROANOKE, VIRGINIA  
5204 Bernard Drive  
Roanoke, Virginia 24018

Christopher P. Morrill, City Manager  
CITY OF ROANOKE, VIRGINIA  
P.O. Box 58  
Roanoke, Virginia 24402

Kevin S. Boggess, City Manager  
CITY OF SALEM, VIRGINIA  
114 North Broad Street  
Salem, Virginia 24153

ROANOKE ACCIDENT SUPPORT SERVICES LTD.  
Steve Sanderson  
111 Toryork Drive  
Toronto, Ontario  
M9L 1X9

Sec. 5-3. Captions and Headings. The section captions and headings are for convenience and reference purposes only and shall not affect in any way the meaning or interpretation of this Agreement.

Sec. 5-4. Counterpart Copies. This Agreement may be executed in any number of counterpart copies, each of which shall be deemed an original, but which together shall constitute a single instrument.

Sec. 5-5. Severability. The invalidity, illegality or unenforceability of any provision of this Agreement as determined by a court of competent jurisdiction shall in no way affect the validity, legality or enforceability of any other provision hereof.

Sec. 5-6. Waiver. No failure of any party to insist on strict observance of any provision of this Agreement, and no custom or practice of the parties at variance with the terms hereof, shall be deemed a waiver of any provision of this Agreement in any instance.

Sec. 5-7. Governing Law. This Agreement shall be governed by and construed in

accordance with the laws of the Commonwealth of Virginia.

Sec. 5-8 Mandatory Virginia Public Procurement Provisions:

During the term of this Contract, RASS agrees as follows:

- A. Pursuant to Virginia Code § 2.2-4311.1, RASS does not, and shall not during the performance of this Contract for goods and services in the Commonwealth, knowingly employ an unauthorized alien as defined in the Federal Immigration Reform and Control Act of 1986.
- B. Pursuant to Virginia Code § 2.2-4311.2, RASS shall be authorized to transact business in the Commonwealth as a domestic or foreign business entity if so required by Title 13.1 or Title 50 of the Code of Virginia (1950), as amended, or as otherwise provided by law. RASS shall not allow its existence to lapse or its certificate of authority to be revoked or cancelled at any time during the term of this contract. The Participating Localities may void this Contract if RASS fails to remain in compliance with the provisions of this section.

Sec. 5-9. Entire Agreement. This Agreement constitute the full agreement among the parties. This agreement may only be amended in writing by written amendment.

IN WITNESS WHEREOF the governing bodies of each locality listed below has duly authorized this Agreement to be signed on their behalf, by that locality's Chief Executive Officer, and RASS has caused this Agreement to be signed on its behalf by its duly authorized officer.

CITY OF ROANOKE, VIRGINIA

By: \_\_\_\_\_ (SEAL)  
Christopher P. Morrill, City Manager

Attest:

\_\_\_\_\_  
Clerk

Approved as to form:

By: \_\_\_\_\_  
City Attorney

COUNTY OF ROANOKE, VIRGINIA

By: \_\_\_\_\_(SEAL)

Attest:

\_\_\_\_\_  
Clerk

Approved as to form:

By: \_\_\_\_\_  
County Attorney

CITY OF SALEM, VIRGINIA

By: \_\_\_\_\_(SEAL)

Attest:

\_\_\_\_\_  
Clerk

Approved as to form:

By: \_\_\_\_\_  
City Attorney

ROANOKE ACCIDENT SUPPORT  
SERVICES LTD.

By: \_\_\_\_\_  
Steven A. Sanderson, President

UHS

7.0.9,

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE authorizing the City Manager to enter into a regional agreement among and between the City of Roanoke, the County of Roanoke, and the City of Salem to open a Regional Collision Reporting Center, upon certain terms and conditions, and dispensing with the second reading of this Ordinance by title.

BE IT ORDAINED by the Council of the City of Roanoke that:

1. The City Manager and the City Clerk are authorized to execute and attest, respectively, on behalf of the City of Roanoke, in a form approved by the City Attorney, a regional agreement among and between the City of Roanoke, the County of Roanoke, and the City of Salem, jurisdictions to open a Regional Collision Reporting Center upon such terms and conditions, and as are more particularly described in the City Council Agenda Report dated February 16, 2016.

2. Pursuant to Section 12, Roanoke City Charter, the second reading of this Ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

8.a.

CITY CLERK H23 FEB 10 PM 03:54



**ROANOKE CITY  
PUBLIC SCHOOLS**  
Strong Students. Strong Schools. Strong City

February 16, 2016

School Board

The Honorable David Bowers, Mayor  
and Members of Roanoke City Council  
Roanoke, VA 24011

*Suzanne P. Moore*  
Chairman

*Lori E. Vaught*  
Vice Chairman

Dear Members of Council:

*Mark K. Cathey*  
*William B. Hopkins, Jr.*  
*Annette Lewis*  
*Laura D. Rottenborn*  
*Dick Willis*

As a result of official School Board action on Tuesday, February 9,  
2016, the Board respectfully requests that City Council approve the  
following appropriation requests:

*Dr. Rita D. Bishop*  
Superintendent

<u>New Appropriation</u>	<u>Award</u>
Universal Service Schools and Libraries, E-rate Program 2015-2016	\$1,929,108.65

*Cindy H. Poulton*  
Clerk of the Board

<u>Revised Appropriations</u>	<u>Additional Award</u>
Title I, Part A Improving Basic Programs 2014-2015	\$424.18
New Teacher Mentor Program 2015-2016	\$5,172.97

On behalf of the School Board, thank you for your consideration.

Sincerely,

Cindy H. Poulton  
Clerk

pc: Dan Callaghan  
Chris Morrill  
Barbara Dameron  
Suzanne P. Moore

Rita D. Bishop  
Kathleen Jackson  
Acquenatta Harris (w/details)



8.a.

# CITY COUNCIL AGENDA REPORT

**To:** Honorable Mayor and Members of City Council  
**Meeting:** February 16, 2016  
**Subject:** School Board Appropriation Request

## Background:

As the result of official School Board action at its February 9, 2016 meeting, the Board respectfully requested that City Council appropriate funding as outlined in this report.

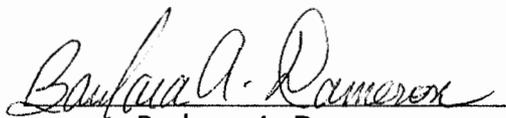
The Universal Service Schools and Libraries, E-rate Program 2015-16 grant of \$1,929,109 provides funds to help ensure that schools and libraries can obtain high-speed internet access and telecommunications at affordable rates. This program will be fully reimbursed by federal and local match funds. The grant period will end September 30, 2016.

The Title I, Part A Improving Basic Programs 2014-2015 grant of \$424 provides financial assistance for high numbers or percentages of children from low-income families to help ensure that all children meet state academic content and achievement standards. This is a revision to the original award allocation, will be reimbursed by federal funds and will end September 30, 2016. This is a continuing program.

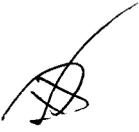
The New Teacher Mentor Program 2015-2016 grant of \$5,173 provides funding to support the school division in enhancing its mentor teacher program. Funding is provided based on the number of teachers with zero years of teaching experience. This is a revision to the original award allocation, will be reimbursed by state funds and will end June 30, 2016. This is a continuing program.

## Recommended Action:

We recommend that Council concur with this report of the School Board and adopt the attached budget ordinance to establish revenue estimates and to appropriate funding as outlined.

  
Barbara A. Dameron  
Director of Finance

**Distribution:** Council Appointed Officers  
Rita D. Bishop, Superintendent, RCPS  
P. Steve Barnett, Assistant Superintendent for Operations, RCPS  
Kathleen M. Jackson, Chief Financial Officer, RCPS



IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to appropriate funding from the Federal Government and the Commonwealth grants and the Schools General Fund for various educational programs, amending and reordaining certain sections of the 2015-2016 School Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that the following sections of the 2015-2016 School Grant Fund Appropriations be, and the same are hereby, amended and reordained to read and provide as follows:

Appropriations

Prof Other Prof Services	302-280-ERTE-0000-0000-68200-43313-2-01	\$ 400,638
Tech Software/On Line Content	302-280-ERTE-0000-0000-68200-46640-2-01	194,565
Non-Capt Tech Hardware	302-280-ERTE-0000-0000-68200-46650-2-01	4,162
Tech Infrastructure Additions	302-280-ERTE-0000-0000-68200-48220-2-01	1,315,991
Capital Outlay Additions	302-280-ERTE-0000-0000-68200-48821-2-01	13,752
Personal Services	302-110-0000-0000-132J-61100-41121-3-01	424
Professional Dev. Supplements	302-210-3300-0000-362K-62140-41129-9-01	5,173

Revenues

Local Match	302-280-ERTE-0000-1000-00000-72000-9-00	\$ 251,622
Federal Grant Receipts	302-280-ERTE-0000-0000-68200-38515-9-00	1,677,486
Federal Grant Receipts	302-000-0000-0000-132J-00000-38010-0-00	424
State Grant Receipts	302-000-0000-0000-362K-00000-32291-0-00	5,173

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

JS

10.a.

IN THE CITY COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION saluting the career and contributions of Coach Frank Beamer on the occasion of his retirement.

WHEREAS, Frank Beamer announced his retirement as head football coach at Virginia Tech following the completion of his 29th season as head coach of Hokie football;

WHEREAS, Coach Beamer completed his career at Virginia Tech by leading his Hokies to victory in the 2015 Independence Bowl against the University of Tulsa, the 23rd consecutive bowl game appearance by the Virginia Tech football team;

WHEREAS, as head coach at Virginia Tech, Coach Beamer amassed an overall record of 238 victories, 121 losses, and 2 ties as he led the Virginia Tech program into national prominence and perennial national rankings;

WHEREAS, as head coach at Virginia Tech, Coach Beamer led his Hokies to four ACC Conference Championships, three Big East Conference Championships, and one appearance in the national championship game;

WHEREAS, Coach Beamer amassed 280 victories over his 35 year career as a head coach and earned eight national coach of the year awards during his distinguished career;

WHEREAS, Coach Beamer was an innovative inspirational leader, introducing the concept of "Beamer Ball" to emphasize the importance that every player on the field has a role in contributing to the success of the team;

WHEREAS, Coach Beamer maintained an active, positive, and influential presence throughout the Southwest Virginia community; and

WHEREAS, recognition of Coach Beamer's accomplishments and contributions is an appropriate salute to his distinguished career.

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. City Council salutes the career, accomplishments, and contributions of Coach Frank Beamer as head football coach at Virginia Tech for 29 years.
2. City Council extends their best wishes for Coach Beamer and his wife, Cheryl, for a healthy, happy, and relaxing retirement
3. City Council directs the City Clerk to provide Coach Beamer with an attested copy of this Resolution.

ATTEST:

City Clerk.

## ROANOKE CITY COUNCIL-REGULAR SESSION

July 6, 2015

2:00 p.m.

The Council of the City of Roanoke met in regular session on Monday, July 6, 2015, 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, 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 the following resolution as set forth below, with Mayor David A. Bowers presiding.

PRESENT: Council Members Anita J. Price, David B. Trinkle, William D. Bestpitch, Raphael E. Ferris, Sherman P. Lea and Mayor David A. Bowers-6.

ABSENT: Council Member Court G. Rosen-1.

The Mayor declared the existence of a quorum.

OFFICERS PRESENT: Christopher P. Morrill, City Manager; Daniel J. Callaghan, City Attorney; Barbara A. Dameron, Director of Finance; and Stephanie M. Moon Reynolds, City Clerk.

The Invocation was delivered by Mayor David A. Bowers.

The Pledge of Allegiance to the Flag of the United States of America will be led by Mayor Bowers

ORGANIZATIONAL MEETING:

CITY COUNCIL: The Mayor advised that the first meeting of Council in the month of July is considered to be the Organizational Meeting at which time the Council will adopt a resolution establishing the days, times and places of regular meetings to be held by the Council during the ensuing months.

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

Vice-Mayor Trinkle offered the following resolution:

(#40280-070615) A RESOLUTION establishing a meeting schedule for City Council for the Fiscal Year commencing July 1, 2015, and terminating June 30, 2016.

(For full text of resolution, see Resolution Book No. 77, page 567.)

Vice-Mayor Trinkle moved the adoption of Resolution No. 40280-070615. The motion was seconded by Council Member Price and adopted by the following vote:

AYES: Council Members Price, Trinkle, Bestpitch, Ferris, Lea and Mayor Bowers-6.

NAYS: None-0.

(Council Member Rosen was absent.)

#### REGULAR SESSION

#### PRESENTATIONS AND ACKNOWLEDGEMENTS:

ACTS OF ACKNOWLEDGEMENT-REBUILDING TOGETHER ROANOKE: Mayor Bowers presented a plaque to Daniel Webb, Code Compliance Coordinator, and the City of Roanoke staff for their participation in the International Rebuilding Day in April 2015.

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.

Sharieff Perdue Jones, President/Executive Director of Community Outreach and Revitalization Organization, 1523 Rugby Boulevard, N. W., appeared before Council to request that the summer youth jobs program be restored for next year. He presented a Petition in support of his request.

(See copy of Petition for Reinstatement Summer Youth Jobs Program on file in the City Clerk's Office.)

Ben Early, 1415 Antrim Street, Salem, Virginia, appeared before Council with regard to solicitation of bids for taxi-cabs by the Roanoke-Blacksburg Regional Airport.

Mayor Bowers called attention to Consent Agenda Item C-, a report of the City Attorney with regard to regulating of taxi-cabs.

It was also noted that the Administration was asked to meet with the taxi operators to discuss concerns.

Mr. Early spoke about concerns expressed and shared with his legal counsel; and asked each member of Council to download the document, adding he is concern about the impact of transportation on tourism in the Roanoke Valley; and agreed to speak with the City Manager and City Attorney.

Council Member Bestpitch confirmed Mr. Early's comments regarding pre-authorization needed by Airport officials for taxi-cabs to sit and wait on passengers. In addition, he asked that the City Attorney further research the issue and present findings to the Council at a future meeting, noting that the matter was an important issue and did need to be investigated further prior to City Council making any decisions.

Vice-Mayor Trinkle mentioned that Council meets jointly with various Council appointed bodies, and he would suggest a joint meeting with the Roanoke Regional Airport Commission at a future Council meeting.

Following discussion and without objection by the Council, the City Manager and City Attorney were asked to meet with Mr. Early to discuss his concerns regarding the bid proposal for taxi-cabs at the Roanoke-Blacksburg Regional Airport; and furthermore, the City Manager was instructed to schedule a joint meeting of Council and the Roanoke Regional Airport Commission, to discuss matters of mutual interest and concern.

Robert Gravely, 3360 Hershberger Road, N. W., appeared before Council to express his concerns regarding the termination of his employment with the City of Roanoke.

#### CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda are 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. Inasmuch as Vice-Mayor Trinkle has announced a conflict of interest in connection with Item C-3, the item will be removed and considered separately by the Council.

MINUTES: Minutes of the regular meeting of Council held on Tuesday, January 20, 2015; were before the body.

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

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

AYES: Council Members Price, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-6.

NAYS: None-0.

(Council Member Rosen was absent.)

CITY COUNCIL: A communication from Mayor David A. Bowers requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended, was before the body.

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

Council Member Ferris moved that Council concur in the request of the Mayor as abovementioned. The motion was seconded by Council Member Bestpitch and adopted by the following vote:

AYES: Council Members Price, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-6.

NAYS: None-0.

(Council Member Rosen was absent.)

CITY PROPERTY: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss the disposition of City-owned property located fronting along Jae Valley Road (State Route 116), and adjacent to Back Creek, a tributary of the Roanoke River in Roanoke County, where discussion in an open meeting would adversely affect the bargaining or negotiating strategy of the public body, 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.)

Council Member Ferris moved that Council concur in the request of the City Manager as abovementioned. The motion was seconded by Council Member Bestpitch and adopted by the following vote:

AYES: Council Members Price, Trinkle Bestpitch, Ferris, Lea, and Mayor Bowers-6.

NAYS: None-0.

(Council Member Rosen was absent.)

CITY COUNCIL: A communication from the City Attorney requesting that Council convene in a Closed Meeting for consultation with legal counsel to discuss the status of litigation where such consultation in an open meeting would adversely affect the negotiating or litigating posture of the public body, 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.)

Council Member Ferris moved that Council concur in the request of the City Attorney as abovementioned. The motion was seconded by Council Member Bestpitch and adopted by the following vote:

AYES: Council Members Price, Trinkle Bestpitch, Ferris, Lea, and Mayor Bowers-6.

NAYS: None-0.

(Council Member Rosen was absent.)

AUDIT COMMITTEE MINUTES: Minutes of the Audit Committee meeting held on Wednesday, June 3, 2015, were before the body.

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

Council Member Ferris moved that the reading of the minutes be received and filed. The motion was seconded by Council Member Bestpitch and adopted by the following vote:

AYES: Council Members Price, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-6.

NAYS: None-0.

(Council Member Rosen was absent.)

TAXI-CABS: A communication from the City Attorney with regard to the regulation of taxicabs, was before the body.

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

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

AYES: Council Members Price, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-6.

NAYS: None-0.

(Council Member Rosen was absent.)

WESTERN VIRGINIA WATER AUTHORITY: A communication from Gayle Shrewsbury, Secretary, Western Virginia Water Authority, transmitting a resolution expressing appreciation to Marc Fink for his service as a City representative of the Western Virginia Water Authority Board of Directors, was before the body.

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

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

AYES: Council Members Price, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-6.

NAYS: None-0.

(Council Member Rosen was absent.)

COMMONWEALTH OF VIRGINIA-AUDITORS: A communication from the Commonwealth of Virginia, Auditor of Public Accounts, regarding cash receipts and disbursements of the Clerk of Circuit Court for the Calendar Year 2014, was before the body.

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

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

AYES: Council Members Price, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-6.

NAYS: None-0.

(Council Member Rosen was absent.)

OATHS OF OFFICE-COURT COMMUNITY CORRECTIONS REGIONAL PROGRAM COMMUNITY CRIMINAL JUSTICE BOARD-ROANOKE VALLEY-ALLEGHANY REGIONAL COMMISSION-ROANOKE ARTS COMMISSION-ROANOKE CITY SCHOOL BOARD-MILL MOUNTAIN ADVISORY BOARD-ROANOKE VALLEY CONVENTION AND VISITORS BUREAU BOARD-ROANOKE VALLEY GREENWAY COMMISSION-ROANOKE PUBLIC LIBRARY BOARD-ROANOKE CULTURAL ENDOWMENT BOARD-YOUTH SERVICES CITIZEN BOARD: Reports of qualification of the following individuals were before the Council:

The Honorable Charles N. Dorsey as a 23<sup>rd</sup> Judicial Circuit City representative of the Court Community Corrections Regional Program, Community Criminal Justice Board, for a three-year term of office ending June 30, 2018;

Christopher P. Morrill as a Citizen At Large representative of the Roanoke Valley-Alleghany Regional Commission for a three-year term of office ending June 30, 2018;

Jeanne P. Fishwick and Stephanie H. Fallon as members of the Roanoke Arts Commission for three-year terms of office, each, ending June 30, 2018;

Mark K. Cathey, Laura D. Rottenborn and Richard M. Willis, Jr., as Trustees of the Roanoke City School Board for three-year terms of office, each, commencing July 1, 2015 and ending June 30, 2018;

Sarah M. Karpanty as the Zoo representative of the Mill Mountain Advisory Board for a three-year term of office ending June 30, 2018;

Gary Walton as a City representative of the Roanoke Valley Convention and Visitors Bureau, Board of Directors for a one – year term of office ending June 30, 2016;

James V. Revercomb, III, as a City of the Roanoke Valley Greenway Commission for a three-year term of office ending June 30, 2018;

Marlene M. Preston as a member of the Roanoke Public Library Board for a three-year term of office ending June 30, 2018;

Patice L. Holland and Sherman P. Lea, Jr., as Directors of the Roanoke Cultural Endowment Board of Directors for initial terms of office ending December 31, 2016; and

Cerid Lugar (At-Large), for a one-year term of office commencing July 1, 2015 and ending June 30, 2016, Diane M. Casola (At-Large), for a two-year term of office commencing July 1, 2015 and ending June 30, 2017, and James M. O'Hare (Public), for a three-year term of office commencing July 1, 2015 and ending June 30, 2018 as members of the Youth Services Citizen Board.

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

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

AYES: Council Members Price, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-6.

NAYS: None-0.

(Council Member Rosen was absent.)

CITY COUNCIL: A communication from the City Manager requesting that City Council convene in a Closed Meeting to discuss the disposition of publicly-owned property, located at 117-119 Norfolk Avenue, S. W., identified as Official Tax Map Nos. 1010307 and 1010306, respectively, 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 body.

Council Member Ferris moved that the Council concur in the request of the City Manager as abovementioned. The motion was seconded by Vice-Mayor Trinkle.

Vice-Mayor Trinkle noted a personal interest in the above noted item and read the following Statement of Conflict of Interest into the record:

**“STATEMENT OF CONFLICT OF INTEREST**

I, David A. Trinkle, state that I have a personal interest in agenda item C-3 for the session of City Council for Monday, July 6, 2015, regarding a request that the Council convene in a Closed Meeting to discuss the disposition of publicly-owned properties located at 117 – 119 Norfolk Avenue, S. W., because my employer, Carilion Clinic, is affiliated with Carilion Health System, a party involved with these properties.

Therefore, pursuant to Virginia Code Section 2.2-3112, I must refrain from participation in this matter. I ask that the City Clerk accept this statement and ask that it be made a part of the minutes of this meeting.

Witness the following signature made this 6<sup>th</sup> day of July 2015.

