

## ROANOKE CITY COUNCIL-REGULAR SESSION

June 15, 2020

2:00 p.m.

The Council of the City of Roanoke met in regular session on Monday, June 15, 2020 at 2:00 p.m., in the Council Chamber, Room 450, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with participation by Members of City Council by electronic communication as permitted and authorized by Virginia Code Section 2.2-3708.0(A)(3), as amended, Ordinance No. 41703-032720; and Resolution No. 41704-032720; with Mayor Sherman P. Lea, Sr., presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended, and pursuant to Resolution No. 41490-070119 adopted by the Council on Monday, July 1, 2019.

PRESENT: Council Members Michelle L. Davis, Djuna L. Osborne, Anita J. Price, Patricia L. White-Boyd, William D. Bestpitch, Joseph L. Cobb and Mayor Sherman P. Lea, Sr.-7.

ABSENT: None-0.

The Mayor declared the existence of a quorum.

OFFICERS PRESENT: Robert S. Cowell, Jr., City Manager; Daniel J. Callaghan, City Attorney; and Cecelia F. McCoy, City Clerk.

The Invocation was delivered by Mayor Sherman P. Lea, Sr.

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

Mayor Lea advised that pursuant to Virginia Code Section 2.2-3708 (A)(3), this regular session of City Council is being conducted by electronic communication means. The COVID-19 pandemic disaster makes it impractical and unsafe for a quorum of City Council to physically assemble in one location during this disaster.

Each Member of Council has accessed through the Zoom meeting platform and can participate in this proceeding. The City has provided the public with information to allow the public access to observe this regular session through live broadcast on RVTV, live streaming on Facebook and posted on YouTube. The City has provided notice of this agenda and process to the public on Thursday, June 11, 2020.

City staff, including the City Manager, City Clerk, City Attorney, and technical staff are present in the Council Chamber and are participating in this regular session.

To facilitate the process today to ensure that all Council Members and the public can follow these proceedings, I ask that whenever a Member speaks, including making a motion, to first state the Member's name then make the motion or second.

PRESENTATIONS AND ACKNOWLEDGEMENTS: NONE.

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that City Council sets this time as a priority for citizens to be heard. All matters would be referred to the City Manager for response, recommendation or report to Council, as he may deem appropriate.

Based upon Executive Order Number Fifty-One, issued by Governor Northam on March 12, 2020, Executive Order Number Fifty-Five, issued by Governor Northam on March 30, 2020, Virginia Code Section 2.2-3708.2(A)(3), Virginia Code Section 15.2-1413, Ordinance No. 41703-032720, and Resolution No. 41704-032720, City Council will be conducting this regular session of City Council by electronic communication means without a quorum of City Council physically present in Council Chamber and without the presence of members of the public in the City Council Chamber.

In order to afford citizens an opportunity to provide comments to City Council during the COVID-19 pandemic disaster, citizens wishing to address the Council during this regular session of City Council conducted by electronic communication means were instructed to sign-up by emailing or by calling the City Clerk's Office at [clerk@roanokeva.gov](mailto:clerk@roanokeva.gov) and (540) 853-2541, by 12:00 p.m., on Monday, June 15.

Those citizens, who have signed up to speak before the Council, have been provided the Zoom meeting information and will be allowed to join the regular session at this Agenda Item 3 and address City Council by electronic communication means.

The City Attorney read a summary of emails received with regard to the Lee monument and the Fiscal Year 2020 - 2021 Budget.

CITY BUDGET: Tatiana Durant, 125 Cambridge Square, Vinton, Virginia, addressed the Council with regard to delaying the vote to adopt the City budget.

CITY BUDGET: Catherine Koebel, 2625 Longview Avenue, S. W., addressed the Council with regard to the adoption of the City budget.

CITY BUDGET: Heather Lawson, 2549 Inglewood Road, S. W., addressed the Council with regard to delaying the vote to adopt the City budget, divesting funding from City Sheriff and Police Department budgets, banning firearms in city and public buildings, accountability of the Police Department in connection with regard to the Black Lives march in downtown on May 30, 2020.

ROANOKE GAS COMPANY: Freeda Cathcart, 2516 Sweetbrier Avenue, S. W., addressed the Council to urge them to contact Roanoke Gas Company to ask them to exit their contract for capacity from the Mountain Valley Pipeline.

## CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion were desired, the item would be removed from the Consent Agenda and considered separately.

ISSUANCE OF GENERAL OBLIGATION BONDS: A communication from the City Manager requesting that Council schedule a public hearing to be held on Monday, July 20, 2020, at 7:00 p.m., or as soon thereafter as the matter may be heard, or such later date and time as the City Manager may determine, on the issuance of General Obligation Bonds not to exceed \$29.320.00 million for qualifying capital improvement projects and bond issuance costs, was before the body.