S/David B. Trinkle  
David B. Trinkle  
Vice-Mayor and Member of Council”

Following the reading of the statement in its entirety, the request was concurred in and adopted by the following vote:

AYES: Council Members Price, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-6.

NAYS: None-0.

(Council Member Rosen was absent.)

### REGULAR AGENDA

PUBLIC HEARINGS: NONE.

PETITIONS AND COMMUNICATIONS:

**BUDGET-COMMONWEALTH ATTORNEY:** The Commonwealth's Attorney submitted a written communication recommending acceptance of the Multi-Jurisdictional Special Drug Prosecutor Grant from the State Compensation Board; and authorization for City Manager to execute documents to obtain funding from the Compensation Board; and The City Manager submitted a written communication concurring in the request.

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

Council Member Ferris offered the following resolution:

(#40281-070615) A RESOLUTION authorizing the acceptance of funding for the regional drug prosecutor's office from the Compensation Board of the Commonwealth of Virginia and authorizing the acceptance, execution, and filing of appropriate documents to obtain such funds.

(For full text of resolution, see Resolution Book No. 77, page 568.)

Council Member Ferris moved the adoption of Resolution No. 40281-070615. The motion was seconded by Vice-Mayor Trinkle and adopted by the following vote:

AYES: Council Members Price, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-6.

NAYS: None-0.

(Council Member Rosen was absent.)

Council Member Ferris offered the following budget ordinance:

(#40282-070615) AN ORDINANCE to appropriate funding from the Commonwealth of Virginia for the Regional Drug Prosecutor Grant, amending and reordaining certain sections of the 2015 - 2016 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 77, page 569.)

Council Member Ferris moved the adoption of Budget Ordinance No. 40282-070615. The motion was seconded by Vice-Mayor Trinkle and adopted by the following vote:

AYES: Council Members Price, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-6.

NAYS: None-0.

(Council Member Rosen was absent.)

DOGS: Mayor Bowers advised that the update with regard to K-9 Veterans (military canines) requested by Mark Smoot, Chief Operating Officer, Air Rescue would be withdrawn and rescheduled for a future Council meeting.

REPORTS OF CITY OFFICERS AND COMMENTS OF CITY MANAGER:

CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

**BUDGET-BROWNFIELD ASSESSMENT-GRANTS:** The City Manager submitted a written communication recommending acceptance of the Hazardous Site Brownfield Assessment Grant from the U. S. Environmental Protection Agency to fund environmental assessments on eligible properties within the City.

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

Council Member Lea offered the following resolution:

(#40283-070615) A RESOLUTION accepting a U.S. Environmental Protection Agency Brownfield Assessment Grant to fund environmental assessments in the City on eligible properties and related activities, and authorizing execution of any required documents on behalf of the City in connection with such grant under certain conditions.

(For full text of resolution, see Resolution Book No. 77, page 570.)

Council Member Lea moved the adoption of Resolution No. 40283-070615. The motion was seconded by Vice-Mayor Trinkle and adopted by the following vote:

**AYES:** Council Members Price, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-6.

**NAYS:** None-0.

(Council Member Rosen was absent.)

Council Member Lea offered the following budget ordinance:

(#40284-070615) AN ORDINANCE appropriating funding from the United States Environmental Protection Agency for environmental site assessments and related training and development, amending and reordaining certain sections of the 2015 - 2016 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 77, page 571.)

Council Member Lea moved the adoption of Budget Ordinance No. 40284-070615. The motion was seconded by Vice-Mayor Trinkle and adopted by the following vote:

AYES: Council Members Price, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-6.

NAYS: None-0.

(Council Member Rosen was absent.)

**BUDGET-HUMAN SERVICES-VIRGINIA HOMELESS SOLUTIONS-GRANTS:**  
The City Manager submitted a written communication recommending execution of documents to accept a Virginia Homeless Solutions Program Grant from the Department of Housing and Community Development to continue support of Continuum of Care strategies and homeless service and prevention programs.

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

Vice-Mayor Trinkle offered the following resolution:

(#40285-070615) A RESOLUTION authorizing the acceptance of the Virginia Homeless Solutions Program Grant ("Grant") to the City of Roanoke ("City") by the Virginia Department of Housing and Community Development ("DHCD") in the amount of \$90,685.00; authorizing the City of Roanoke to be the fiscal agent for distribution of the grant proceeds; and authorizing the City Manager to execute any documentation required to accept the Grant on behalf of the City, including a Memorandum of Understanding with certain provider agencies.

(For full text of resolution, see Resolution Book No. 77, page 572.)

Vice-Mayor Trinkle moved the adoption of Resolution No. 40285-070615. The motion was seconded by Council Member Price.:

AYES: Council Members Price, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-6.

NAYS: None-0.

(Council Member Rosen was absent.)

Vice-Mayor Trinkle offered the following budget ordinance:

(#40286-070365) AN ORDINANCE to appropriate funding from the Commonwealth of Virginia Department of Community Development for the Virginia Homeless Solutions Program, amending and reordaining certain sections of the 2015 - 2016 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 77, page 573.)

Vice-Mayor Trinkle moved the adoption of Budget Ordinance No. 40286-070615. The motion was seconded by Council Member Price and adopted by the following vote:

AYES: Council Members Price, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-6.

NAYS: None-0.

(Council Member Rosen was absent.)

**BUDGET-HUMAN SERVICES-CHILD ABUSE AND NEGLECT-GRANTS:** The City Manager submitted a written communication recommending acceptance of a Child Abuse and Neglect Prevention Program Grant from the Virginia Department of Social Services to provide parenting classes with an in-home component to parents of children 0-5 years of age identified by the Department of Social Services as at risk of abusing and neglecting their children.

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

Council Member Price offered the following resolution:

(#40287-070615) A RESOLUTION authorizing the acceptance of the Child Abuse and Neglect Prevention Program Grant ("Grant") to the City of Roanoke ("City") by the Virginia Department of Social Services in the amount of \$50,000.00; and authorizing the City Manager to execute any documentation required to accept the Grant on behalf of the City.

(For full text of resolution, see Resolution Book No. 77, page 574.)

Council Member Price moved the adoption of Resolution No. 40287-070615. The motion was seconded by Vice-Mayor Trinkle:

Council Member Price commented on the City of Roanoke's Department of Social Services having been awarded a Child Abuse and Neglect Prevention Program Grant to provide parenting classes with an in-home component to 45 parents of children 0 – 5 years old identified by Social Services as at risk of abusing and neglecting their children.

City Manager reported that the Program is entitled "Parenting Little Ones", and indicated that the funds would be used to pay for the classroom and in-home components, translators for Latino parents, bus passes to assist families with transportation to the class, and child care while the parents attend the class.

Jean Alexander, Chief Social Worker Supervisors, Department of Human Services/Social Services, pointed out that the Program encompasses 46 individual within families, 15 families and three sessions.

Following additional comments and note of appreciation by Council Member Price for efforts of the Department, Resolution No. 40287-070615 was adopted by the following vote:

AYES: Council Members Price, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-6.

NAYS: None-0.

(Council Member Rosen was absent.)

Council Member Price offered the following budget ordinance:

(#40288-070615) AN ORDINANCE to appropriate funding from the Virginia Department of Social Services for the Child Abuse and Neglect Prevention Program Grant, amending and reordaining certain sections of the 2015 - 2016 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 77, page 575.)

Council Member Price moved the adoption of Budget Ordinance No. 40288-070615. The motion was seconded by Vice-Trinkle and adopted by the following vote:

AYES: Council Members Price, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-6.

NAYS: None-0.

(Council Member Rosen was absent.)

**BUDGET-EASEMENTS-SCHOOLS-WESTERN VIRGINIA WATER AUTHORITY:** The City Manager submitted a written communication recommending execution of an easement agreement with the Western Virginia Water Authority to grant an approximately 20-foot public waterline easement for a future connection to Round Hill Elementary School.

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

Vice-Mayor Trinkle offered the following budget ordinance:

(#40289-070615) AN ORDINANCE authorizing the conveyance of a waterline easement, containing approximately 20,368 square feet, with an approximate width of twenty (20) feet and approximate length of 250 feet, limited to 40 years in duration, across City-owned property known as Round Hill Elementary School, located at 2020 Oakland Boulevard, N. W., Roanoke, Virginia, designated as Roanoke Official Tax Map No. 2250102, to the Western Virginia Water Authority ("Authority"), upon certain terms and conditions; and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 77, page 576.)

Vice-Mayor Trinkle moved the adoption of Budget Ordinance No. 40289-070615. The motion was seconded by Council Member Ferris and adopted by the following vote:

AYES: Council Members Price, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-6.

NAYS: None-0.

(Council Member Rosen was absent.)

**BRIDGES-RAILWAY:** The City Manager submitted a written communication recommending amendments to contracts with AECOM Technical Services, Inc. and Mattern & Craig, Inc., respectively, for the Transportation Structure Inspection Program (2014 - 2018) Year Two of Five.

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

Council Member Bestpitch offered the following resolution:

(#40290-070615) A RESOLUTION authorizing the City Manager's issuance and execution of additional Amendments to the City's Contract with AECOM Technical Services, Inc., for additional professional services for the second year of the City's Transportation Structures Inspection Program (2014 - 2018); and authorizing the City Manager to take such actions and execute such documents as may be necessary to provide for the implementation, administration, and enforcement of such Amendments to the above mentioned Contract, as well as the Contract itself.

(For full text of resolution, see Resolution Book No. 77, page 577.)

Council Member Bestpitch moved the adoption of Resolution No. 40290- 070615. The motion was seconded by Council Member Ferris and adopted by the following vote:

**AYES:** Council Members Price, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-6.

**NAYS:** None-0.

(Council Member Rosen was absent.)

Council Member Bestpitch offered the following resolution:

(#40291-070615) A RESOLUTION authorizing the City Manager's issuance and execution of additional Amendments to the City's Contract with Mattern & Craig, Inc., for additional professional services for the second year of the City's Transportation Structures Inspection Program (2014 - 2018); and authorizing the City Manager to take such actions and execute such documents as may be necessary to provide for the implementation, administration, and enforcement of such Amendments to the above mentioned Contract, as well as the Contract itself.

(For full text of resolution, see Resolution Book No. 77, page 578.)

Council Member Bestpitch moved the adoption of Resolution No. 40291-070615. The motion was seconded by Council Member Ferris and adopted by the following vote:

AYES: Council Members Price, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-6.

NAYS: None-0.

(Council Member Rosen was absent.)

**BUDGET-EMERGENCY MANAGEMENT:** The City Manager submitted a written communication recommending acceptance of funds from the Virginia Department of Emergency Management for reimbursement to the City of Roanoke for hazardous materials responses and specialize training for the Hazardous Materials Response Team.

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

Council Member Bestpitch offered the following resolution:

(#40292-070615) A RESOLUTION authorizing acceptance of certain funds from the Virginia Department of Emergency Management (VDEM), and authorizing execution of any required documentation on behalf of the City.

(For full text of resolution, see Resolution Book No. 77, page 579.)

Council Member Bestpitch moved the adoption of Resolution No. 40292-070615. The motion was seconded by Council Member Ferris and adopted by the following vote:

AYES: Council Members Price, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-6.

NAYS: None-0.

(Council Member Rosen was absent.)

Council Member Bestpitch offered the following budget ordinance:

(#40293-070615) AN ORDINANCE appropriating funding from the United States Department of Transportation through the Commonwealth of Virginia Department of Emergency Management (VDEM) for hazardous materials emergency responses and training and development, amending and reordaining certain sections of the 2015 - 2016 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 77, page 579.)

Council Member Bestpitch moved the adoption of Budget Ordinance No. 40293-070615. The motion was seconded by Council Member Ferris and adopted by the following vote:

AYES: Council Members Price, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-6.

NAYS: None-0.

(Council Member Rosen was absent.)

#### COMMENT BY CITY MANAGER:

The City Manager offered the following comments:

#### July 4th Events

- Several activities were held over the weekend in conjunction with the July 4 celebration.

#### The first TAP Hope Revolution – Fourth of July Freedom Fest

- The event was a day to celebrate 50 years of community service TAP has provided the Roanoke Valley.
- Organizers say they pre-sold nearly 1,000 tickets and raised more than \$25,000.00. All proceeds go toward TAP. The money will be divided up and go to programs like Project Discovery.

#### Fireworks

- The City's annual fireworks show was held at River's Edge Sports Complex.
- The weather cooperated and we had a great turnout for this event
- Citizens brought their lawn chairs and enjoyed music before the show – 94.9 Star Country and Winds of the Blue Ridge.
- Food vendors were on site.
- In addition to the City, sponsors included The Roanoke Times, WDBJ7, and Downtown Roanoke, Inc.

### **Upcoming events for Elmwood Park**

- Punch Brothers and Bela Fleck & Abigail Washburn - Tuesday, July 14
- 10th Annual Blue Ridge Blues and BBQ Festival - Saturday, July 18
- Oak Barrel Bourbon Festival - Saturday, July 25
- Colbie Caillat and Christina Perr - Tuesday, July 28
- Morris Day and the Time and Cameo - August 2
- Joan Jett and the Blackhearts - August 20

### **Special Guest Will Visit Main Library This Week**

- Virginia First Lady Dorothy McAuliffe will join Mayor Bowers at a session of the Feed and Read program at the Main Branch Library at 11:30 a.m. on Wednesday, July 8.
- Feed and Read is a summer partnership between the Libraries and the YMCA of the Roanoke Valley to provide free healthy meals and educational activities to children.
- As part of the program, Ms. McAuliffe will read a book to the children.
- The visit is being organized through the Library of Virginia and the Governor's Office, and Council members are welcome to attend.
- Feed and Read provides free meals to children under age 18 at five library locations, Mondays through Fridays, from June 15 to August 14.

### **Youth Summit Scheduled for August**

- The second annual Roanoke Youth Summit will be held August 1 at Patrick Henry High School.
- Doors will open at 9:00 a.m.; the event will begin at 10 a.m. and end at 2:00 p.m.
- Discussion groups will be held for youth and their parents/guardians followed by lunch and activities.

CITY ATTORNEY:

PARKING: The City Attorney submitted a written report recommending execution of amendments to the contract with Lancor Parking, L. L. C.

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

Council Member Bestpitch offered the following resolution:

(#40294-070615) A RESOLUTION ratifying, confirming, and authorizing the City Manager's issuance and execution of Amendment No. 1 and Amendment No. 2 to the City's Contract with Lancor Parking, L.L.C.; authorizing Amendment No. 3 to the City's Contract with Lancor Parking, L.L.C., to adjust the monthly fee of such Contract, retroactive to July 1, 2015; and authorizing the City Manager to take certain other actions in connection with such Amendment.

(For full text of resolution, see Resolution Book No. 77, page 580.)

Council Member Bestpitch moved the adoption of Resolution No. 40294-070615. The motion was seconded by Council Member Ferris and adopted by the following vote:

AYES: Council Members Price, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-6.

NAYS: None-0.

(Council Member Rosen was absent.)

CITY CODE: The City Attorney submitted a written report recommending readoption and reenactment of the Code of the City of Roanoke (1979), as amended.

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

Council Member Ferris offered the following ordinance.

(#40295-070615) AN ORDINANCE to readopt and reenact the Code of the City of Roanoke (1979), as amended; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 77, page 582.)

Council Member Ferris moved the adoption of Ordinance No. 40295-070615. The motion was seconded by Council Member Bestpitch and adopted by the following vote:

AYES: Council Members Price, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-6.

NAYS: None-0.

(Council Member Rosen was absent.)

DIRECTOR OF FINANCE:

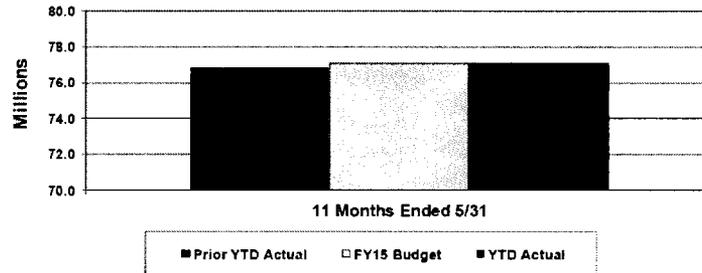
FINANCIAL REPORTS: The Director of Finance submitted the following financial report, which summarizes the City's financial results for the eleven months ended May 31, 2015:

## FY15 General Fund Overview

- Year-to-date general fund revenue recognized was 88% of FY15 estimated revenue. Significant revenue reimbursements from the Commonwealth, such as personal property tax relief, street maintenance and certain local taxes to be received in the next month.
- Through May, actual FY15 revenues have increased 3.5% compared to FY14. The projected FY15 revenue by year-end is 1.9% or \$4.9 million higher than FY15 adopted budget.
- The City's sales, lodging and meals taxes performed well and contributed to strong local tax revenue growth.
- Expenditures increased 0.9 % or \$2.2 million, compared to the same period FY14. Departmental expenditures are expected to remain within budget.

## Current Real Estate Tax

FY15 Revenue Estimate \$77.090 M



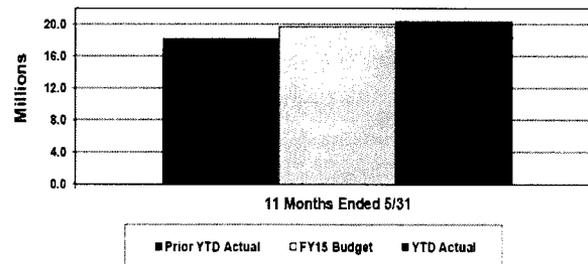
Current real estate tax revenue increased 0.4% over FY14, and through May, is 100% of the adopted budget.

3

## Current Personal Property Tax



FY15 Revenue Estimate \$19.690 M

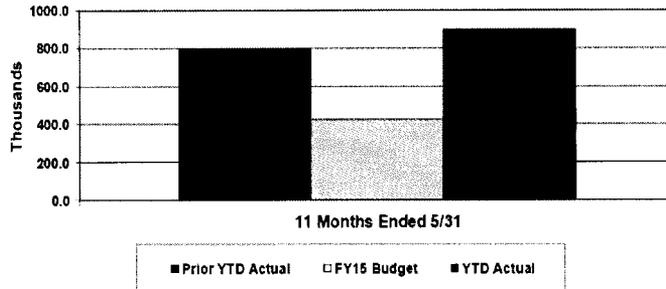


Current personal property tax revenue increased 12.1% over FY14, and is 3.3% over FY15 adopted budget as of May. In anticipation of the growth in the revenue, the FY15 revenue budget was increased by \$500K in June, which will result in a lower percentage increase compared to the final budget, but will be above the FY15 adopted budget.

4

## Delinquent Personal Property Tax

FY15 Revenue Estimate \$425,000



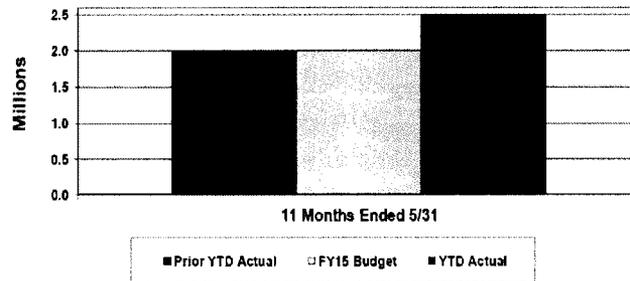
Delinquent personal property tax revenue increased 12.6% over FY14, and is 111.3% over FY 15 adopted budget as of May.

This revenue was also adjusted in June by \$340K in anticipation of growth compared to the FY15 adopted budget.

5

## Public Service Corporation Tax- Real Estate

FY15 Revenue Estimate \$2.0 M



As of May, this category of revenue is 25.4% higher than FY14, and is 24.7% over FY15 adopted budget.

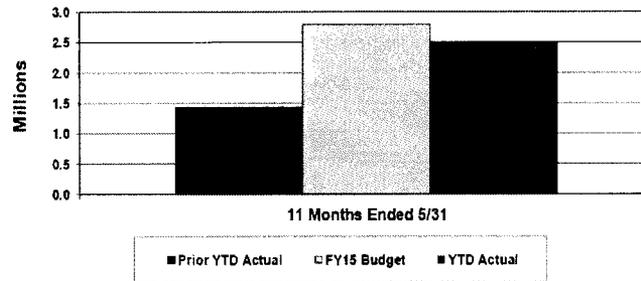
This revenue was adjusted in June by \$494K in anticipation of growth compared to the FY15 adopted budget, which will result in a lower percentage increase compared to the final budget, but will be above the FY15 adopted budget.

6

## Public Service Corporation Tax- Personal Property



FY15 Revenue Estimate \$2.8 M



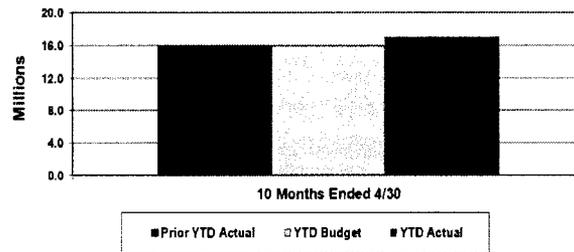
As of May, this category of revenue is 75.6% higher than FY14, but is 9.9% below FY15 adopted budget.

7

## Sales Tax



FY15 Revenue Estimate \$19.238 M



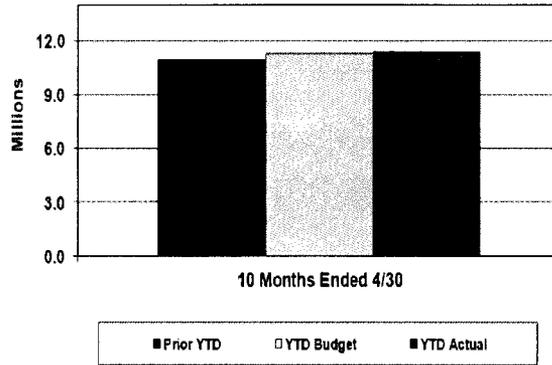
Sales tax revenue increased 6.6% over FY14, and is 6.5% higher than YTD budget.

8

## Meals Tax



FY15 Revenue Estimate \$13.659 M



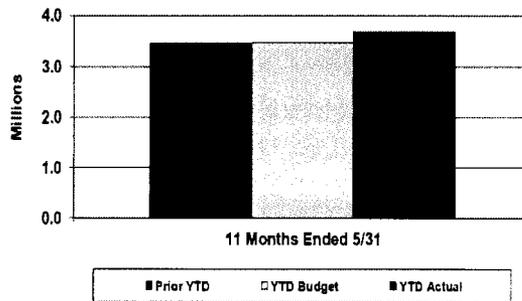
FY15 revenue is 4.2% higher than FY14, and is 0.7% higher than YTD budget.

9

## Transient Occupancy (Lodging) Tax



FY15 Revenue Estimate \$3.881 M



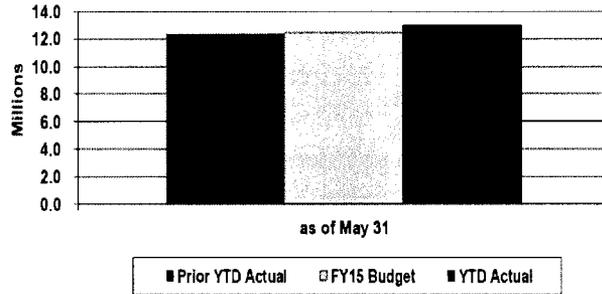
Lodging tax revenue increased 6.6% over FY14, and is 5.9% higher than budget.

10

## Business and Professional Occupational License (BPOL) Tax



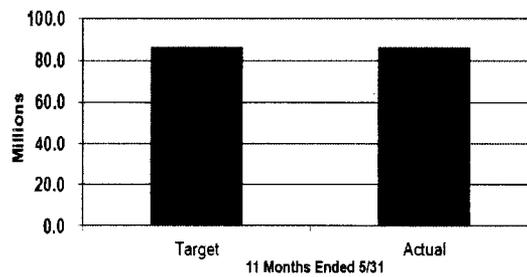
FY15 Revenue Budget \$12.478M



Tax due date was March 1<sup>st</sup>

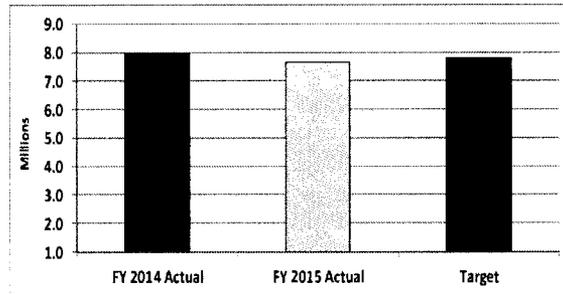
Revenues are 5.1% higher than last year and exceed FY15 revenue estimate by 3.9%.

## Personnel (Salary/Benefit) Lapse



YTD expenditures are 0.5% or \$428k ahead of target.

## Comprehensive Services Act (CSA)



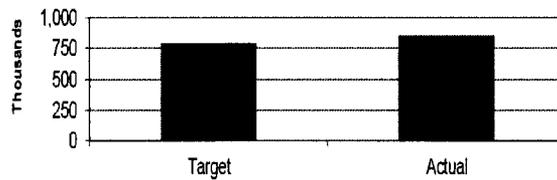
11 Months Ended 5/31

YTD expenses are 1.6% or \$128k below target of \$7.8M.

13

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## Residential Juvenile Detention



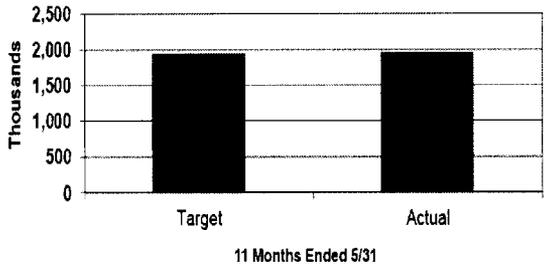
11 Months Ended 5/31

YTD expenses are 7.4% or \$59k above target of \$794k.

14

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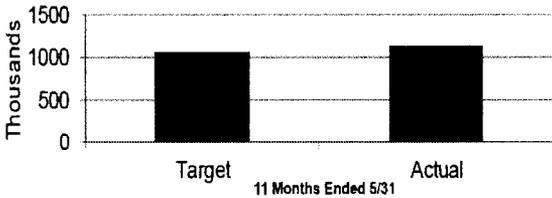
# Solid Waste Tipping Fees



YTD costs are 0.8% or \$15k above target of \$1.9M.

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# Motor Fuel Expenses



YTD expenses are 6.5% or \$69K above a non-seasonally adjusted target of \$1.05M.

## City Performance Strong Through May

- Total revenues through May were 3.5% higher than the prior year. Total general property and local taxes were up 4.0% compared to last year, indicating a growing local economy.
- Departmental expenditures continue to be monitored and are expected to remain within budget.
- In May, the national unemployment rate ticked up slightly to 5.5%, but overall labor market remained strong.
- The U.S. economy is growing moderately after a first quarter contraction. Federal Reserve is likely to raise interest rates as soon as September.

17

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In summary, Ms. Dameron concluded that the City was expected to remain within the current budget for the year.

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

There being no additional comments, the Mayor advised that the Financial Report and presentation would be received and filed.

**REPORTS OF COMMITTEES: NONE.**

**UNFINISHED BUSINESS:**

**ZONING:** Having tabled the matter with regard to an amendment of the City Code to update, clarify, and make the City's Zoning Ordinance consistent with State law, effective July 1, 2015, at its regular meeting on Monday, June 15, 2015, Council Member Bestpitch moved that the matter be removed from the table. The motion was seconded by Council Member Ferris and adopted.

Council Member Bestpitch moved to amend the ordinance to reflect changes various revisions to the measure. The motion was seconded by Council Member Ferris and adopted.

Council Member Bestpitch then offered the following ordinance.

(#40296-070615) AN ORDINANCE amending and reordaining Section 36.2-311, Use table for residential districts; Section 36.2-312, Dimensional regulations for residential districts; Section 36.2-315, Use table for multiple purpose districts; Section 36.2-316, Dimensional regulations for multiple purpose districts; Section 36.2-322, Use table for industrial districts; Section 36.2-326, Procedural requirements for planned unit development districts; Section 36.2-327, Use table for planned unit development districts; Section 36.2-405, Bed and breakfast; repealing Section 36.2-412, Group care facilities; amending and reordaining Section 36.2-418, Motor vehicle or trailer painting and body repair; Section 36.2-429, Temporary uses; Section 36.2-540, Zoning amendments; Section 36.2-560, Special exceptions; Section 36.2-561, Variances; Section 36.2-562, Appeals to board of zoning appeals; Section 36.2-563, Appeals from board of zoning appeals; Section 36.2-571, Zoning violations; Section 36.2-644, Overall tree canopy requirements; repealing Section 36.2-645, Street yard trees; amending and reordaining Table 652-2, Required Parking Spaces; Section 36.2-653, Maximum parking; Section 36.2-654, Parking and loading area standards; Table 654-1, Parking and Loading Area Standards; Table 668-1, Type, Number, and Size of On-Premises Signs; Section 36.2-669, Changeable copy signs and electronic readerboard signs; Section 36.2-834, Quorum and vote; Section 36.2-836, Rules and records; Section 36.2-837, Powers and duties; Section 36.2-841, Powers and duties; Appendix A, Definitions; Appendix B, Submittal requirements, B-1, Basic Development Plan; of Chapter 36.2, Zoning, of the Code of the City of Roanoke (1979), as amended; for the purposes of amending and reordaining, combining and renumbering, adding or repealing, the following code sections to update, clarify and make the City's zoning ordinance easier to use for its citizens and consistent with state law; 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. 77, page584.)

Council Member Bestpitch moved the adoption of Ordinance No. 40296-070615. The motion was seconded by Council Member Ferris.

Having read the ordinance into the record, the City Attorney called attention to page 6, Section 36.2-405, Bed and breakfast and homestay establishments, (c) Standards for homestay establishments, effective July 1, 2015; noting that a public hearing regarding Section 36.2-405 will be scheduled to be heard by the Council at a future public hearing meeting in order to address questions posed by Council Member Bestpitch.

Following additional comments by Council Member Bestpitch regarding the code section, Ordinance No.40296-070615, as amended, was adopted by the following vote:

AYES: Council Members Price, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-6.

NAYS: None-0.

(Council Member Rosen was absent.)

INTRODUCTION AND CONSIDERATION OF ORDINANCE AND RESOLUTIONS:

MOTIONS AND MISCELLANEOUS BUSINESS:

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

Council Member Lea announced that Kevin Jones, Special Assistant to the Athletic Director at Virginia Tech, will be the guest speaker at the final Lea Youth Outdoor Basketball League (LYOB) event on Tuesday, July 7 at 6:00 p.m., at Melrose Park, adding that Mr. Jones will be addressing the following topics: importance of education; and setting goals and working diligently to reach those goals.

At 3:04 p.m., the Mayor declared the Council meeting in recess for a Closed Meeting in the City Council's Conference Room, 451.

At 4:39 p.m., the Council Meeting was reconvened in the Council Chamber, Mayor Bowers presiding, and all Members of Council in attendance, with the exception of Council Member Rosen.

COUNCIL: With respect to the Closed Meeting just concluded Council Member Price 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 was seconded by Vice-Mayor Trinkle and adopted by the following vote:

AYES: Council Members Price, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-5.

NAYS: None-0.

(Council Member Rosen was absent.)

It was noted that Vice-Mayor Trinkle abstained from voting on the Closed Meeting request of the City Manager with regard to Consent Agenda Item C-3, whereby he read a Statement of Conflict into record noting his abstention to refrain from any discussion in connection with the matter.

VACANCIES ON CERTAIN AUTHORITIES, BOARDS, COMMISSIONS AND COMMITTEES APPOINTED BY COUNCIL:

OATHS OF OFFICE-ROANOKE ARTS AND COMMISSION: The Mayor called attention to a vacancy created by the resignation of Dr. M. Rupert Cutler as a member of the Roanoke Arts Commission for a term ending June 30, 2016; whereupon, the Mayor opened the floor for nominations.

Vice-Mayor Trinkle placed in nomination the name of Jeremy Butterfield.

There being no further nominations, Mr. Butterfield was appointed as a member of the Roanoke Arts Commission to fill the unexpired term of Dr. M. Rupert Cutler ending June 30, 2016, by the following vote:

FOR MR. BUTTERFIELD: Council Members Price, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-6.

(Council Member Rosen was absent.)

OATHS OF OFFICE-ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY BOARD OF COMMISSION: The Mayor called attention to the expiration of the four year term of office of Daniel E. Karnes as a Commissioner of the Roanoke Redevelopment and Housing Authority Board of Commissioner ending August 31, 2015; whereupon, Mayor Bowers opened the floor for nominations.

Vice-Mayor Trinkle placed in nomination the name of Daniel E. Karnes.

There being no further nominations, Mr. Karnes was reappointed as a Commissioner of the Roanoke Redevelopment and Housing Authority Board of Commissioners for a term of four years ending August 31, 2019, by the following vote:

FOR MR. KARNES: Council Members Price, Trinkle, Bestpitch, Ferris, Lea, and Mayor Bowers-6.

(Council Member Rosen was absent.)

There being no further business to come before the Council, the Mayor declared the Council meeting adjourned at 4:40 p.m.

A P P R O V E D

ATTEST:

Stephanie M. Moon Reynolds, MMC  
City Clerk

David A. Bowers  
Mayor

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## SPECIAL MEETING-----ROANOKE CITY COUNCIL

November 20, 2015

2:00 p.m.

The Council of the City of Roanoke met in special session on Friday, November 20, 2015, at 2:00 p.m., in the City Council Chamber, Room 450, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., pursuant to Section 10, Meetings of Council, Code of the City of Roanoke (1950), as amended, with Mayor David A. Bowers presiding,

PRESENT: Council Members William D. Bestpitch, Raphael E. Ferris, Sherman P. Lea, Anita J. Price, Court G. Rosen, David B. Trinkle and Mayor David A. Bowers-7.

ABSENT: None-0.

The Mayor declared the existence of a quorum.

OFFICERS PRESENT: Daniel J. Callaghan, City Attorney; Andrea Trent, Assistant Director of Finance; and Cecelia T. Webb, Acting Deputy City Clerk.

Mayor Bowers advised that the special meeting was called by Council Member Ferris to discuss the statement of the Mayor issued on November 18, 2015.

As part of his opening remarks, Mayor Bowers read the following statement into the record:

"Members of Council and my fellow Roanoker's:

Since the Russian airline bombing, terrorist attacks in Paris and threats against our nation's capital; I've been very concerned, as all Americans, about the safety of our country. Over the last weekend, while I was out of state, I had discussions with people about the United States response to the Syrian refugee crisis. Many people whom I talked with did not agree with my stance, as I think that this humanitarian crisis must be best dealt with in a way that protects the safety of Americans here at home.

I issued a statement on the Mayor's office stationery on November 18, 2015 indicating that, although Roanoke is a welcoming city and America is the melting pot of the world, I have become very concerned in regards to the relocation of the Syrian refugees and the safety of Americans.

The statement further made reference to President Roosevelt and the sequestration in the 1940's of Japanese foreign nationals.

I anticipated that the statement might receive some coverage in the Roanoke Valley, but I did not in any way anticipate that it would trend internationally over the internet.

As the Mayor of Roanoke, to our City, to each member of this Council, and all of my friends and supporters who have held me in the highest esteem, I want to say today that I apologize for the statement and to all those offended by my remarks. No one else is to be blamed, but me.

I understand full well my responsibility and obligation to rectify the damage that my statement has done to the good image of the city, and the reputation of this Council, our citizens and the Roanoke Valley.

Please know that I did not intend to cause any pain or damage to the reputation of any person or this great City of Roanoke or the Roanoke Valley. I want you to believe this because I have been fortunate to have served over the last several decades as Mayor of the only six time all - America city in our country. I am so proud of Roanoke. We are a city of openness and diversity, and I want you to know and believe that I would do nothing to hurt our city, the Roanoke Valley or this Council. I've worked hard for 16 years to be a friendly Mayor to all of the 105 nationalities in our city, and I want to continue to do so.

In particular, I apologize to Americans of Japanese descent for the unwise and inappropriate comparison between the internment of Americans of Japanese descent during World War II and the current refugee crisis. Any such comparison was a mistake and I apologize for this mistake. It's just not in my heart to be racist or bigoted.

My statement was intended to be respectful, measured, and moderate in tone and substance, but it fell far short. People here in Roanoke know that is how I try to handle things, but I didn't do well this time.

I know there have been calls for me to resign over this incident and I know Council Members have received those calls as well. I hope and pray that you, my fellow Council Members, and the Roanoke community, will accept my genuine and heartfelt apology.

I know full well that I have caused however unintentional, these consequences and I hope and pray that I may join with you in rectifying this mistake. This is important to my reputation as well as to your reputation, but most importantly, to the reputation of our beloved Roanoke.”

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

Comments by the Council:

Vice-Mayor Trinkle commented that he felt the Mayor’s apology was sincere and that his voice was not the sole voice of Roanoke, the entire Council should have been consulted prior to issuing the formal statement.

Council Member Rosen commented that it was wise to call a special meeting to discuss the Mayor’s statement and the diverse community of Roanoke must now heal from the damage of the Mayor’s actions.

Council Member Price personally accepted the Mayor’s apology and commented that she believed the Mayor was truly remorseful and that the City must move forward in peace.

Council Member Lea commented that the Mayor’s comparison was misguided and accepted the apology. He pointed out that all people make mistakes and asked the Mayor to continue to work with the Council.

Council Member Ferris commented that it was upsetting that the communication was sent out on official letterhead and the Council received it two hours after the press received it. He read an email from an immigrant to the City and explained that he received calls from the public demanding the resignation of the Mayor. He continued stating that a resignation from the Mayor would not be good for the City as a whole.

Council Member Bestpitch commented that the Mayor should apologize for the damage to the image of the City of Roanoke, insensitive reference to World War II, and the use of the Mayor’s letterhead; and that the matter was a question of how. He further commented that he was offended and hoped the world would understand and continue to see Roanoke as a welcoming City.

Following comments by the Council, the Mayor inquired if there were persons present wishing to speak to the matter; whereupon, the following individuals were heard:

Robert Guthrie, 519 Woods Avenue, S. W.  
George Beck, 1445 Gordon Avenue, S. W.  
Zoe Hewitt Stennett, 3531 Peter Creek Road, S. W.  
David Harrison, 5305 Medmont Circle, S. W.  
Elizabeth Bailes, 3507 Brymoor Road, S. W.

David Andrews, 1334 Craig Robertson Road, S. W.  
Larry Good, 2046 Maiden Lane, S. W.  
Terry Huxhold, 1125 16<sup>th</sup> Street, S. E.

Marissa Yi, 2307 Jefferson Street, S. W.  
Brenda Hale, Roanoke Branch NAACP President  
Duane Howard, 1221 6<sup>th</sup> Street, S. E.  
Catherine Koebel, 2625 Longview Avenue, S. W.  
Jacob Smith, 410 Day Avenue S. W.  
Ali Jafar, 805 5<sup>th</sup> Street, S. E.  
Tilly Gokbudak, 2907 Yorktown Place, S. W.  
William Perdue, 2255 Westover Avenue, S. W.  
Jacob Zuckerman, 754 Arbutus Avenue, S.E.  
Pat Harkins, 2407 Stanley Avenue, S. E.  
Paul Scott, 1906 Maiden Lane, S. W.  
Daniel Highberger, 1628 Roanoke Avenue, S. W.  
Khalid Jones, 215 Gilmer Avenue, N. W.  
Aaron DeMars, 2360 Sourwood Street, N. E.  
Dotsy Clifton, 4235 Chesterton Street, S. W.  
Sharon Savchenko, 1435 24<sup>th</sup> Street, N. E.  
Freeda Cathcart, 2516 Sweetbriar Avenue, S. W.  
(See copy of remarks on file in the City Clerk's Office.)  
Rob Dean, 2408 Avenham Avenue, S. W.  
Michael Mc Millian, 817 Marshall Avenue, S. E.  
Beth Lutjen, representative of Local Colors  
Landon Williams, 2133 Tankard Drive, N. E.

Following the remarks of the abovementioned speakers, the Mayor vowed to be more collaborative with the Council.

There being no further business, Mayor Bowers declared the special meeting adjourned at 4:03 p.m.

A P P R O V E D

ATTEST:

Cecelia T. Webb, CMC  
Acting Deputy City Clerk

David A. Bowers  
Mayor

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*Handwritten signature*

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION paying tribute to Chief Christopher C. Perkins on the occasion of his retirement after 24 years of service with the City of Roanoke Police Department.

WHEREAS, Chief Perkins, a native of Marion, Virginia, came to Roanoke in 1992 after obtaining a Bachelor of Arts Degree with a major in Physical Anthropology from the University of Tennessee in Knoxville, Tennessee;

WHEREAS, Chief Perkins began his career with the Roanoke Police Department as a Patrol Officer; was promoted to Sergeant in 2000 and served in Uniform Patrol, Accreditation, and Major Crimes;

WHEREAS, Chief Perkins continued to ascend through the ranks of the Roanoke Police Department with promotions to Lieutenant in 2004; Captain in 2006; and Operations Deputy Chief in 2008;

WHEREAS, Chief Perkins' achievements within the Roanoke Police Department culminated with his appointment as Chief of Police on October 13, 2010;

WHEREAS, during his tenure as Chief of Police, Chief Perkins reorganized the Police Department and implemented the Geographic Policing 3.0 model, a move that decreased Part I violent crime by 53%, property crime by 23%, and overall crime by 28%; created a Citizen Advisory Board to the Chief of Police; led the Police Department through two perfect on-site assessments conducted by the Commission on Accreditation for Law Enforcement Agencies, Inc., in which the commission granted the Police Department Gold standard Advanced Meritorious Accreditation; led the Police Academy to become the second independent municipal

law enforcement training academy in the nation to achieve Public Safety Training Academy Accreditation through the Commission on Accreditation for Law Enforcement Agencies, Inc.; and increased the recruitment and promotion of female and minority officers;

WHEREAS, Chief Perkins, as a graduate of many leadership training schools to include the Professional Executive Leadership School, the National Criminal Justice Command College, the FBI National Academy, the Franklin Covey Diversity Centered Leadership training, and the FBI-LEEDA Executive Leadership Institute, utilized his additional training to lead the Police Department in unparalleled service to the City;

WHEREAS, Chief Perkins is the author of articles for international law enforcement publications; has received numerous departmental awards and recognitions throughout his career; and has received several awards from various organizations in his community, including the Roanoke Southern Christian Leadership Conference 2012 Community Service Award, the 2012 VFW National Law Enforcement Public Servant Citation and Law Enforcement Award, and the 2014 Total Action for Progress Providing Youth a Second Chance Award;

WHEREAS, Chief Perkins has been recognized as leader in his profession by his peers as demonstrated by the many leadership positions he has held, including Member of the International Association of Chiefs of Police Investigative Operations Committee, Vice President and President of the Blue Ridge Chiefs of Police Association, and Executive Board Member, Third Vice President, and Second Vice President of the Virginia Association of Chiefs of Police;

WHEREAS, in addition to a Bachelor of Arts Degree, Chief Perkins holds a Master of Arts Degree, with a major in Interdisciplinary Studies, from Hollins University, and a Graduate Certificate in Criminal Justice Education from the University of Virginia;

WHEREAS, Chief Perkins is the husband of Lori Osborne Perkins and the proud father of Toni Perkins; and

WHEREAS, City Council wishes to recognize, applaud, and express its appreciation to Chief Perkins for his service to the citizens of Roanoke.