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

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

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

NAYS: None-0.

STAR CITY STRONG: RESPONSE, RECOVERY, RESILIENCE FRAMEWORK, TASK FORCE: A communication from the City Manager requesting that Council convene in a Closed Meeting by electronic communication means to discuss vacancies on the Star City Strong: Response, Recovery, Resilience Framework, task force, 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 Bestpitch moved that Council concur in the request of the City Manager as abovementioned. The motion seconded by Council Member Osborne and adopted by the following vote:

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

NAYS: None-0.

HOTEL ROANOKE CONFERNECE CENTER COMMISSION: A communication from Paul G. Beers, Counsel, Hotel Roanoke Conference Center Commission, transmitting a resolution expressing appreciation to R. Brian Townsend for his service as a City of Roanoke representative of the Hotel Roanoke Conference Center Commission., was before the body.

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

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

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

NAYS: None-0.

OATHS OF OFFICE-REGIONAL VIRGINIA ALCOHOL SAFETY ACTION PROGRAM POLICY BOARD: Report of qualification for Deputy Chief Eric Charles as the Chief of Police Designee of the Regional Virginia Alcohol Safety Action Program Policy Board for a three-year term of office, commencing July 1, 2020 and ending June 30, 2023, was before the Council.

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

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

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

NAYS: None-0.

## 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:

BJA FY20 CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING: The City Manager submitted a written communication recommending acceptance of the BJA FY20 Coronavirus Emergency Supplemental Funding from the United States Department of Justice to prevent, prepare and respond to the Coronavirus.

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

Council Member Osborne offered the following resolution:

(#41744-061520) A RESOLUTION authorizing acceptance of the Coronavirus Emergency Supplemental Funding (CESF) Grant made to the City of Roanoke Police Department by the United States Department of Justice, Bureau of Justice Assistance Office, and authorizing execution of any required documentation on behalf of the City.

(For full text of resolution, see Resolution Book No. 81, page 67.)

Council Member Osborne moved the adoption of Resolution No. 41744-061520. The motion seconded by Council Member Price.

In response to an inquiry with regard to the matter, the City Manager advised that the grant funding was additional dollars specifically for the purchase of personal protective equipment such as masks and gloves.

There being no additional questions and/or comments, Resolution No. 41744-061520 was adopted by the following vote:

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

NAYS: None-0.

Council Member White-Boyd offered the following budget ordinance:

(#41745-061520) AN ORDINANCE to appropriate funding from the Federal government, Department of Justice, for the Coronavirus Emergency Supplement Funding (CESF) program, amending and reordaining certain sections of the 2019 - 2020 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 81, page 68.)

Council Member White-Boyd moved the adoption of Budget Ordinance No. 41745-061520. The motion seconded by Vice-Mayor Cobb and adopted by the following vote:

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

NAYS: None-0.

FY 2020 – 2021 NATIONAL FISH AND WILDLIFE FOUNDATION NORTH CAROLINA AND VIRGINIA RIVERS AND WATER PROGRAM GRANT FUNDS: The City Manager submitted a written communication recommending acceptance of the FY 2020 – 2021 National Fish and Wildlife Foundation North Carolina and Virginia Rivers and Water Program Grant funds to benefit fish, wildlife, and plant resources and improve water quality and the riparian environment and ecosystem.

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

Council Member Bestpitch offered the following resolution:

(#41746-061520) A RESOLUTION accepting the North Carolina and Virginia Rivers and Water Program Grant made to the City from the National Fish and Wildlife Foundation ("NFWF"), and authorizing execution of any required documentation on behalf of the City.

(For full text of resolution, see Resolution Book No. 81, page 69.)

Council Member Bestpitch moved the adoption of Resolution No. 41746-061520. The motion seconded by Council Member Osborne.

Council Member Bestpitch commented that the City's participation in the program was one more step of many to improve the quality of the water in the rivers and tributaries that feed into the Roanoke River and was indeed progress.

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There being no additional questions and/or comments by the Council Members, Resolution No. 41746-061520 was adopted by the following vote:

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

NAYS: None-0.

Council Member Bestpitch offered the following budget ordinance:

(#41747-061520) AN ORDINANCE to appropriate funding from Stormwater Utility Funds from the NFWF North Carolina and Virginia Rivers and Waters Program Grant to address identified Stormwater PCB Monitoring and tracking efforts on Tinker Creek, Peters Creek and the Roanoke River, amending and reordaining certain sections of the 2019 - 2020 Stormwater Utility Funds, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 81, page 70.)