BE IT RESOLVED by the Council of the City of Roanoke that:

1. City Council recognizes, applauds, and expresses its appreciation to Christopher C. Perkins for his distinguished and exemplary service to the City of Roanoke and its citizens over his 24 years with the Roanoke Police Department, including more than 5 years of service as Chief of Police.

2. City Council presents a key to the City in recognition of the extraordinary commitment Chief Perkins has made to our City and its citizens.

3. City Council wishes Chief Perkins continued success in his future endeavors and sends its best wishes and congratulations to his wife, Lori Osborne Perkins, and their daughter, Toni Perkins.

4. City Council directs the City Clerk to provide Chief Perkins with a duly attested copy of this Resolution.

ATTEST:

City Clerk.

ROANOKE CITY COUNCIL—REGULAR SESSION

November 16, 2015

2:00 p.m.

The Council of the City of Roanoke met in regular session on Monday, November 16, 2015, at 2:00 p.m., in the Council Chamber, Room 450, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Vice-Mayor David B. Trinkle 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. 40280-070615 adopted by the Council on Monday, July 6, 2015.

PRESENT: Council Members William D. Bestpitch, Raphael E. Ferris, Anita J. Price, Sherman P. Lea, Court G. Rosen, and Vice-Mayor David B. Trinkle-6.

ABSENT: Mayor David A. Bowers-1.

The Vice-Mayor declared the existence of a quorum.

OFFICERS PRESENT: Christopher P. Morrill, City Manager; Daniel J. Callaghan, City Attorney; Andrea F. Trent, Assistant Director of Finance; and Stephanie M. Moon Reynolds, City Clerk.

The Invocation was delivered by The Reverend Andrew Whaley, Pastor, Raleigh Court Presbyterian Church.

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

PRESENTATIONS AND ACKNOWLEDGMENTS:

ACTS OF ACKNOWLEDGEMENTS-PROCLAMATIONS: The Vice-Mayor declared the week of November 16 - 21, 2015 as Week of the Family.

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

He presented a ceremonial copy of the proclamation to Ali Hamed-Moore, Executive Director, and Juli Kent, Development Manager, Trust House; and Janice Dinkins Davidson, Executive Director, Children's Trust.

ACTS OF ACKNOWLEDGEMENTS-PROCLAMATIONS: The Vice-Mayor declared November 28, 2015 as Small Business Saturday.

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

He presented a ceremonial copy of the proclamation to Lisa Soltis, Economic Development Specialist.

UNITED WAY: The City Manager gave an update of the City's United Way Program; and thereafter, he recognized Josh Tessar, Vice President of Resource Development, and Ashley Reynolds-Marshal, City's Relationship Manager Executive Director, United Way who were in attendance.

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Vice-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.

Martin Jeffrey, 421 Fairfax Avenue, N. W., Roanoke, Virginia 24017, appeared before the Council and spoke in support of an anti-corruption resolution, expansion of Valley Metro bus service to the Roanoke Centre for Industries and Technology, and an increase in minimum wages. He also commented on the exclusion of Inner-City Athletic Association as a participating recreation club in the City of Roanoke.

Council Member Bestpitch reiterated previous comments given during the August 7, 2015, Council meeting in connection with Mr. Jeffrey's remarks, noting his offer still stands and he is willing to meet with the Inner-City Board of Directors.

Robert Gravely, 3360 Hershberger Road, N. W., Roanoke, Virginia 24017, appeared before the Council and again spoke about the unfair treatment in connection with his termination as a City employee.

#### 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 was desired, the item would be removed from the Consent Agenda and considered separately.

YOUTH SERVICES CITIZEN BOARD: A communication from the City Clerk advising of the resignation of Dawn C. Board as a member of the Youth Services Citizen Board, effective September 28, 2015, was before the body.

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

Council Member Rosen moved that the resignation be accepted and the communication be received and filed. The motion was seconded by Council Member Lea and adopted by the following vote:

AYES: Council Members Bestpitch, Ferris, Price, Lea, Rosen, and Vice-Mayor Trinkle-6.

NAYS: None-0.

(Mayor Bowers was absent.)

**ROANOKE ARTS COMMISSION:** A communication from the City Clerk advising of the resignation of Charlene Graves as a member of the Roanoke Arts Commission, effective immediately, was before the body.

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

Council Member Rosen moved that the resignation be accepted and the communication be received and filed. The motion was seconded by Council Member Lea and adopted by the following vote:

AYES: Council Members Bestpitch, Ferris, Price, Lea, Rosen, and Vice-Mayor Trinkle-6.

NAYS: None-0.

(Mayor Bowers was absent.)

**BLUE RIDGE BEHAVIORAL HEALTHCARE:** A communication from the City Clerk advising of the resignation of R. Gail Burruss as the Blue Ridge Behavioral Healthcare representative of the Court Community Corrections Program Regional Community Criminal Justice Board, effective November 2, 2015, was before the body.

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

Council Member Rosen moved that the resignation be accepted and the communication be received and filed. The motion was seconded by Council Member Lea and adopted by the following vote:

AYES: Council Members Bestpitch, Ferris, Price, Lea, Rosen, and Vice-Mayor Trinkle-6.

NAYS: None-0.

(Mayor Bowers was absent.)

**PARKS AND RECREATION ADVISORY BOARD:** A communication from the City Clerk advising of the resignation of Erin M. Dudley as a member of the Parks and Recreation Advisory Board, effective immediately, was before the body.

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

Council Member Rosen moved that the resignation be accepted and the communication be received and filed. The motion was seconded by Council Member Lea and adopted by the following vote:

**AYES:** Council Members Bestpitch, Ferris, Price, Lea, Rosen, and Vice-Mayor Trinkle-6.

**NAYS:** None-0.

(Mayor Bowers was absent.)

**ROANOKE VALLEY-ALLEGHANY REGIONAL COMMISSION:** A communication from the City Clerk advising of the resignation of James M. Bullington as a City representative of the Roanoke Valley-Alleghany Regional Commission, effective immediately, was before the body.

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

Council Member Rosen moved that the resignation be accepted and the communication be received and filed. The motion was seconded by Council Member Lea and adopted by the following vote:

**AYES:** Council Members Bestpitch, Ferris, Price, Lea, Rosen, and Vice-Mayor Trinkle-6.

**NAYS:** None-0.

(Mayor Bowers was absent.)

**OATHS OF OFFICE-CITY CLERK-TOWING ADVISORY BOARD:** Reports of qualification of Cecelia "Susie" F. McCoy as the Deputy City Clerk for the City of Roanoke, effective November 24, 2015; and Darryl Miley as a member of the Towing Advisory Board for a three-year term of office ending October 31, 2018, were before the Council:

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

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

AYES: Council Members Bestpitch, Ferris, Price, Lea, Rosen, and Vice-Mayor Trinkle-6.

NAYS: None-0.

(Mayor Bowers was absent.)

### **BID OPENINGS:**

FRANCHASES-GAS TRANSMISSION PIPELINE: Pursuant to notice of advertisement for bids for a franchise agreement to construct, reconstruct, operate, maintain, repair, and extend a natural gas distribution system, said bids to be received in the City Clerk's Office on or before 12:00 Noon, on Monday, November 16, 2015, and to be held unopened by the City Clerk until 2:00 p.m., on that date, at which time all bids would be publicly opened and read aloud before the Council, the Mayor inquired if anyone had any questions with regard to the opening of the bids. There being none, he requested that the City Clerk open and read all bids received prior to the deadline.

The City Clerk opened and read the sole bid received by the City from Roanoke Gas Company, as follows:

- Bid: Bidder agrees that annual franchise payments will be made according to the Franchise Agreement. Payment is due to the City in accordance with the terms of the Franchise Agreement.
- Bid Term: Up to 20 years, commencing on January 1, 2016 and ending or terminable pursuant to the terms of the Franchise Agreement.
- Bid: Bidder agrees, if its bid is accepted, to execute, deliver, and perform all terms and conditions of the Franchise Agreement, a copy of which is on file in the Office of the City Clerk, Room 456, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., Roanoke, Virginia 24011.
- Bid: The certificate of public convenience and necessity issued to the bidder by the Virginia State Corporation Commission, as attached as Exhibit A and made a part thereof.
- Bidder agrees, if its bid is accepted, to reimburse the City for the costs of any advertisements for this matter.

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

There being no additional responses for receipt of bids, the Mayor advised that the sole bid would be referred to the City Manager for review, evaluation and recommendation to the Council.

**GAS TRANSMISSION PIPELINE:** Pursuant to notice of advertisement for bids for a gas pipeline license agreement to construct, reconstruct, operate, maintain, and repair a certain gas transmission pipeline, said bids to be received in the City Clerk's Office on or before 12:00 Noon, on Monday, November 16, 2015, and to be held unopened by the City Clerk until 2:00 p.m., on that date, at which time all bids would be publicly opened and read aloud before the Council, the Mayor inquired if anyone had any questions with regard to the opening of the bids. There being none, he requested that the City Clerk open and read all bids received prior to the deadline.

The City Clerk opened and read the sole bid received by the City from Roanoke Gas Company, as follows:

- Bid: Bidder agrees that annual franchise payments will be made according to the Franchise Agreement. Payment is due to the City in accordance with the terms of the Franchise Agreement.
- Bid Term: Up to 20 years, commencing on January 1, 2016 and ending or terminable pursuant to the terms of the Franchise Agreement.
- Bid: Bidder agrees, if its bid is accepted, to execute, deliver, and perform all terms and conditions of the Franchise Agreement, a copy of which is on file in the Office of the City Clerk, Room 456, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., Roanoke, Virginia 24011.
- Bid: The certificate of public convenience and necessity issued to the bidder by the Virginia State Corporation Commission, as attached as Exhibit A and made a part thereof.
- Bidder agrees, if its bid is accepted, to reimburse the City for the costs of any advertisements for this matter.

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

There being no additional responses for receipt of bids, the Mayor advised that the sole bid would be referred to the City Manager for review, evaluation and recommendation to the Council.

#### REGULAR AGENDA

PUBLIC HEARINGS: NONE.

PETITIONS AND COMMUNICATIONS: NONE.

REPORTS OF CITY OFFICERS AND COMMENTS OF CITY MANAGER:

CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

**WESTERN VIRGINIA WORKFORCE DEVELOPMENT BOARD:** The City Manager submitted a written communication recommending recognition of the Western Virginia Workforce Development Board Program Year 2015 Workforce Innovation and Opportunity Act (WIOA) funds for award period July 1, 2015 to June 30, 2017.

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

Council Member Bestpitch offered the following resolution:

(#40385-111615) A RESOLUTION acknowledging and recognizing the PY2015 Workforce Innovation and Opportunity Act ("WIOA") funding from the Virginia Community College System in the amount of \$1,577,503.00 for WIOA activities, for the award period of July 1, 2015, through June 30, 2017, the foregoing funding to be administered by the Western Virginia Workforce Development Board.

(For full text of resolution, see Resolution Book No. 78, page 42.)

Council Member Bestpitch moved the adoption of Resolution No. 40385-111615. The motion was seconded by Council Member Rosen and adopted by the following vote:

**AYES:** Council Members Bestpitch, Ferris, Price, Lea, Rosen, and Vice-Mayor Trinkle-6.

**NAYS:** None-0.

(Mayor Bowers was absent.)

**BUDGET-COLONIAL AVENUE IMPROVEMENTS:** The City Manager submitted a written communication recommending transferring funds for the Colonial Avenue Improvements Project to facilitate preliminary engineering services.

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

Council Member Rosen offered the following budget ordinance:

(#40386-111615) AN ORDINANCE to transfer funding from the Capital Improvement Reserve to the Colonial Ave Improvements project, amending and reordaining certain sections of the 2015 - 2016 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 78, page 43.)

Council Member Rosen moved the adoption of Budget Ordinance No. 40386-111615. The motion was seconded by Council Member Bestpitch.

The City Manager gave a brief overview of the project, reporting that improvements to Colonial Avenue are being considered in the vicinity of Overland Road to Winding Way, adjacent to the Virginia Western Community College campus, which includes intersection improvements within the project area with a focus on increasing vehicular throughput, slowing vehicular velocities, improving bicycle and pedestrian circulation, and improved crosswalks to provide heightened awareness and emphasis on pedestrians. He concluded that plans were to move forward with the project and request funding at a later date.

Following the City Manager's comments, Budget Ordinance No. 40386-111615 was adopted by the following vote:

AYES: Council Members Bestpitch, Ferris, Price, Lea, Rosen, and Vice-Mayor Trinkle-6.

NAYS: None-0.

(Mayor Bowers was absent.)

#### COMMENTS BY THE CITY MANAGER.

The City Manager shared the following comments:

#### **United Way Campaign Goal Reached**

- A special thank you to Aisha Johnson in the City Manager's Office, who coordinated our campaign; and to Laura Carini in the City Attorney's Office, and Jason Lane and Amber Yopp with Roanoke Public Libraries for their leadership in the city's campaign; as well as leaders in city departments.

#### **Announcement of Hockey Franchise Team Name**

- Thursday, November 19, 6:00 p.m., at the Berglund Events Center.
- The addition of a Southern Professional Hockey League team in Roanoke was announced at a Berglund Center news conference on October 20.
- The team will debut at the arena in the 2016 - 2017 season, playing 28 regular-season home games next season.
- The name, logo, apparel and colors will be announced November 19, when the initial season-ticket drive will begin.

### **City of Roanoke Christmas Tree Lighting**

- Friday, December 4, in Wells Fargo Plaza.
- The evening will begin at 5:30 p.m. with the Winds of the Blue Ridge Brass Ensemble; followed by the lighting of the City of Roanoke Christmas Tree at 6:15 p.m.
- At 6:30 p.m., the Southwest Virginia Ballet will perform; from 7:10 p.m. - 7:30 p.m. Enviro Drums Percussion Show will occur.
- The evening continues with additional entertainment and attractions until 10:00 p.m.
- This is the kickoff to Dickens of a Christmas, DRI's annual signature event – first three Friday evenings in December.

### **City Turns Star Red, White, and Blue**

- After the tragedy in France last week, the City showed its support by turning the Star on Mill Mountain red, white and blue. Staff in the Office of Communications assisted in posting information about this, as well as photos of the Star, on the city's Facebook page; more than 736,000 people viewed photos of the star on Facebook.
- The Star will remain red, white and blue through Tuesday evening.
- The City plans to turn the lights in the interactive fountains in Elmwood Park blue, white, and red beginning tonight.

### **"Elmwood on Ice" Skating Rink**

- The skating rink being constructed in Elmwood Park will open on Monday, November 23.

### **2015 Go Outside Festival**

- This has become a signature event for the City. Final numbers are in for this year's event:
  - 25,000 attendees
  - 25 percent growth over last year's event
  - \$110,000.00 food truck sales
  - \$50,000.00 on-site retail sales
  - 3,335 people climbed the climbing wall
  - 37 bike events
  - 13 pro athletes
  - 125 free activities
  - 8,500 people introduced to standup paddle boarding
  - 10,000 social media followers
  - Roanoke County Parks and Recreation participated as a partner this year.

CITY ATTORNEY:

CITY CODE-TAXES: The City Attorney submitted a written report recommending amendment of the City Code to provide for payment of personal property tax bills arising from the purchase of new vehicles or acquiring new taxable situs within the City to be due thirty days from the bill date or by May 31, whichever is later.

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

Council Member Bestpitch offered the following ordinance:

(#40387-111615) AN ORDINANCE amending Section 32-108.1(5), Proration of personal property tax generally, Article III, Tax on Tangible Personal Property Generally; of Chapter 32, Taxation, Code of the City of Roanoke (1979), as amended; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 78, page 44.)

Council Member Bestpitch moved the adoption of Ordinance No. 40387-111615. The motion was seconded by Council Member Rosen and adopted by the following vote:

AYES: Council Members Bestpitch, Ferris, Price, Lea, Rosen, and Vice-Mayor Trinkle-6.

NAYS: None-0.

(Mayor Bowers was absent.)

REPORTS OF COMMITTEES:

LEGISLATION: Council Member Court G. Rosen, Chair, Legislative Committee, presented the Proposed 2016 Legislative Program.

(See copy of Proposed 2016 Legislative Program on file in the City Clerk's Office.)

Council Member Rosen offered the following resolution:

(#40388-111615) A RESOLUTION adopting and endorsing a Legislative Program for the City to be presented to the City's delegation to the 2016 Session of the General Assembly.

(For full text of resolution, see Resolution Book No. 78, page 45.)

Council Member Rosen moved the adoption of Resolution No. 40388-111615. The motion was seconded by Council Member Bestpitch.

In connection with the Legislative Program, Council Member Lea inquired about the status of a measure whereby decisions and policy established by governments must be made in the best interests of the community and the government and must be responsive to the needs of the community, free of undue or inappropriate influence by interest and entities regulated by governmental officials, in order that the public maintains confidence in the integrity and transparency of its government; whereupon, the City Attorney stated that the matter was listed on the agenda for action by the Council at Item 10, Introduction and Consideration of Ordinances and Resolutions. He added that a joint meeting with the School Board and area legislators has been scheduled for Monday, December 7, 2015 at 11:00 a.m., in the Council Chamber.

There being no additional comments, Resolution No. 40388-111615 was adopted by the following vote:

AYES: Council Members Bestpitch, Ferris, Price, Lea, Rosen, and Vice-Mayor Trinkle-6.

NAYS: None-0.

(Mayor Bowers was absent.)

CITY CHARTER-CITY CODE-DIRECTOR OF FINANCE: Council Member Raphael E. Ferris, Chair, City Council's Task Force on City Charter amendments affecting the duties of the Director of Finance, submitted a written report.

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

Council Member Ferris offered the following ordinance:

(#40389-111615) AN ORDINANCE amending and reordaining the Code of the City of Roanoke (1979), as amended, by repealing Section 32-37, Appointment, Division 2, Assessment of Real Estate Generally, Article II, Real Estate Taxes Generally, Chapter 32, Taxation; and Section 34-147, Records of trips, Article IV, Horse-Drawn Vehicles, Chapter 34, Vehicles for Hire; of the Code of the City of Roanoke (1979) as amended; and by amending and reordaining Section 7-2, Removal, repair, or securing of structures; recovery of costs, Article I, In General, Chapter 7, Building Regulations; Section 19-31, Commissioner's records and reports, and Section 19-32.1, Appeals and rulings, Article I, In General, of Chapter 19, License Tax Code; Section 21-25 Willful damage to or defacement of public or private facilities, Article I, In General, Chapter 21, Offenses-Miscellaneous; Section 22.3-8. Board of trustees generally, Article II, Administration, and Section 22.3-78, Administration and investment, Article XIV, Defined Contribution Plan, of Chapter 22.3, Pensions and Retirement; Section 30-90, Inspection of work; accounting for costs, Division 2, Construction of

Sidewalks by Property Owners, Article IV, Construction of Sidewalks, Curbs and Sidewalk Crossings, Chapter 30, Streets and Sidewalks; Section 32-171, Local water and telephone utility tax, Article VII, Tax on Purchase of Utility Services, Chapter 32, Taxation; and Section 33-22, Accounting for abatement costs, Article II, Weed and Trash Abatement, Chapter 33, Vegetation and Trash; of the Code of the City of Roanoke (1979), as amended; 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. 78, page 46.)

Council Member Ferris moved the adoption of Ordinance No. 40389-111615. The motion was seconded by Council Member Bestpitch.

Following comments by Council Member Ferris regarding the various repealed sections of the City Code that were obsolete, Ordinance No. 40389-111615 was adopted by the following vote:

AYES: Council Members Bestpitch, Ferris, Price, Lea, Rosen, and Vice-Mayor Trinkle-6.

NAYS: None-0.

(Mayor Bowers was absent.)

**BUDGET-SCHOOLS:** A report of the Roanoke City School Board requesting appropriation of funds for various educational programs; and the Director of Finance submitted a written report recommending that Council concur in the request.

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

Council Member Ferris offered the following budget ordinance:

(#40390-111615) AN ORDINANCE to appropriate funding from the Federal Government and the Commonwealth grants and the Schools General Fund for various educational programs, amending and reordaining certain sections of the 2015 - 2016 School Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 78, page 51.)

Council Member Ferris moved the adoption of Budget Ordinance No. 40390-111615. The motion was seconded by Council Member Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Ferris, Price, Lea, Rosen, and Vice-Mayor Trinkle-6.

NAYS: None-0.

(Mayor Bowers was absent.)

UNFINISHED BUSINESS: NONE.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

ECONOMIC DEVELOPMENT AUTHORITY: Council Member Price called attention to the appointment of Paula Page Williams as a Director of the Economic Development Authority of the City of Roanoke to fill the unexpired term of office of Brian K. Redd ending October 20, 2017, which appointment was confirmed at the November 2, 2015 Council meeting; and offered the following resolution:

(#40391-111615) A RESOLUTION appointing a Director on the Board of Directors of the Economic Development Authority of the City of Roanoke, Virginia to fill the remaining portion of an unexpired four (4) year term on its Board of Directors.

(For full text of resolution, see Resolution Book No. 78 page 52.)

Council Member Price moved the adoption of Resolution No. 40391-111615. The motion was seconded by Council Member Lea and adopted by the following vote:

AYES: Council Members Bestpitch, Ferris, Price, Lea, Rosen, and Vice-Mayor Trinkle-6.

NAYS: None-0.

(Mayor Bowers was absent.)

LEGISLATION: Council Member Bestpitch offered the following resolution encouraging the United States Congress and the Commonwealth of Virginia General Assembly to pursue and enact legislation that establishes substantial requirements on campaign financing, coordinated campaigns, and independent expenditures to promote full transparency and fairness throughout the election process to ensure and promote responsible government that is responsive to the needs of all people:

(#40392-111615) A RESOLUTION supporting state and federal legislation that fosters, supports, enhances, and strengthens responsive and responsible government by reducing the influence of unregulated campaign contributions upon elected officials and establishing limitations upon governmental officials who transition to the private sector.

(For full text of resolution, see Resolution Book No. 78 page 53.)

Council Member Bestpitch moved the adoption of Resolution No. 40392-111615. The motion was seconded by Council Member Price.

Council Member Bestpitch expressed his sincerest appreciation to the citizens for bring the matter before the Council and for reaching out to other governmental officials, and also to the City Attorney.

Council Member Ferris noted his concerns which were voiced at a previous Council meeting regarding transparency and participation in a non-confrontational way.

Council Member Lea was thankful for the grass roots efforts and that the measure was fair and equitable.

There being no additional remarks by the Council, Resolution No. 40392-111615 was adopted by the following vote:

AYES: Council Members Bestpitch, Ferris, Price, Lea, Rosen, and Vice-Mayor Trinkle-6.

NAYS: None-0.

(Mayor Bowers was absent.)

MOTIONS AND MISCELLANEOUS BUSINESS: NONE.

At 3:00 p.m., the Vice-Mayor declared the Council meeting in recess until 7:00 p.m., in the City 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 Vice-Mayor David B. Trinkle presiding.

PRESENT: Council Members William D. Bestpitch, Raphael E. Ferris, Anita J. Price, Sherman P. Lea, Court G. Rosen, and Vice-Mayor David B. Trinkle-6.

ABSENT: Mayor David A. Bowers-1.

The Vice-Mayor declared the existence of a quorum.

OFFICERS PRESENT: Christopher P. Morrill, City Manager; Daniel J. Callaghan, City Attorney; Andrea F. Trent, Assistant Director of Finance; and Stephanie M. Moon Reynolds, City Clerk.

The Invocation was delivered by Council Member Sherman P. Lea.

The Pledge of Allegiance to the Flag of the United States of America was led by Boy Scout Troop No. 17 of St. John's Episcopal Church.

#### PRESENTATIONS AND ACKNOWLEDGMENTS:

ACTS OF ACKNOWLEDGEMENT-UNITED WAY: The Vice-Mayor called attention to a Community Health Promoter Program (CHPP), remarking that Healthy Roanoke valley is in discussions with United Way on the roll-out of a coordination of care initiative –a HUB, that includes the utilization of community health workers (CHWs) in the delivery of care; CHWs would be used to promote population health and health equity here in the Roanoke Valley; the CHPP, a 30-hour wellness program that has been in place in the Roanoke Valley for about eight years, provides instruction to laypersons (volunteers in communities) on health promotion and wellness information so that they may disseminate their learning to members in their communities; and Healthy Roanoke Valley intends to build on such a program (CHPP) to develop and implement a broader CHW curriculum and course as we execute a coordination-of-care HUB. He recognized Sandi Davis, Community Health Promoter Program Coordinator, and presented Certificates to the program graduates.

ACTS OF ACKNOWLEDGEMENT-LIBRARIES: On behalf of the Awards and Recognitions Committee of the Virginia Library Association, Vice-Mayor Trinkle recognized Michael L. Ramsey as a recipient of the Trustee Library Award, noting Mr. Ramsey's continuing support of the Roanoke Public Library Foundation being commendable and that the Committee unanimously endorsed the nomination.

DONATIONS-LIBRARIES: The City Manager submitted a written communication recommending acceptance of a donation from the Roanoke Public Library Foundation in connection with the Raleigh Court Branch Library Renovation and Expansion Project.

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

Council Member Rosen offered the following resolution:

(#40393-111615) A RESOLUTION authorizing acceptance of a \$50,000.00 donation from the Roanoke Public Library Foundation that the Roanoke Public Library Foundation received from the Dorothy Koch Family Foundation to support the renovation and expansion project at the Raleigh Court Branch Library; and authorizing execution of any and all necessary documents to accept the donation.

(For full text of resolution, see Resolution Book No. 78, page 55.)

Council Member Rosen moved the adoption of Resolution No. 40393-111615. The motion was seconded by Council Member Price.

Sheila Umberger, City Librarian, stated that the Roanoke Public Library Foundation received a \$50,000.00 donation from the Dorothy Koch Family Foundation to support the renovation and expansion project at Raleigh Court Branch Library, with funding being used towards construction of an outdoor courtyard space as well as for any additional needs of the project.

Following expression of appreciation from Susan Koch, Member of the Roanoke Public Library Board, for the City's support in soliciting donations, Resolution No. 49393-111615 was adopted by the following vote:

AYES: Council Members Bestpitch, Ferris, Price, Lea, Rosen, and Vice-Mayor Trinkle-6.

NAYS: None-0.

(Mayor Bowers was absent.)

Council Member Rosen offered the following budget ordinance:

(#40394-111615) AN ORDINANCE to appropriate funding from the Roanoke Public Library Foundation to the Raleigh Court Library Branch Renovations project, amending and reordaining certain sections of the 2015 - 2016 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 78, page 55.)

Council Member Rosen moved the adoption of Ordinance No. 40394-111615. The motion was seconded by Council Member Price and adopted by the following vote:

AYES: Council Members Bestpitch, Ferris, Price, Lea, Rosen, and Vice-Mayor Trinkle-6.

NAYS: None-0.

(Mayor Bowers was absent.)

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, November 16, 2015, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the City of Roanoke to amend the Planned Unit Development Plan as it pertains to 3837 Williamson Road, N. W., bearing Official Tax No. 2090601, previously rezoned to Institutional Planned Unit Development Plan (INPUD), during the comprehensive rezoning, and proffering a Development Plan, showing a particular site layout and Building Evaluation, both of which are dated September 28, 2015, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, October 27, 2015, and Tuesday, November 3, 2015.

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

The City Planning Commission submitted a written report recommending approval of the rezoning request, finding that the Amended Application No. 1, as amended, at the Planning Commission public hearing and later submitted as Amended Application No. 2, is consistent with the overall goals of the City's Comprehensive Plan, *Williamson Road Area Plan*, and Zoning Ordinance as the Library will expand their facilities and services in a manner appropriate to the surrounding area.

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

Council Member Rosen offered the following ordinance:

(#40395-111615) AN ORDINANCE amending a Planned Unit Development Plan as it pertains to 3837 Williamson Road, N. W., bearing Official Tax Map No. 2090601, by proffering a Planned Unit Development Plan dated September 28, 2015, and Building Elevations bearing that same date; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 78, page 56.)

Council Member Rosen moved the adoption of Ordinance No. 40395-111615. The motion was seconded by Council Member Ferris.

The Vice-Mayor inquired if there were persons present who wished to speak on the matter. There being none, he declared the public hearing closed, and Ordinance No. 40395-111615 was adopted by the following vote:

AYES: Council Members Bestpitch, Ferris, Price, Lea, Rosen, and Vice-Mayor Trinkle-6.

NAYS: None-0.

(Mayor Bowers was absent.)

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, November 16, 2015, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of Evergreen Assisted Living Community, LLC, to amend proffered conditions as part of a previous rezoning at 23 24th Street, N. W., bearing Official Tax Map No. 2311102, pursuant to Ordinance No. 28817-101987, adopted by City Council on October 19, 1987, requiring a special exception permit for a group care facility, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, October 27, 2015, and Tuesday, November 3, 2015.

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

The City Planning Commission submitted a written report recommending approval of the rezoning request, finding that the Amended Application No. 1 is consistent with the City's Comprehensive Plan, Loudon-Melrose/Shenandoah West Neighborhood Plan, and Zoning Ordinance as it allows for continued use of the site in a manner that is appropriate to the surrounding neighborhood.

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

Council Member Price offered the following ordinance:

(#40396-111615) AN ORDINANCE deleting proffered conditions presently binding upon property located at 23 24<sup>th</sup> Street, N. W., zoned RMF, Residential Multifamily District, with conditions, and proffering a new condition; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 78, page 57.)

Council Member Price moved the adoption of Ordinance No. 40396-111615. The motion was seconded by Council Member Bestpitch.

Council Member Rosen advised of a personal interest in the abovementioned public hearing; therefore he will reframe from participating in any discussion regarding the matter and read the following Statement of Conflict of Interest for the record:

"STATEMENT OF CONFLICT OF INTEREST

"I, Courtney B. Rosen, state that I have a personal interest in agenda item C.2., regarding the request of Evergreen Assisted Living Community, LLC to amend proffered conditions as part of a previous rezoning at 23 24<sup>th</sup> Street, N. W., pursuant to Ordinance No. 28817-101987, adopted by City Council on October 19, 1987, because I serve on the Board of Directors of Total Action Against Poverty in the Roanoke Valley, the owner of the subject property.

Therefore, pursuant to Virginia Code Section 2.2-3112, I must refrain from participation in this matter. I ask that the City Clerk accept this statement and ask that it be made a part of the minutes of this meeting.

Witness for the following signature made this 17<sup>th</sup> day of November 2015.

S/Courtney G. Rosen  
Courtney G. Rosen  
Member of Council"

(See Statement of Conflict of Interest on file in the City Clerk's Office.)

Patience Odupelu, Agent, appeared in support of the amendment to the proffered conditions as part of a previous rezoning at 23 24<sup>th</sup> Street, N. W.

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

Following a comment from Council Member Lea expressing appreciation regarding the utilization of the property, Ordinance No. 40396-111615 was adopted by the following vote:

AYES: Council Members Bestpitch, Ferris, Price, Lea, and Vice-Mayor Trinkle-5.

NAYS: None-0.

(Mayor Bowers was absent.) (Council Member Rosen abstained from voting.)

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, November 16, 2015, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of Retirement Unlimited, Inc., to rezone property located at 0 Colonial Avenue, S. W., bearing Official Tax Map No. 1490201, from RM-2, Residential Mixed Density District, with conditions, to MXPUD, Mixed Use Planned Unit District, with conditions, said conditions accepted by the adoption of Ordinance No. 26387 by Roanoke City Council on March 14, 1983 the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, October 27, 2015, and Tuesday, November 3, 2015.

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

The City Planning Commission submitted a written report recommending approval of the rezoning request, finding that the Amended Application No.1 is consistent with the overall goals of the City's Comprehensive Plan, *Franklin Road/Colonial Avenue Area Plan*, and Zoning Ordinance as the subject property that has been vacant for decades will be put back into service in a manner that is appropriate to the neighborhood context.

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

Council Member Lea offered the following ordinance:

(#40397-111615) AN ORDINANCE rezoning certain property located at an unaddressed lot on Colonial Avenue, S.W., from RM-2, Residential Mixed Density District, with conditions, to MXPUD, Mixed Use Planned Unit Development District, with conditions, and repealing Ordinance No. 26387, adopted March 14, 1983, to the extent that it placed certain conditions on the subject property; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 78, page 59.)

Council Member Lea moved the adoption of Ordinance No. 40397-111615. The motion was seconded by Council Member Rosen.

On behalf of the petitioner, Maryellen F. Goodlatte, Attorney, appeared in support of the rezoning request.

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

There being no questions and/or comments by the Council Members, Ordinance No. 40397-111615 was adopted by the following vote:

AYES: Council Members Bestpitch, Ferris, Price, Lea, Rosen, and Vice-Mayor Trinkle-6.

NAYS: None-0.

(Mayor Bowers was absent.)

FRANCHASES-GAS TRANSMISSION PIPELINE: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, November 16, 2015 at 7:00 p.m., or as soon thereafter as the matter may be heard, on a proposal of the City of Roanoke recommending execution of a Franchise Agreement, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Monday, November 2, 2015, and Monday, November 9, 2015.

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

The City Manager submitted a written report recommending Council adopt a Franchise Distribution Ordinance and award to Roanoke Gas Company a certain franchise for the right to construct, reconstruct, operate, maintain, repair, and extend a Natural Gas Distribution System in the City of Roanoke, Virginia, for a term of 20 years.

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

Council Member Ferris offered the following ordinance:

(#40398-111615) AN ORDINANCE providing for one or more non-exclusive franchises to construct, reconstruct, operate, maintain, repair, and extend a Gas Distribution System within the City of Roanoke, Virginia; establishing an effective date; and dispensing with the second reading of this Ordinance by title.

(For full text of ordinance, see Ordinance Book No. 78, page 61.)

Council Member Ferris moved the adoption of Ordinance No. 40398-111615. The motion was seconded by Council Member Bestpitch.

John S. D'Orazio, President and Chief Executive Officer, Roanoke Gas Company, appeared in support of the Franchise Agreement.

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

There being no questions and/or comments by the Council Members, Ordinance No. 40398-111615 was adopted by the following vote:

AYES: Council Members Bestpitch, Ferris, Price, Lea, Rosen, and Vice-Mayor Trinkle-6.

NAYS: None-0.

(Mayor Bowers was absent.)

Council Member Ferris offered the following ordinance:

(#40399-111615) AN ORDINANCE accepting a bid for a franchise to construct, operate, and maintain a natural gas distribution system in the City, upon certain terms and conditions, for a twenty (20) year term; authorizing the execution of a Gas Franchise Agreement by the City Manager; authorizing the City Manager to take such further actions and execute such other documents as may be necessary to implement, administer, and enforce the Gas Franchise Agreement; establishing an effective date; and dispensing with the second reading of this Ordinance by title.

(For full text of ordinance, see Ordinance Book No. 78, page 72.)

Council Member Ferris moved the adoption of Ordinance No. 40399-111615. The motion was seconded by Council Member Rosen and adopted by the following vote:

AYES: Council Members Bestpitch, Ferris, Price, Lea, Rosen, and Vice-Mayor Trinkle-6.

NAYS: None-0.

(Mayor Bowers was absent.)

**GAS TRANSMISSION PIPELINE:** Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, November 16, 2015 at 7:00 p.m., or as soon thereafter as the matter may be heard, for execution of a Gas Pipeline License Agreement, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Monday, November 2, 2015, and Monday, November 9, 2015.

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

The City Manager submitted a written report recommending City Council award to Roanoke Gas Company a certain Gas Pipeline License Agreement for the right to construct, reconstruct, operate, maintain, and repair a gas transmission pipeline for a term of 20 years within a certain right-of-way approximately 14,129 feet in length on City-owned property known as the Carvins Cove Reservoir property in Botetourt County, Virginia, and Roanoke County, Virginia.

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

Council Member Ferris offered the following ordinance:

(#40400-111615) AN ORDINANCE accepting a bid for the right to construct, reconstruct, operate, maintain, and repair a gas transmission pipeline on certain property of the City and authorizing the execution of a Gas Pipeline License Agreement for a twenty year term; authorizing the City Manager to execute the Gas Pipeline License Agreement; authorizing the City Manager to take such further actions and execute such other documents as may be necessary to implement, administer, and enforce the Gas Pipeline License Agreement; establishing an effective date; and dispensing with the second reading of this Ordinance by title.

(For full text of ordinance, see Ordinance Book No. 78, page 74.)

Council Member Ferris moved the adoption of Ordinance No. 40400-111615. The motion was seconded by Council Member Bestpitch.

John S. D'Orazio, President and Chief Executive Officer, Roanoke Gas Company, appeared in support of the Gas Pipeline License Agreement.

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

There being no questions and/or comments by the Council Members, Ordinance No. 40400-111615 was adopted by the following vote:

AYES: Council Members Bestpitch, Ferris, Price, Lea, Rosen, and Vice-Mayor Trinkle-6.

NAYS: None-0.

(Mayor Bowers was absent.)

**ELECTORAL BOARD:** Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, November 16, 2015 at 7:00 p.m., or as soon thereafter as the matter may be heard, to consider adopting an ordinance realigning the boundaries of voting precincts and reducing the number of voting precincts within the City of Roanoke, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Monday, November 2, 2015, and Monday, November 9, 2015; and *The Roanoke Tribune* on Thursday, November 5, 2015.

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

The City Attorney submitted a written report with regard to a proposed Ordinance to realign Voter Precincts to reduce the number of voter precincts to 21 voter precincts and one central absentee voter precinct and to establish polling places for the 21 precincts and maintain the central absentee voter precinct at the Noel C. Taylor Municipal Building.

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

Council Member Bestpitch moved to take the November 17, 2014 matter that was heard by the Council off the table. The motion was seconded by Council Member Ferris and adopted.

Council Member Bestpitch then offered the proposed ordinance that would implement the Task Force Recommendation in its entirety and replace it with the 2015 Proposed Ordinance, which was advertised for public hearing to be held on Monday, November 16, 2015, at 7:00 p.m.:

(#40401-111615) AN ORDINANCE amending and reordaining Article II, Election Districts; Voting Precincts and Places, Chapter 10, Elections, of the Code of the City of Roanoke (1979) as amended, to establish one election district, 21 voter precincts and 21 polling places within the election district, and one central absentee voter precinct; providing for an effective date; and dispensing with the second reading of this ordinance by title. **(Ordinance read into the record with typographical errors)**

The motion was seconded by Council Member Ferris and adopted.

The City Attorney called attention to the following typographical errors appearing throughout the proposed ordinance that needed to be corrected:

Page 2, 2<sup>nd</sup> paragraph – “express their opinions ‘of’ (not to) the proposed voter precinct plan.”

Page 24, Section 10-29 – Interstate 581 ends at Elm Avenue, so the references to Interstate 581 in the 6<sup>th</sup> line should be changed to “the Roy L. Webber Expressway.”

Page 25, Section 10-33 – As above, change Interstate 581 to “the Roy L. Webber Expressway” in the 10<sup>th</sup> and 11<sup>th</sup> lines.

Pages 26-27, Section 10-37 – Can we say, “South along the North-South line of the Norfolk Southern Railway Company to the centerline of Oakland Road, S. W., as extended?”

Pages 28-29, Section 10-43 – As above, change Interstate 581 to “the Roy L. Webber Expressway” in the 2<sup>nd</sup> line and in the 17<sup>th</sup> and 18<sup>th</sup> lines of the section at the top of page 29.

Page 29, Section 10-45 – Can we say, “North along centerline of Colonial Avenue, S. W., to Oakland Road, S. W., thence, South along the centerline of Oakland Road, S. W., as extended, to the North-South line of the Norfolk Southern Railway Company?”

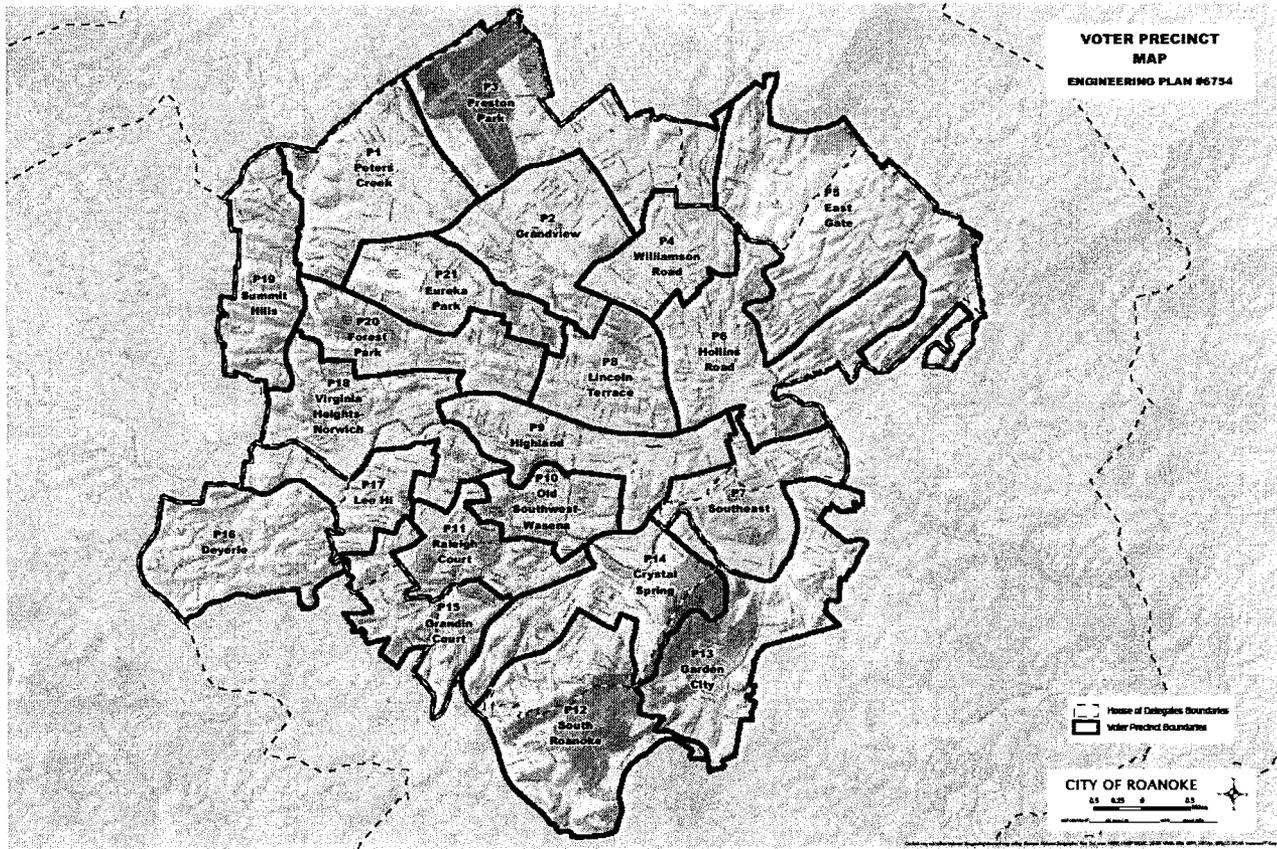
Page 31, Section 10-51 – Insert “as” before “extended” in the 20<sup>th</sup> line.

Council Member Bestpitch then offered the following substituted proposed 2015 ordinance, as amended:

(#40401-111615) AN ORDINANCE amending and reordaining Article II, Election Districts; Voting Precincts and Places, Chapter 10, Elections, of the Code of the City of Roanoke (1979) as amended, to establish one election district, 21 voter precincts and 21 polling places within the election district, and one central absentee voter precinct; providing for an effective date; and dispensing with the second reading of this ordinance by title. **(Clean Version, with errors)**

(For full text of ordinance, see Ordinance Book No. 78, page 76.)

Council Member Bestpitch moved the adoption of Ordinance No. 40401-111615, as amended, which includes a description of the boundaries, and the following map showing the boundaries of the realigned precincts.



(See official copy of Voting Map Precincts on file in the City Clerk's Office.)

The motion was seconded by Council Member Ferris.

Council Member Bestpitch advised that the main purpose of the proposal was to reduce the disparity and the number of voters in the 32 precincts in the City of Roanoke; and currently one precinct contained 965 voters with the largest precinct being more than three times as large as the other. He pointed out that two sections of the State Code were reviewed when determining an appropriate size of the precincts, and the new proposal contained 21 precincts with approximately 2,400 to 2,600 voters in each, better ensuring equal access to the ballot for all voters and reducing the difficulty of finding enough handicapped accessible polling places as well as meeting all the other requirements for polling places.

Melvin Williams, Secretary, Roanoke Electoral Board, provided background information on how the realignment of the precincts came into existence in 2011. He added that the Electoral Board and the City Registrar wholeheartedly support the plan, believing it was good for the City, the voters and allowed the precincts to be equitable.

Council Member Bestpitch pointed out that if the new proposal was adopted, citizens could access their new precinct information on the City's website at [www.roanokeva.gov](http://www.roanokeva.gov) or by contacting the City Registrar's Office at (540) 853-2281.

He continued noting a concern regarding minority voters who might think their voting strength has been diluted since the City of Roanoke votes At-Large, with the exception of the House of Representatives that is split with Roanoke County, adding that the vast majority of minorities vote in eight precincts and the new proposed ordinance offers no reduction in the number of precincts.

The City Attorney pointed out that a precinct map was available for public viewing, and if the substituted ordinance was adopted, as amended, the precinct map would be filed with the City Engineer and in Richmond, Virginia, outlining the new voting precincts for the City of Roanoke, with no changes in the polling places. He further explained that the substitute ordinance, in fact identifies the polling places, but the precinct map is required to only identify the voting precincts because polling locations do not require the same level of detail with changes as the precinct map.

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

Martin Jeffrey, 421 Fairfax Avenue, N. W., asked if any external experts were consulted; noting potential civil rights implications and accessibility of the elderly and disabled persons to the proposed precincts.

Brenda Hale, President, Roanoke Chapter NAACP, thanked Council Member Bestpitch and City staff for their efforts and expressed support of the proposal, noting education is a key element in voting constituents, while suggesting an increase in the pay of poll workers; and urging curbside voting for seniors and people with disabilities.

There being no additional speakers, Vice-Mayor Trinkle declared the public hearing closed.

Council Member Price inquired if Americans with Disabilities Act (ADA) regulations were taken into consideration; whereupon, Mr. Williams advised that compliance with the ADA for polling places in every precinct in the City is evaluated by Blue Ridge Behavioral Healthcare, which included the proposed precincts, as well as the current polling locations. He pointed out that curbside voting also was available at each polling location for the disabled, including extra poll workers.

Council Member Price further inquired of the numerical comparison of voters in the current and proposed Villa Heights and Eureka Park precincts; whereupon, Mr. Williams advised that currently Eureka Park has 1,512 voters and Villa Heights has 2,598 voters compared to the new precinct, which will have 2,414 voters.

Council Member Lea commented that timing was critical, increasing voter participation should always be a priority; and stated that he was in agreement with the proposal because it showed equity.

With regard to the adoption of the ordinance, the City Registrar advised that notices would be mailed to all active and inactive voters in the City of Roanoke, adding that State Code only requires notice to be given three weeks prior to a presidential primary, which in this instance begins the second week of January 2016. He reminded the Council that last year every General Registrar's Office was required to issue notice of photo identification changes and Roanoke City issued more photo ID's than any other locality in the State of Virginia.

Council Member Bestpitch concluded that he plans to visit as many neighborhood associations and churches as possible to address during the months of December, January, and February, prior to the presidential primary on March 1, 2016.

Following extensive dialogue regarding the matter, Ordinance No. 40401-111615, as amended was adopted by the following vote:

AYES: Council Members Bestpitch, Ferris, Price, Lea, Rosen, and Vice-Mayor Trinkle-6.

NAYS: None-0.

(Mayor Bowers was absent.)

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Vice-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.

Casey Steward, 378 Elm Avenue, S. W., Apt. 6, appeared and expressed concern with regard to Roanoke City Police Department's recent decision to transfer Officer Ronald Robinson as the Resource Officer at Patrick Henry High School due to a recent incident.

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

Michael Cooper appeared before the Council in connection the Youth Athletic Council's Guidelines prohibiting volunteers from serving with criminal records that extend over 20 – 25 years, adding volunteers were still being punished for minor convictions having occurred almost 20 years ago.

The City Manager alleged that City staff was reviewing the Youth Athletic Council guidelines; and upon completion, will forward its findings to the Council.

There being no further business, Vice-Mayor Trinkle declared the Council meeting adjourned at 8:46 p.m.

**A P P R O V E D**

**ATTEST:**

Stephanie M. Moon Reynolds, MMC  
City Clerk

David B. Trinkle  
Vice-Mayor

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ROANOKE CITY COUNCIL—REGULAR SESSION

June 15, 2015

2:00 p.m.

The Council of the City of Roanoke met in regular session on Monday, June 15, 2015, 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, 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. 39982-070714 adopted by the Council on Monday, July 7, 2014, with Vice-Mayor David B. Trinkle presiding.

PRESENT: Council Members Anita J. Price, Court G. Rosen, William D. Bestpitch, Raphael E. Ferris, and Vice-Mayor David B. Trinkle-5.

ABSENT: Mayor David A. Bowers and Council Member Sherman P. Lea-2.

The Vice-Mayor declared the existence of a quorum.

OFFICERS PRESENT: Christopher P. Morrill, City Manager; Daniel J. Callaghan, City Attorney; Barbara A. Dameron, Director of Finance; and Stephanie M. Moon Reynolds, City Clerk.

The Invocation was delivered by The Reverend Elizabeth Link, Associate Pastor, Second Presbyterian Church.

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

PRESENTATIONS AND ACKNOWLEDGMENTS:

ACTS OF ACKNOWLEDGMENT: The Vice-Mayor recognized Chris Craft, President, and the Wildwood Civic League, on its 81<sup>st</sup> Anniversary and presented a Certificate of Recognition signed by the Governor of Virginia.

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

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Vice-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.

Chris Craft, 1501 East Gate Avenue, N. E., appeared before the Council and spoke about equality for all citizens of the City of Roanoke.

### CONSENT AGENDA

The Vice-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 was desired, the item would be removed from the Consent Agenda and considered separately.

CITY COUNCIL: A communication from David B. Trinkle, Vice-Chair, City Council Personnel Committee, requesting that Council convene in a Closed Meeting to discuss a personnel matter, being the annual performances of the Council-Appointed Officers, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended, was before the body.

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

Council Member Ferris moved that the Council concur in the request of the Vice-Mayor as above described. The motion was seconded by Council Member Rosen and adopted by the following vote:

AYES: Council Members Price, Rosen, Bestpitch, Ferris, and Vice-Mayor Trinkle-5.

NAYS: None-0.

(Mayor Bowers and Council Member Lea were absent.)

ROANOKE ARTS COMMISSION-ROANOKE VALLEY-ALLEGHANY REGIONAL COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY COMMITTEE: A communication from the City Clerk advising of the resignation of M. Rupert Cutler as a member of the Roanoke Arts Commission and as a City of Roanoke representative of the Roanoke Valley-Alleghany Regional Comprehensive Economic Development Strategy Committee, respectively, effective June 30, 2015, was before the body.

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

Council Member Ferris moved that the resignation be accepted and the communication be received and filed. The motion was seconded by Council Member Rosen and adopted by the following vote:

AYES: Council Members Price, Rosen, Bestpitch, Ferris, and Vice-Mayor Trinkle-5.

NAYS: None-0.

(Mayor Bowers and Council Member Lea were absent.)

VIRGINIA FIRST CITIES: A communication from the City Attorney reporting on the annual meeting of Virginia First Cities and the City's continued participation in Virginia First Cities, was before the Council.

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

Council Member Ferris moved that the communication be received and filed. The motion was seconded by Council Member Rosen and adopted by the following vote:

AYES: Council Members Price, Rosen, Bestpitch, Ferris, and Vice-Mayor Trinkle-5.

NAYS: None-0.

(Mayor Bowers and Council Member Lea were absent.)

OATHS OF OFFICE-ROANOKE VALLEY-ALLEGHANY REGIONAL COMMISSION-COURT COMMUNITY CORRECTIONS REGIONAL PROGRAM, COMMUNITY CRIMINAL JUSTICE BOARD-ROANOKE NEIGHBORHOOD ADVOCATES-ROANOKE VALLEY CONVENTION AND VISITORS BUREAU, BOARD OF DIRECTORS-WESTERN VIRGINIA WATER AUTHORITY BOARD: Reports of qualification of the following individuals were before the Council:

The Honorable Raphael E. Ferris as an Elected representative of the Roanoke Valley-Alleghany Regional Commission for a three-year term of office ending June 30, 2018;

R. Gail Burruss as the Blue Ridge Behavioral Healthcare Board City representative of the Court Community Corrections Regional Program, Community Criminal Justice Board, for a three-year term of office ending June 30, 2018;

Brenda A. Allen as a member of the Roanoke Neighborhood Advocates for a three-year term of office ending June 30, 2018;

Jeffrey Marks as a City representative of the Roanoke Valley Convention and Visitors Bureau, Board of Directors for a one-year term of office ending June 30, 2016; and

Harvey D. Brookins and John P. Bradshaw, Jr., as City of Roanoke representatives of the Western Virginia Water Authority Board for initial terms of office commencing July 1, 2015, and ending June 30, 2016 and June 30, 2017, respectively.

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

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

AYES: Council Members Price, Rosen, Bestpitch, Ferris, and Vice-Mayor Trinkle-5.

NAYS: None-0.

(Mayor Bowers and Council Member Lea were absent.)

#### REGULAR AGENDA

PUBLIC HEARINGS: NONE.

PETITIONS AND COMMUNICATIONS: NONE.

REPORTS OF CITY OFFICERS AND COMMENTS OF CITY MANAGER:

CITY MANAGER:

BRIEFINGS:

#### Downtown Roanoke Intermodal Transportation Study

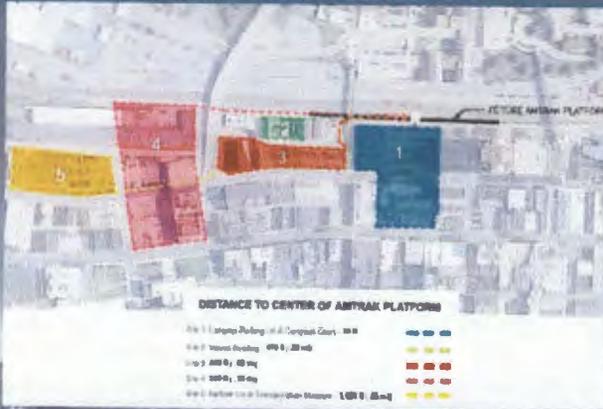
Having offered introductory remarks, the City Manager recognized Ron Reekes of Wendel Architects of Richmond, Virginia, for the following presentation regarding Downtown Roanoke Intermodal Transportation Study:

## NEPA Site Boundary



CONCEPTS & OPPORTUNITIES - Q & A  
DRAFT PLAN FOR THE INTERMODAL TRANSPORTATION STUDY - FALLS CHURCH, VIRGINIA

## Overview of Considered Sites



CONCEPTS & OPPORTUNITIES - Q & A  
DRAFT PLAN FOR THE INTERMODAL TRANSPORTATION STUDY - FALLS CHURCH, VIRGINIA

## Public Meeting Feedback

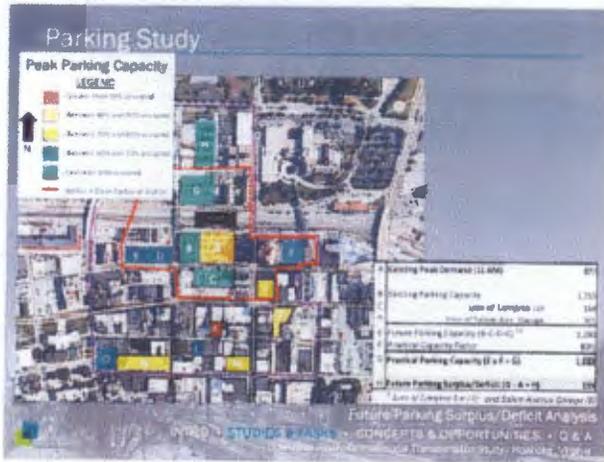
- "I am considering moving to Roanoke and stumbled on this event. Downtown, no car living is important to me. Bike-bus-train potential is appealing- I would use it."
- "I ride the train from Lynchburg to DC somewhat often. I'm looking forward to having Amtrak to Roanoke. The current Valley Metro building and the parking lot on Salem Ave are the ideal hub for this multimodal station... Please make efforts to enhance pedestrian amenities along Salem and Campbell Ave."
- "The bus station must be moved to encourage economic activity on Campbell. An attractive, ambitious new intermodal station is needed."
- "I feel that it definitely needs to be handicap accessible. I think the sidewalk model will be best for seniors, who perhaps, do need to go between cars. I hope it will run longer than the subway car, you can't do a lot at night and if you work nights you have to be able to catch on the last bus."

NTRD • STUDY AREA • CONCEPTS & OPPORTUNITIES • Q & A  
Citywide Multimodal Transportation Study - Roanoke, Virginia

## Ridership Forecast

Origin/ Destination	South of Washington	Through Washington	Total
<b>Roanoke</b>	<b>20,076</b>	<b>26,209</b>	<b>48,286</b>
<b>New River Valley (via bus connection)</b>	<b>6,134</b>	<b>11,114</b>	<b>17,248</b>
<b>Total Boardings/Alightings</b>	<b>26,210</b>	<b>39,323</b>	<b>65,534</b>

NTRD • STUDY AREA • CONCEPTS & OPPORTUNITIES • Q & A  
Citywide Multimodal Transportation Study - Roanoke, Virginia



### Public Meeting Feedback

"I am considering moving to Roanoke and stumbled on this event. Downtown, no-car living is important to me. Bike bus-train potential is appealing- I would use it."

- "I ride the train from Lynchburg to DC somewhat often. I'm looking forward to having Amtrak to Roanoke. The current Valley Metro building and the parking lot on Salem Ave are the ideal hub for this multimodal station... Please make efforts to enhance pedestrian amenities along Salem and Campbell Ave."
- "The bus station must be moved to encourage economic activity on Campbell. An attractive, ambitious new intermodal station is needed."
- "I feel that a trainway needs to be handicap accessible. I think the current model will be best for people in wheelchairs... No need to go between cars if I can't and I'll leave the bikes on. You can't do a lot at night and if you work nights you have to be on a bus on the last bus."

STUDIOS + PARTNERS - CONCEPTS & OPPORTUNITIES - C & A

### Ridership Forecast

Origin/ Destination	South of Washington	Through Washington	Total
Roanoke	20,076	28,209	48,286
New River Valley (via bus connection)	6,134	11,114	17,248
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STUDIOS + PARTNERS - CONCEPTS & OPPORTUNITIES - C & A



### Economic Study

**Table 2. Annual Economic Impact of Bus Rapid Transit Operation (2018)**

		Direct	Indirect	Induced	Total Impact
transit Operation	Spending (\$Million)	\$7.3	\$1.7	\$1.3	\$10.3
	Employment	3	3	0	6
Bus Operation	Spending (\$Million)	\$9.4	\$9.7	\$0.1	\$19.2
	Employment	3	1	0	4
Land Service	Spending (\$Million)	\$9.0	\$9.8	\$0.6	\$19.4
	Employment	1	0	0	1
Facility Support	Spending (\$Million)	\$1.5	\$0.4	\$0.3	\$2.2
	Employment	3	3	2	8
Retail and Food Service (Including VA for Leases/Stores)	Spending (\$Million)	\$0.5	\$0.1	\$0.1	\$0.7
	Employment	1	1	0	2
Total	Spending (\$Million)	\$37.7	\$31.3	\$1.4	\$69.4
	Employment	11	6	2	19

Note: Figures may not sum due to rounding.  
 Source: BRTA's 2018 and Census

INTEGRATED STUDIES & PLANNING - CONCEPTS & OPPORTUNITIES - O & A  
 Transportation Planning Study - Parking, Traffic

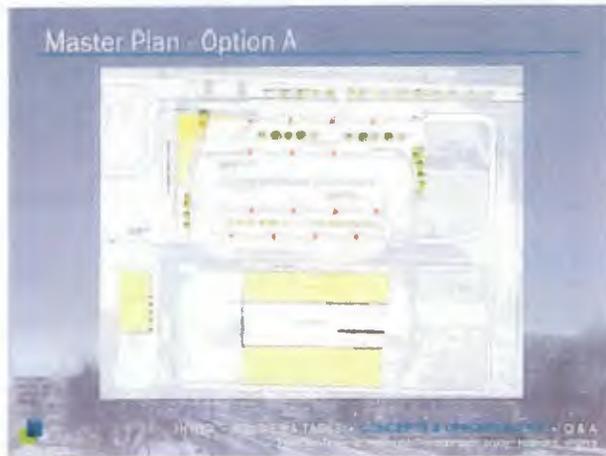
### Program - Intermodal

▪ Transit Facility	6,000 sq. ft.
• Waiting Area	600 sq. ft.
• Employee Area	900 sq. ft.
• Customer Service/Desk/Ch	400 sq. ft.
▪ Amtrak Station	4,000 sq. ft.
• Amtrak Staff Requirements	3,000 sq. ft.
• Public Space	500 sq. ft.
• Bus Parking	41,500 sq. ft.
• Car Parking Requirements	36,000 sq. ft.
• Car Share	3
• Bike Share	6
• Kiosk	3

INTRO • MARKET ANALYSIS • CONCEPTS & OPPORTUNITIES • Q & A  
 Metropolitan Transportation Authority • February 2010

### Petersburg, VA Transit Oriented Development

INTRO • MARKET ANALYSIS • CONCEPTS & OPPORTUNITIES • Q & A  
 Metropolitan Transportation Authority • February 2010



### Master Plan - Option B



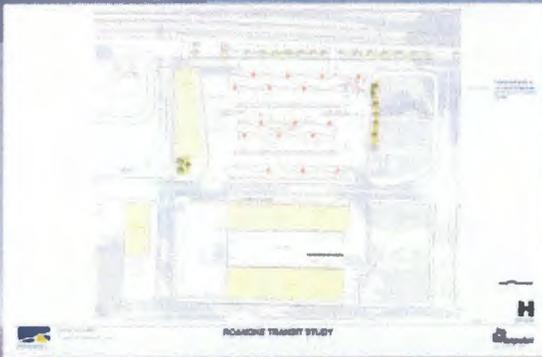
### Master Plan - Option E



### Phased Design Option H - Phase 1



### Phased Design Option H - Phase 2



### Phased Design Option F - Phase 1



### Phased Design Option F - Phase 2



### Preferred Master Plan - Option E



### 3D - Design Option E



### 3D - Design Option E



3D - Design Option E

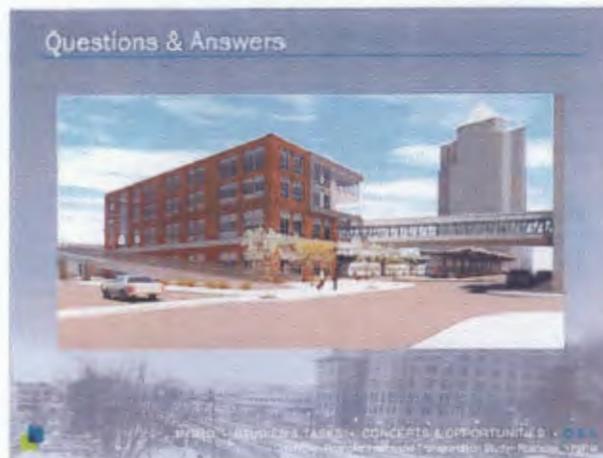
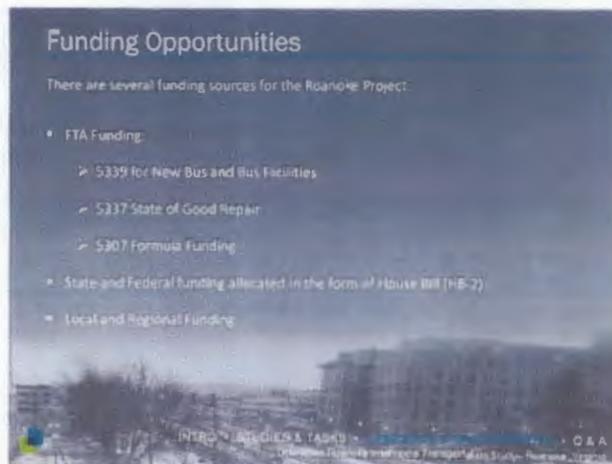


3D - Design Option E



3D - Design Option E





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

Mr. Reekes discussed the various options and recommendations during the overview.

Council Member Rosen inquired about funding and discussed the House Bill (HB-2) currently before the General Assembly; adding the Bill may not pass, which may cause thought for multiple funding sources for the project.

Council Member Bestpitch asked if there would be a walkway across Salem Avenue instead of the Norfolk Southern railroad tracks; whereupon, Mr. Reekes responded that there would be a walkway across Salem Avenue that would bridge over to Campbell Court where additional parking could be met, allowing patrons to park and walk across to the train station.

Discussion ensued regarding the process timeline, and the City Manager reiterated that National Environmental Protection Agency approval did not obligate the City, adding that it would be necessary to have an interim station.

Council Member Price inquired about the Parking Study and wondered about parking options; whereupon Mr. Reekes reviewed the legends (color identifiers) and identified surface parking and off-street parking sites, including parking spaces capacity and possible demand, taking into account the loss of the Lampros parking lot and Salem Avenue Parking Garage. He anticipated additional parking would be required, whereby the bridge would connect passengers to those additional parking opportunities.

Council Member Rosen expressed concern about the project and wanted to address the amount space for the use of the facility, having acknowledged the potential of having a building for residential and commercial, but was concerned that the City would be in the business of becoming a landlord, and wondered should local government be in said business. As dialogue continued, he commented on the survey and inquired about the marketing on ridership; whereupon, Mr. Morrill indicated that the City was investigating the data.

He concluded his comments by urging the Administration to make sure the project fits Roanoke, inasmuch there being very little surface to build upon since the proposal calls for a building on the site.

Council Member Bestpitch noted that there has been a lot of positive development near and around the Campbell Court area and along First Street, S. W., such as the Hancock Building, Woolworth Building, as well as other successful businesses and believed there has been great economic development in the area, while understanding the need for diverse retail.

Vice-Mayor Trinkle hoped one version would lead to development, noting his preference being Option E of the preferred Master Plan.

As discussion continued, the Assistant City Manager for Operations pointed out that the Virginia Department of Rail and Public Transportation (VDRPT), Norfolk Southern Corporation, and AMTRAK had an onsite visit in May 2015, and recommended an interim solution for the second and third floors of Campbell Court that could house a temporary station. Mr. Stovall provided additional details on the platform and culverts, adding the City was about 30-60 days ahead of schedule in meeting its obligations.

There being no further discussion; the Vice-Mayor stated the presentation would be received and filed.

**(For the record, Council Member Ferris read a prepared Conflict of Interest Statement at the March 2, 2015 Council meeting, noting a personal interest in the abovementioned briefing.)**

ITEMS RECOMMENDED FOR ACTION:

**BUDGET-RECYCLING-GRANTS:** The City Manager submitted a written communication recommending acceptance and appropriation of funds in connection with a Recycling Partnership Grant for Single Stream Recycling.

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

Council Member Ferris offered the following resolution:

(#40260-061515) A RESOLUTION accepting a grant from Recycling Partnership, Inc., to the City for the City's Single Stream Recycling program, and authorizing execution of any required documents on behalf of the City in connection with such grant, under certain conditions.

(For full text of resolution, see Resolution Book No. 77, page 529.)

Council Member Ferris moved the adoption of Resolution No. 40260-061515. The motion was seconded by Council Member Rosen and adopted by the following vote:

AYES: Council Members Price, Rosen, Bestpitch, Ferris, and Vice-Mayor Trinkle-5.

NAYS: None-0.

(Mayor Bowers and Council Member Lea were absent.)

Council Member Ferris offered the following budget ordinance:

(#40261-061515) AN ORDINANCE appropriating funding from Recycling Partnership Incorporated for single stream recycling, amending and reordaining certain sections of the 2014 - 2015 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 77, page 530.)

Council Member Ferris moved the adoption of Budget Ordinance No. 40261-061515. The motion was seconded by Council Member Rosen and adopted by the following vote:

AYES: Council Members Price, Rosen, Bestpitch, Ferris, and Vice-Mayor Trinkle-5.

NAYS: None-0.

(Mayor Bowers and Council Member Lea were absent.)

**CITY CODE-TAXES:** The City Manager submitted a written communication recommending amendment of the City Code to extend the expiration date in order to allow partial tax exemptions on the rehabilitation of residential, commercial and industrial real property; and to reflect reference updates to the Virginia Maintenance Code.

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

Council Member Bestpitch offered the following ordinance:

(#40262-061515) AN ORDINANCE amending and reordaining Section 32-93, Generally; termination of exemption program, Division 5. Exemption Of Certain Rehabilitated Real Property, Article II, Real Estate Taxes Generally, Chapter 32, Taxation, of the Code of the City of Roanoke, (1979), as amended; Section 32-101.20, Generally; termination of exemption program, Division 5C. Partial Tax Exemption In Redevelopment and Conservation Areas, and Rehabilitation Districts, Article II, Real Estate Taxes Generally, of Chapter 32, Taxation, of the Code of the City of Roanoke (1979), as amended; Section 32-101.26, Eligibility, Division 5C. Partial Tax Exemption In Redevelopment and Conservation Areas, and Rehabilitation Districts, Article II, Real Estate Taxes Generally, of Chapter 32, Taxation; of the Code of the City of Roanoke (1979) as amended, which provide for certain real estate tax exemptions for rehabilitating property in the City; 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. 77, page 530.)

Council Member Bestpitch moved the adoption of Ordinance No. 40262-061515. The motion was seconded by Council Member Price and adopted by the following vote:

AYES: Council Members Price, Rosen, Bestpitch, Ferris, and Vice-Mayor Trinkle-5.

NAYS: None-0.

(Mayor Bowers and Council Member Lea were absent.)

**FEE COMPENDIUM-STREETS-SIDEWALKS-CITY CODE:** The City Manager submitted a written communication recommending amendment of the City Code to reference the Fee Compendium as well as an amendment of the Fee Compendium itself in connection with procedural improvements to the street and alley vacation process.

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

Council Member Rosen offered the following ordinance:

(#40263-061515) AN ORDINANCE amending and reordaining Section 30-14, Procedure for altering or vacating city streets or alleys; fees therefor; Article I, In General, Chapter 30, Streets and Sidewalks, of the Code of the City of Roanoke (1979), as amended, to establish a flat fee for legal advertising and to delete the need for applicants to provide certain information at the time of application; 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. 77, page 533.)

Council Member Rosen moved the adoption of Ordinance No. 40263-061515. The motion was seconded by Council Member Bestpitch and adopted by the following vote:

AYES: Council Members Price, Rosen, Bestpitch, Ferris, and Vice-Mayor Trinkle-5.

NAYS: None-0.

(Mayor Bowers and Council Member Lea were absent.)

Council Member Rosen offered the following resolution:

(#40264-061515) A RESOLUTION amending the Fee Compendium to establish a flat fee for legal advertisement of an application to alter or vacate a street or alley; and establishing an effective date.

(For full text of resolution, see Resolution Book No. 77, page 534.)

Council Member Rosen moved the adoption of Resolution No. 40264-061515. The motion was seconded by Council Member Bestpitch and adopted by the following vote:

AYES: Council Members Price, Rosen, Bestpitch, Ferris, and Vice-Mayor Trinkle-5.

NAYS: None-0.

(Mayor Bowers and Council Member Lea were absent.)

**HUMAN SERVICES:** The City Manager submitted a written communication recommending execution of Amendment No. 1 to the Workforce Investment Area III Chief Local Elected Officials (CLEO) Charter Agreement to be consistent with provisions of the Workforce Innovation and Opportunity Act, re-designate the City of Roanoke as the Consortium Grant Recipient, and designate the initial Fiscal Agent to be the Roanoke Valley-Alleghany Regional Commission.

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

Council Member Bestpitch offered the following ordinance:

(#40265-061515) AN ORDINANCE authorizing the adoption of Amendment No. 1 to the Workforce Investment Area III Chief Local Elected Officials Charter Agreement to amend and confirm the Workforce Investment Area III Chief Local Officials Charter Agreement (Charter Agreement), as amended; authorizing the Mayor to execute such Amendment No. 1 to the Charter; authorizing such city officials to execute such other documents and take such other actions to effectuate such Amendment No. 1 to the Charter Agreement; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 77, page 535.) Council Member Bestpitch moved the adoption of Ordinance No. 40265-061515. The motion was seconded by Council Member Rosen and adopted by the following vote:

AYES: Council Members Price, Rosen, Bestpitch, Ferris, and Vice-Mayor Trinkle-5.

NAYS: None-0.

(Mayor Bowers and Council Member Lea were absent.)

GRANTS-HUMAN SERVICES: The City Manager submitted a written communication recommending execution of the Workforce Innovation and Opportunity Act Title 1 Grant Award Agreement between the Virginia Community College System and the City of Roanoke in order to ensure continuation of funding for a one-year term beginning July 1, 2015 and ending on June 30, 2016.

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

Council Member Bestpitch offered the following resolution:

(#40266-061515) A RESOLUTION authorizing the City Manager to execute the Workforce Innovation and Opportunity Act (WIOA) Title 1 Grant Award Agreement, by and between the Virginia Community College System and the City of Roanoke, and authorizing execution of any required documentation on behalf of the City.

(For full text of resolution, see Resolution Book No. 77, page 537.)

Council Member Bestpitch moved the adoption of Resolution No. 40266-061515. The motion was seconded by Council Member Price.

Following appreciation expressed by City Manager to the Roanoke Valley Alleghany Regional Commission for its assistance and comments about looking forward to building a stronger workforce, Resolution No. 40266-061515 was adopted by the following vote:

AYES: Council Members Price, Rosen, Bestpitch, Ferris, and Vice-Mayor Trinkle-5.

NAYS: None-0.

(Mayor Bowers and Council Member Lea were absent.)

**PARKS-RECREATION:** The City Manager submitted a written communication recommending execution of Amendment No. 2 to the City's contract with Tennis Courts, Inc., to add the rehabilitation of the sport courts at Huff Lane Park as part of the ongoing implementation of the Parks and Recreation Master Plan for improvements to existing facilities across the City.

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

Council Member Ferris offered the following ordinance:

(#40267-061515) AN ORDINANCE authorizing the City Manager to execute Amendment No. 2 to an Agreement dated April 21, 2015, between the City and Tennis Courts, Inc., in an amount not to exceed \$61,273.00, to rehabilitate the sports courts at Huff Lane Park, upon certain terms and conditions; authorizing the City Manager to take such further actions and execute all documents as may be necessary to implement and administer such Amendment No. 2; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 77, page 538.)

Council Member Ferris moved the adoption of Ordinance No. 40267-061515. The motion was seconded by Council Member Bestpitch.

Following comments by Council Member Rosen emphasizing the City's commitment to Huff Lane residents; and the City Manager pointing out that the amendment will include three tennis courts, basketball, tennis and roller hockey updated court layout, Resolution No. 40267-061515 was adopted by the following vote:

AYES: Council Members Price, Rosen, Bestpitch, Ferris, and Vice-Mayor Trinkle-5.

NAYS: None-0.

(Mayor Bowers and Council Member Lea were absent.)

CARILION MANAGEMENT, INC: The City Manager submitted a written communication recommending execution of an agreement between the City of Roanoke and Carilion Property Management, Inc., to allow use of parking spaces along the fence on Evans Mill Road, S. W., as a shuttle drop-off point; and for the City to indemnify and hold Carilion harmless from any and all liabilities arising out of the use of its facilities in connection with the annual fireworks show at River's Edge Sports Complex on July 4, 2015.

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

Council Member Bestpitch offered the following resolution:

(#40268-061515) A RESOLUTION authorizing execution of an Agreement with Carilion Property Management in connection with the use of the Crystal Spring Garage, the Riverwalk Garage and parking spaces on Evans Mill Road during the 2015 annual fireworks show.

(For full text of resolution, see Resolution Book No. 77, page 539.)

Council Member Bestpitch moved the adoption of Resolution No. 40268-061515. The motion was seconded by Council Member Ferris.

Due to having a personal conflict of interest regarding the abovementioned matter, Vice-Mayor Trinkle relinquished the chair to former Vice-Mayor Rosen; and noted he would be abstaining from all discussions as well as voting on the matter. He read the following statement into the record:

"STATEMENT OF CONFLICT OF INTEREST

"I, David B. Trinkle, state that I have a personal interest in agenda item 7.a.7., regarding execution of an agreement between the City and Carilion Property Management, Inc. because my employer, Carilion Clinic, is affiliated with Carilion Property Management, Inc.

Therefore, pursuant to Virginia Code Section 2.2-3112, I will refrain from participation in this matter. I ask that the City Clerk accept this statement and ask that it be made a part of the minutes of this meeting.

Witness the following signature made this 15<sup>th</sup> day of June 2015.

S/David B. Trinkle  
David B. Trinkle  
Vice-Mayor and Member of Council"

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

There being no comments and/or questions by the Members of Council, Resolution No. 40268-061515 was adopted by the following vote:

AYES: Council Members Price, Bestpitch, Ferris and former Vice-Mayor Rosen-4.

NAYS: None-0.

(Vice-Mayor Trinkle abstained from voting.) (Mayor Bowers and Council Member Lea were absent.)

At this point, former Vice-Mayor Rosen relinquished the chair to Vice-Mayor Trinkle.

**BUDGET-ROANOKE CULTURAL ENDOWMENT:** The City Manager submitted a written communication recommending approval of the specified terms of the City's commitment in connection with the Roanoke Cultural Endowment and appropriation of funds.

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

Council Member Rosen offered the following resolution:

(#40269-061515) A RESOLUTION endorsing an additional donation to Roanoke Cultural Endowment; establishing the conditions under which such additional donation will be made; and reaffirming the support of the City of Roanoke of Roanoke Cultural Endowment and the City of Roanoke's recognition of the importance of arts and cultural organizations to the fabric of the economy of the City of Roanoke.

(For full text of resolution, see Resolution Book No. 77, page 539.)

Council Member Rosen moved the adoption of Resolution No. 40269-061515. The motion was seconded by Council Member Price and adopted by the following vote:

AYES: Council Members Price, Rosen, Bestpitch, Ferris, and Vice-Mayor Trinkle-5.

NAYS: None-0.

(Mayor Bowers and Council Member Lea were absent.)

Council Member Rosen offered the following budget ordinance:

(#40270-061515) AN ORDINANCE to appropriate funding from the Capital Improvement Reserve to the Arts Endowment project, amending and reordaining certain sections of the 2014-2015 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 77, page 541.)

Council Member Rosen moved the adoption of Budget Ordinance No. 40270-061515. The motion was seconded by Council Member Price and adopted by the following vote:

AYES: Council Members Price, Rosen, Bestpitch, Ferris, and Vice-Mayor Trinkle-5.

NAYS: None-0.

(Mayor Bowers and Council Member Lea were absent.)

**BUDGET-CITY GOVERNMENT:** The City Manager submitted a written communication recommending appropriation of funds in connection with Fiscal Year 2015 revenue and expenditure adjustments.

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

Council Member Bestpitch offered the following budget ordinance:

(#40271-061515) AN ORDINANCE to increase the Roanoke City Public Schools transfer, Convention and Visitors Bureau allocation, Public Safety Off-Duty Earnings (Police and Sheriff), the Comprehensive Services Act, Budget Contingency and Fleet Sublet Vendor and Supplies expenditures, and to increase revenue budget estimates for Public Service Corp – Real Estate, Sales, Business License, Transient Occupancy, Personal Property (Current and Delinquent) Taxes, Interest on Real Estate Taxes, the Comprehensive Services Act, Off-Duty Billings (Police and Sheriff) and Fleet Parts revenue, amending and reordaining certain sections of the 2014 - 2015 General Fund and Fleet Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 77, page 542.)

Council Member Bestpitch moved the adoption of Budget Ordinance No. 40271-061515. The motion was seconded by Council Member Ferris and adopted by the following vote:

AYES: Council Members Price, Rosen, Bestpitch, Ferris, and Vice-Mayor Trinkle-5.

NAYS: None-0.

(Mayor Bowers and Council Member Lea were absent.)

## COMMENTS BY THE CITY MANAGER.

The City Manager shared the following comments:

### Upcoming Events

#### Slide the City

- South Jefferson Street, between Church Avenue and Elm Avenue
- Time: 12:00 p.m. to 5:00 p.m.

#### Fourth of July Freedom Fest

- Elmwood Park
- Starts at 10:00 a.m.
- Sponsored by TAP and Big Lick Entertainment
- Performances will include Nitty Gritty Dirt Band, Brothers Osborne and Old Dominion

#### Fireworks on the Fourth

- River's Edge Sports Complex
- Free shuttle bus service – departs from the Church Avenue Garage and from Virginia Western Community College starting at 7 p.m.
- Several local food trucks will be on-site selling food. Citizens are invited to bring the family out for a picnic-style dinner before the fireworks.
- Star County will provide music from 5 to 7 p.m.
- Winds of the Blue Ridge (musicians from Salem, Roanoke, Blacksburg, Bedford, Lynchburg and surrounding areas) will perform from 7:00 p.m. to 9:30 p.m., their rendition of William Tell's 1812 Overture, leading into the fireworks display.
- Fireworks begin at 9:30 p.m.

### CITY ATTORNEY:

CITY CODE-DIRECTOR OF FINANCE: The City Attorney submitted a written report recommending amendments of the City Code with regard to appointment of the Director of Finance; and creation of a Task Force to review the City Code overall..

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

Council Member Ferris offered the following ordinance:

(#40272-061515) AN ORDINANCE amending and reordaining Section 2-233, Election; term of office, and Section 2-235, General duties, of Article XI, Director of Finance, of Chapter 2, Administration, and Section 22.3-2, Definitions, of Article I, General, of Chapter 22.3, Pensions and Retirement, of the Code of the City of Roanoke (1979), as amended; 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. 77, page 543.)

Council Member Ferris moved the adoption of Ordinance No. 40272-061515. The motion was seconded by Council Member Bestpitch and adopted by the following vote:

AYES: Council Members Price, Rosen, Bestpitch, Ferris, and Vice-Mayor Trinkle-5.

NAYS: None-0.

(Mayor Bowers and Council Member Lea were absent.)

Council Member Ferris offered the following resolution:

(#40273-061515) A RESOLUTION appointing a task force to review the City Code for the purpose of making changes to the City Code that are required or are advisable as a result of the amendments to various sections of the existing Roanoke Charter of 1952 regarding the Director of Finance, and make a recommendation to City Council as to the changes to City Code, if any, that may be deemed advisable.

(For full text of resolution, see Resolution Book No. 77 page 545.)

Council Member Ferris moved the adoption of Resolution No. 40273-061515. The motion was seconded by Council Member Bestpitch and adopted by the following vote:

AYES: Council Members Price, Rosen, Bestpitch, Ferris, and Vice-Mayor Trinkle-5.

NAYS: None-0.

(Mayor Bowers and Council Member Lea were absent.)

## REPORTS OF COMMITTEES:

**BUDGET-SCHOOLS:** A report of the Roanoke City School Board requesting appropriation of funds for various educational programs; and the Director of Finance submitted a written report recommending that Council concur in the request.

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

Council Member Ferris offered the following budget ordinance:

(#40274-061515) AN ORDINANCE to appropriate funding from the Commonwealth for various educational programs, amending and reordaining certain sections of the 2014 - 2015 School Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 77, page 546.)

Council Member Ferris moved the adoption of Budget Ordinance No. 40274-061515. The motion was seconded by Council Members Bestpitch and Price and adopted by the following vote:

**AYES:** Council Members Price, Rosen, Bestpitch, Ferris, and Vice-Mayor Trinkle-5.

**NAYS:** None-0.

(Mayor Bowers and Council Member Lea were absent.)

**BUDGET-SCHOOLS:** A report of the Roanoke City School Board requesting amendments to the Schools' 2014 - 2015 Categorical Budget; and the Director of Finance submitted a written report recommending that Council concur in the request.

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

Council Member Bestpitch offered the following budget ordinance:

(#40275-061515) AN ORDINANCE to adopt an amendment to the 2014 - 2015 School Board Categorical Budget, amending and reordaining certain sections of the School General, School Athletics and School Food Service Funds Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 77, page 547.)

Council Member Bestpitch moved the adoption of Budget Ordinance No. 40275-061515. The motion was seconded by Council Member Price and adopted by the following vote:

AYES: Council Members Price, Rosen, Bestpitch, Ferris, and Vice-Mayor Trinkle-5.

NAYS: None-0.

(Mayor Bowers and Council Member Lea were absent.)

#### UNFINISHED BUSINESS:

WESTERN VIRGINIA WATER AUTHORITY: Having tabled the matter with regard to action by City Council in adopting Resolution 40247-051815 on May 18, 2015, regarding the proposed joinder of Botetourt County to the Western Virginia Water Authority, Council Member Ferris moved that the matter be taken off the table. The motion was seconded by Council Member Bestpitch and adopted.

Michael McEvoy and Gary Robertson, Executive Directors, Western Virginia Water Authority, appeared before the Council to respond to concerns expressed by the Council regarding a public hearing on proposed water and sewer rate increases.

Council Member Ferris again laid out concerns with regard to the proposed rate increases, noting he planned to vote "No" to reconsider the proposed joinder of Botetourt County to the Western Virginia Water Authority.

He stressed that there was no mention of a public hearing by the Water Authority on June 18, 2016; that Council has received citizen complaints on the water and sewer rate increases; and primarily, Council appoints three representatives to serve on the Authority Board of Directors.

He suggested a joint meeting with the Authority be scheduled; and requested that detailed financial information be forwarded to the Council, which will allow opportunity for open dialogue and questions by the Council.

Council Member Rosen concurred in the comments and suggestion by Council Member Ferris for a joint meeting with Council, adding that all members of the Authority Board of Directors were expected to be in attendance.

There was extensive discussion regarding the operation of the Authority and funding of its operation.

In conclusion, Council Member Price encouraged the Authority and Board Members to explore opportunities to keep communication open with the Council.

The City Manager agreed to coordinate a joint meeting between the Council and the Western Virginia Water Authority Board of Directors as soon as possible.

There being no further discussion of the matter, the motion concerning action of City Council in adopting Resolution No. 40247-051815 adopted May 18, 2015, regarding the proposed joinder of Botetourt County to the Western Virginia Water Authority, failed by the following vote:

AYES: None-0.

NAYES: Council Members Price, Rosen, Bestpitch, Ferris, and Vice-Mayor Trinkle-5.

(Mayor Bowers and Council Member Lea were absent.)

Vice-Mayor Trinkle explained that the motion reflects that the reconsideration failed and the adoption of Resolution No. 40247-051815 stands in effect.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF CITY COUNCIL: NONE.

VACANCIES ON CERTAIN AUTHORITIES, BOARDS, COMMISSIONS AND COMMITTEES APPOINTED BY COUNCIL:

OATHS OF OFFICE-BUILDING AND FIRE CODE BOARD OF APPEALS: The Vice-Mayor called attention to a vacancy created by the expiration of the three-year term of office of Justin Biller as a member of the Building and Fire Board of Appeals ended June 30, 2015; whereupon, he opened the floor for nominations.

Council Member Ferris placed in nomination the name of Patrick Williams.

There being no further nominations, Mr. Williams was appointed to replace Justin Biller as a member (Engineer representative) of the Building and Fire Code Board of Appeals for a term of office ending June 30, 2018, by the following vote:

FOR MR. WILLIAMS: Council Members Price, Rosen, Bestpitch, Ferris, and Trinkle-5.

(Mayor Bowers and Council Member Lea were absent.)

OATHS OF OFFICE-ROANOKE VALLEY GREENWAY COMMISSION: The Vice-Mayor called attention to a vacancy created by the expiration of the three-year term of office of Mark Lucas as a City representative of the Roanoke Valley Greenway Commission ended on June 30, 2015; whereupon, he opened the floor for nominations.

Council Member Ferris placed in nomination the name of James V. Revercomb, III.

There being no further nominations, Mr. Revercomb was appointed to replace Mark Lucas as a City representative of the Roanoke Valley Greenway Commission for a three-year term of office ending June 30, 2018, by the following vote:

FOR MR. REVERCOMB: Council Members Price, Rosen, Bestpitch, Ferris, and Trinkle-5.

(Mayor Bowers and Council Member Lea were absent.)

At 3:49 p.m., the Council meeting was declared in recess for a Closed Meeting in the Council's Conference Room, Room 451; and thereafter to be reconvened at 7:00 p.m., in the Council Chamber, Room 450.

At 7:00 p.m., the Council meeting reconvened in the Council Chamber, Room 450, fourth floor, Noel C. Taylor Municipal Building, with Vice-Mayor David B. Trinkle presiding.

PRESENT: Council Members Anita J. Price, Court G. Rosen, William D. Bestpitch, Raphael E. Ferris, and Vice-Mayor David B. Trinkle-5.

ABSENT: Mayor David A. Bowers and Council Member Sherman P. Lea-2.

The Vice-Mayor declared the existence of a quorum.

OFFICERS PRESENT: Christopher P. Morrill, City Manager; Daniel J. Callaghan, City Attorney; Barbara A. Dameron, Director of Finance; and Stephanie M. Moon Reynolds, City Clerk.

The Invocation was delivered by Council Member William D. Bestpitch.

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

COUNCIL: With respect to the Closed Meeting just concluded Council Member Bestpitch 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 was seconded by Council Member Ferris and adopted by the following vote:

AYES: Council Members Price, Rosen, Bestpitch, Ferris, and Vice-Mayor Trinkle-5.

NAYS: None-0.

(Mayor Bowers and Council Member Lea were absent.)

#### 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, June 15, 2015, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the City of Roanoke to consider an amendment to Vision 2001-2020, the City's Comprehensive Plan, to establish an urban development area within the entire City of Roanoke, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, May 26, and Tuesday, June 2, 2015.

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

The City Planning Commission submitted a written report recommending the approval of an ordinance adopting an Urban Development Area encompassing the entire City, with the exception of two areas encumbered by a recorded conservation easement established pursuant to the Virginia Conservation Easement Act, such Urban Development Area to be an amendment to *Vision 2001 -2020*, the City's comprehensive plan, and its component neighborhood and area plans.

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

Council Member Bestpitch offered the following ordinance:

(#40276-061515) AN ORDINANCE establishing an Urban Development Area, and amending Vision 2001 - 2020, the City's Comprehensive Plan, to include such Urban Development Area as an element thereof; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance see Ordinance Book No. 77, page 548.)

Council Member Bestpitch moved the adoption of Ordinance No. 40276-061515. The motion was seconded by Council Member Price.

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

Christopher Chittum, Director of Planning Building and Development, stated that House Bill 2, passed by the General Assembly in 2014, allows for the UDA designation and it has been determined that the entire City of Roanoke should be designated, with the exception of areas encumbered by a recorded conservation easement established, pursuant to the Virginia Conservation Easement Act.

Council Member Rosen injected that House Bill2 becomes effective on July 1, 2015.

There being no questions and/or comments by the Council Members, Ordinance No. 40276-061515 was adopted by the following vote:

AYES: Council Members Price, Rosen, Bestpitch, Ferris, and Vice-Mayor Trinkle-5.

NAYS: None-0.

(Mayor Bowers and Council Member Lea were absent.)

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, June 15, 2015, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the City of Roanoke to rezone property located at 210 Reserve Avenue, S. W., designated as Official Tax Map No. 1040202, from INPUD, Institutional Planned Unit Development District, to ROS, Recreation Open Space District, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, May 26, 2015 and Tuesday, June 2, 2015.

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

The City Planning Commission submitted a written report recommending approval of the rezoning request, finding that the Original Application is consistent with the City's Comprehensive Plan, *South Roanoke Neighborhood Plan*, and Zoning Ordinance.

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

Council Member Price offered the following ordinance:

(#40277-061515) AN ORDINANCE to rezone certain property on 210 Reserve Avenue, S. W., from INPUD, Institutional Planned Unit Development District, to ROS, Recreation and Open Space District; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 77, page 549.)

Council Member Price moved the adoption of Ordinance No. 40277-061515. The motion was seconded by Council Member Bestpitch.

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

There being no questions and/or comments by the Council Members, Ordinance No. 40277-061515 was adopted by the following vote:

AYES: Council Members Price, Rosen, Bestpitch, Ferris, and Vice-Mayor Trinkle-5.

NAYS: None-0.

(Mayor Bowers and Council Member Lea were absent.)

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, June 15, 2015, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the City of Roanoke Planning Commission to amend Chapter 36.2 Zoning, Code of the City of Roanoke (1979), as amended, effective July 1, 2015, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, May 26, 2015 and Tuesday, June 2, 2015.

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

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

1. Sec. 36.2-311, Use table for residential districts, to delete applicability of regulations relating to spacing, maximum occupancy, and open space for Group care facilities; change Group care facility, congregate home, elderly, and Group care facility, nursing home, from permitted uses to special exception uses in the Residential Multifamily District; delete Home occupation, personal service, as a permitted use in certain residential districts; add homestay as a new special exception use in all residential districts; and add regulations prohibiting exterior changes, limiting the number of guests and lengths of stays, and requiring the owner or leaseholder to occupy a dwelling unit during any guest stay at a homestay;
2. Sec. 36.2-312, Dimensional regulations for residential districts, clarifying how certain maximum lot frontages are determined for a corner lot;
3. Sec. 36.2-315, Use table for multiple purpose districts, to add Campground as a special exception use in the Commercial-General, Commercial-Large Site, Recreation and Open Space, and Urban Flex Districts; to delete applicability of regulations relating to spacing, maximum occupancy, and open space for Group care facilities; to add Place of worship as a permitted use in the Urban Flex District; to add Homestay as a special exception use in the Mixed Use District and as a permitted use in the Commercial-Neighborhood, Commercial-General, Commercial-Large Site, Downtown, and Urban Flex Districts; and to add regulations prohibiting exterior changes, limiting the number of guests and lengths of stays, and requiring the owner or leaseholder to occupy a dwelling unit during any guest stay at a homestay;
4. Sec. 36.2-316, Dimensional regulations for multiple purpose districts, to increase the maximum lot area from 2 acres to 3 acres in the Urban Flex District; to increase the maximum height in the Recreation and Open Space District from 35 feet to 60 feet in certain circumstances; to increase the maximum impervious surface area allowed in the Recreation and Open Space District from 15% to 80%; to clarify how certain maximum lot frontages are determined for lots with two frontages; and to make certain regulations pertaining to the location, height and aiming cutoff angles of certain outdoor lighting exempt from maximum height regulation for a district but subject to the granting by special exception by the board of zoning appeals under certain circumstances;

5. Sec. 36.2-322, Use table for industrial districts, to add Amphitheater, Entertainment establishments, Parks or playgrounds, Recreation, outdoor, and Outdoor recreation facility lighting or sports stadium lighting as permitted uses in certain industrial districts;
6. Sec. 36.2-326, Procedural requirements for planned unit development districts, to specify that a PUD plan shall be established or amended in accordance with Sections 36.2-540, Zoning Amendments, and 36.2-541, Conditional Rezoning;
7. Sec. 36.2-327, Use table for planned unit development districts, to add Campground as a permitted use in certain planned unit development districts; and to delete applicability of regulations relating to spacing, maximum occupancy, and open space for Group care facilities;
8. Sec. 36.2-405, Bed and breakfast, to rename the section; to add regulations relating to homestays and prohibiting exterior changes, limiting the number of guests and lengths of stays, and requiring the owner or leaseholder to occupy a dwelling unit during guest stays at a homestay; and to combine such regulations pertaining to homestays with regulations pertaining to Bed and breakfast uses;
9. Sec. 36.2-412, Group care facilities, to delete regulations relating to spacing, maximum occupancy, and open space for Group care facilities;
10. Sec. 36.2-418, Motor vehicle or trailer painting and body repair, to correct a typographical error;
11. Sec. 36.2-429, Temporary uses, to permit camping in conjunction with public events on property within 1,000 feet of the public event for the duration of a public event;
12. Sec. 36.2-540, Zoning amendments, advising that fees for notices of public hearing shall be set forth in the Fee Compendium of the City; and establishing that failure to post public notification of certain actions by the zoning administrator as a courtesy to the public would not constitute cause to cancel or reschedule any public hearing or challenge any decision or recommendation upon appeal;
13. Sec. 36.2-560, Special exceptions, advising that fees for notices of public hearing shall be set forth in the Fee Compendium of the City; and establishing that failure to post public notification of certain actions by the zoning administrator as a courtesy to the public would not constitute cause to cancel or reschedule any public hearing or challenge any decision or recommendation upon appeal;

14. Sec. 36.2-561, Variances, advising that fees for notices of public hearing shall be set forth in the Fee Compendium of the City; and amending standards, conditions and guarantees, and conforming status regulations to be consistent with Code of Virginia amendments that become effective on July 1, 2015, to allow under certain circumstances the granting of a variance if the terms of a zoning ordinance would unreasonably restrict the use of property or would cause a hardship due to certain conditions, notwithstanding any other provisions of law, general or special;

15. Sec. 36.2-562, Appeals to board of zoning appeals, advising that fees for notices of public hearing shall be set forth in the Fee Compendium of the City;

16. Sec. 36.2-563, Appeals from board of zoning appeals, to set forth amount of evidence needed by an appealing party during any appeal in circuit court, to set forth the standard of review for a circuit court, and other procedural matters required by Code of Virginia amendments that became effective on July 1, 2015;

17. Sec. 36.2-571, Zoning violations, adding a provision that notice of a zoning violation may be given to the owner of the subject property;

18. Sec. 36.2-644, Overall tree canopy requirements, to provide an exemption from landscaping requirements for certain types of projects;

19. Sec. 36.2-645, Street yard trees, to delete the section and to designate the section as Reserved;

20. Table 652-2, Required Parking Spaces, to delete the maximum parking requirement for Community gardens;

21. Sec. 36.2-653, Maximum parking, to increase the percentage by which maximum parking may be exceeded with a special exception from 175% to 200%;

22. Sec. 36.2-654, Parking and loading area standards, to delete a prohibition against parking spaces being located between the right-of-way and a principal building in the Neighborhood Design Overlay District;

23. Table 654-1, Parking and Loading Area Standards, amending regulations as they apply to residential developments of four or fewer units to provide for exceptions to maximum front yard coverage, maximum cumulative driveway width, maximum individual driveway width, and to reduce minimum driveway width to seven (7) feet;

24. Table 668-1, Type, Number, and Size of On-Premises Signs, to allow one freestanding sign for the first 200 feet of lot frontage then one additional sign for each additional 200 feet of lot frontage in the Commercial-Large Site District;

25. Sec. 36.2-669, Changeable copy signs and electronic readerboard signs, to establish a maximum size of signs in the CN, D, and IN districts of 25 square feet;

26. Sec. 36.2-675, Outdoor advertising signs, allowing certain outdoor advertising signs to be authorized by the Virginia Department of Transportation;

27. Sec. 36.2-834, Quorum and vote, to amend rules for the board of zoning appeals to require the board to offer equal time to parties and the staff of the City of Roanoke;

28. Sec. 36.2-836, Rules and records, to allow ex parte communications with members of the board of zoning appeals under certain circumstances and to require the dissemination of materials to certain interested parties within a certain period of time;

29. Sec. 36.2-837, Powers and duties, to specify how an appeal of a zoning administrator determination is to be considered; and to specify that the burden of proof is on the appellant to show justification for a variance;

30. Sec. 36.2-841, Powers and duties, to allow the zoning administrator to grant a modification under a condition that the strict application of the zoning ordinance would unreasonably restrict the use of the property;

31. Appendix A, Definitions, to add definitions for Campground and Homestay; to amend the definition of Group home to include a residential facility in which no more than eight (8) persons who are recovering from addiction to alcohol or drugs may reside, but such persons are not currently using or addicted to alcohol or drugs; and to amend the definition of a Variance; and

32. Appendix B, Submittal requirements, B-1, Basic Development Plan, allowing specific information on tree canopy to be substituted with appropriate statements on the development plan.

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

Council Member Ferris offered the following Ordinance:

“AN ORDINANCE amending and reordaining Section 36.2-311, Use table for residential districts; Section 36.2-312, Dimensional regulations for residential districts; Section 36.2-315, Use table for multiple purpose districts; Section 36.2-316, Dimensional regulations for multiple purpose districts; Section 36.2-322, Use table for industrial districts; Section 36.2-326, Procedural requirements for planned unit development districts; Section 36.2-327, Use table for planned unit development districts; Section 36.2-405, Bed and breakfast; repealing Section 36.2-412, Group care facilities; amending and reordaining Section 36.2-418, Motor vehicle or trailer painting and body repair; Section 36.2-429, Temporary uses; Section 36.2-540, Zoning amendments; Section 36.2-560, Special exceptions; Section 36.2-561, Variances; Section 36.2-562, Appeals to board of zoning appeals; Section 36.2-563, Appeals from board of zoning appeals; Section 36.2-571, Zoning violations; Section 36.2-644, Overall tree canopy requirements; repealing Section 36.2-645, Street yard trees; amending and reordaining Table 652-2, Required Parking Spaces; Section 36.2-653, Maximum parking; Section 36.2-654, Parking and loading area standards; Table 654-1, Parking and Loading Area Standards; Table 668-1, Type, Number, and Size of On-Premises Signs; Section 36.2-669, Changeable copy signs and electronic readerboard signs; Section 36.2-834, Quorum and vote; Section 36.2-836, Rules and records; Section 36.2-837, Powers and duties; Section 36.2-841, Powers and duties; Appendix A, Definitions; Appendix B, Submittal requirements, B-1, Basic Development Plan; of Chapter 36.2, Zoning, of the Code of the City of Roanoke (1979), as amended; for the purposes of amending and reordaining, combining and renumbering, adding or repealing, the following code sections to update, clarify and make the City’s zoning ordinance easier to use for its citizens and consistent with state law; providing for an effective date; and dispensing with the second reading of this ordinance by title.”

Council Member Ferris moved the adoption of the ordinance. The motion was seconded by Council Member Price.

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

Christopher Chittum, Director of Planning and Development, reported that during the staff report presentation to the City Planning Commission, he addressed items in the text amendments that would likely be concern to Old Southwest based on the zoning districts present in the neighborhood, and called attention to two potential concerns could be the addition of homestays by special exception and deletion of supplemental regulations related to group care facilities; and the addition of the homestay use is a clarification of the current practice of allowing Air BnB type arrangements as a bed and breakfast. He pointed out that both uses require a special exception, and there would be no procedural difference in how a homestay is established.

There being extensive dialogue regarding various revisions to the Zoning Ordinance, Council members having expressed comments on changes, Vice-Mayor suggested that the City staff work with Council Member Bestpitch to address his concerns and make changes to the homestay definition; and then bring the matter back to the Council for action.

Council Member Bestpitch moved that the matter be tabled to date certain, being Monday, July 6, 2015, at 2:00p.m., in the Council Chamber. The motion was seconded by Council Member Rosen and adopted.

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, June 15, 2015, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the City of Roanoke to consider an ordinance amending the Fee Compendium of the City to establish new fees for legal advertisements for zoning amendments, special exceptions, variances, and appeals to the Board of Zoning Appeals, such news fees having an effective date of July 1, 2015, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, May 26, and Tuesday, June 2, 2015.

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

Vice-Mayor Trinkle stated that inasmuch as the public hearing on the request of the City of Roanoke has been continued by the City Planning Commission until its next regular meeting on Monday, July 13, 2015, at 1:30 p.m., the public hearing scheduled to be heard before the City Council as previously advertised will not be conducted since the Council has no jurisdiction.

BONDS: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, June 15, 2015 at 7:00 p.m., or as soon thereafter as the matter may be heard, on a proposal of the City of Roanoke to authorize issuance of General Obligation Public Improvement Bonds, in the principal amount not to exceed \$27 million to provide funding for various capital projects, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Monday, June 1, 2015, and Monday, June 8, 2015.

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

The City Manager submitted a written report recommending authorization of FY2016 Bond issuance and appropriation of funds for capital projects.

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

Council Member Rosen offered the following resolution:

(#40278-061515) A RESOLUTION authorizing the issuance of not to exceed twenty-seven million dollars (\$27,000,000.00) principal amount of general obligations of the City of Roanoke, Virginia, in the form of General Obligation Public Improvement Bonds of the City, for the purpose of providing funds to pay the costs of the acquisition, construction, reconstruction, improvement, extension, enlargement and equipping of various public improvement projects of and for the city (including related design and architectural and engineering services); fixing the form, denomination and certain other details of such bonds; providing for the sale of such bonds, together with other General Obligation Public Improvement Bonds of the City; authorizing the preparation of a preliminary official statement and an official statement relating to such bonds and the distribution thereof and the execution of a certificate relating to such official statement; authorizing the execution and delivery of a continuing disclosure certificate relating to such bonds; authorizing and providing for the issuance and sale of a like principal amount of General Obligation Public Improvement Bond anticipation notes in anticipation of the issuance and sale of such bonds; delegating to the City Manager and the Director of Finance certain powers with respect to the sale and determination of the details of such bonds and notes; and otherwise providing with respect to the issuance, sale and delivery of such bonds and notes.

(For full text of resolution, see Resolution Book No. 77, page 551.)

Council Member Rosen moved the adoption of Resolution No. 40278-061515. The motion was seconded by Council Member Price.

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

Following comments by Council Member Rosen, Ordinance No. 40278-061515 was adopted by the following vote:

AYES: Council Members Price, Rosen, Bestpitch, Ferris, and Vice-Mayor Trinkle-5.

NAYS: None-0.

(Mayor Bowers and Council Member Lea were absent.)

Council Member Rosen offered the following budget ordinance:

(#40279-061515) AN ORDINANCE to appropriate funding to be provided by the issuance of general obligation Bonds to the Stormwater Improvements, Civic Center Upgrades, City-wide Curb/Gutter/Sidewalk FY16, Passenger Rail Infrastructure, Bridge Renovations, Williamson Road Library Renovations, Melrose Library Renovations, Parks & Rec Master Plan - Phase II, Streetscapes, Round Hill Expansion – Phase III, and PH Stadium Turf Replacement projects, amending and reordaining certain sections of the 2015 - 2016 Stormwater Utility, Civic Facilities, Capital Projects, and School Capital Projects Funds, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 77, page 565.)

Council Member Rosen moved the adoption of Ordinance No. 40279-061515. The motion was seconded by Council Member Price and adopted by the following vote:

AYES: Council Members Price, Rosen, Bestpitch, Ferris, and Vice-Mayor Trinkle-5.

NAYS: None-0.

(Mayor Bowers and Council Member Lea were absent.)

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.

Jason Lambert, 641 Yorkshire Street, Salem, Virginia, appeared before the Council and spoke about raising Virginia's minimum wage to \$15.00 an hour.

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

There being no further business to come before the Council, Vice-Mayor Trinkle declared the Council meeting adjourned at 7:55 p.m.

A P P R O V E D

ATTEST:

Stephanie M. Moon Reynolds, MMC  
City Clerk

David B. Trinkle  
Vice-Mayor

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