Council Member Bestpitch moved the adoption of Budget Ordinance No. 41747-061520. The motion seconded by Council Member Osborne and adopted by the following vote:

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

NAYS: None-0.

STORMWATER UTILITY FUND RETAINED EARNINGS: The City Manager submitted a written communication recommending appropriation of Stormwater Utility Fund retained earnings.

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

Council Member Osborne offered the following budget ordinance:

(#41748-061520) AN ORDINANCE to appropriate funding from Stormwater Utility Retained Earnings to supplement operational funds to address identified Stormwater projects and needs, amending and reordaining certain sections of the 2019 - 2020 Stormwater Utility Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 81, page 71.)

Council Member Osborne moved the adoption of Budget Ordinance No. 41748-061520. The motion seconded by Council Member Price and adopted by the following vote:

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

NAYS: None-0.

**STORMWATER LOCAL ASSISTANCE FUNDS:** The City Manager submitted a written communication recommending de-appropriation of Stormwater Local Assistance Funds in connection with the Lick Run Stream Restoration Project at the Roanoke-Blacksburg Regional Airport.

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

Council Member White-Boyd offered the following budget ordinance:

(#41749-061520) AN ORDINANCE to de-appropriate funding from the DEQ SLAF grant funds for the Lick Run Stream restoration project at the Roanoke-Blacksburg Airport, amending and reordaining certain sections of the 2019 - 2020 Stormwater Projects Fund Appropriations; and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 81, page 72.)

Council Member White-Boyd moved the adoption of Budget Ordinance No. 41749-061520. The motion seconded by Council Member Osborne and adopted by the following vote:

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

NAYS: None-0.

**REAL ESTATE TAX EXEMPTIONS:** The City Manager submitted a written communication recommending amendment to the City Code as it pertains to certain real estate tax exemptions for rehabilitating property in the City.

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



Council Member Bestpitch offered the following ordinance:

(#41750-061520) AN ORDINANCE amending and reordaining Division 5. Exemption of Certain Rehabilitated Real Property, Division 5B. Exemption of Certain Rehabilitated or Renovated Commercial Mixed-Use Commercial With No More than 80% Residential , or Industrial Real Property Located in Enterprise Zone One A. Division 5C. Partial Tax Exemption in Redevelopment and Conservation Areas, and Rehabilitation Districts, all of Article II, Real Estate Taxes Generally, of Chapter 32, Taxation of the Code of the City of Roanoke (1979), as amended, which provides for certain real estate tax exemption 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. 81, page 73.)

Council Member Bestpitch moved the adoption of Ordinance No. 41750-061520. The motion seconded by Council Member Davis.

Mayor Lea asked for an explanation with regard to the matter; whereupon, the City Manager advised that it involved clarifying the program to facilitate rehabilitation of structures within the city, noting that previously it referred to the age of a structure, providing a date certain for the construction of the property, adjusting the fee to ensure the costs of managing and possessing, and to make the language more contemporary.

There being no additional questions and/or comments by the Council Members, Ordinance No. 41750-061520 was adopted by the following vote:

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

NAYS: None-0.

CAMPBELL AVENUE STORMWATER IMPROVEMENT PROJECT: The City Manager submitted a written communication recommending acquisition of real property rights in connection with the Campbell Avenue Stormwater Improvement Project.

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

Council Member White-Boyd offered the following ordinance:

(#41751-061520) AN ORDINANCE providing for the acquisition of real property rights needed by the City in connection with the Campbell Ave Stormwater Improvement Project (Project); authorizing City staff to acquire such property rights by negotiation for the City; authorizing the City Manager to execute appropriate acquisition documents; and dispensing with the second reading of this Ordinance by title.

(For full text of ordinance, see Ordinance Book No. 81, page 88.)

Council Member White-Boyd moved the adoption of Ordinance No. 41751-061520. The motion seconded by Vice-Mayor Cobb and adopted by the following vote:

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

NAYS: None-0.

PATTERSON AVENUE AND CHAPMAN AVENUE, S. W., STORMWATER DRAINAGE IMPROVEMENT PROJECT: The City Manager submitted a written communication recommending acquisition of real property rights in connection with the Patterson Avenue and Chapman Avenue, S. W., Stormwater Drainage Improvement Project.

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

Council Member White-Boyd offered the following ordinance:

(#41752-061520) AN ORDINANCE providing for the acquisition of real property rights needed by the City in connection with the Stormwater Drainage Improvement Project – Patterson Avenue, S. W. and Chapman Avenue, S. W. (Project); authorizing City staff to acquire such property rights by negotiation for the City; authorizing the City Manager to execute appropriate acquisition documents; and dispensing with the second reading of this Ordinance by title.

(For full text of ordinance, see Ordinance Book No. 81, page 90.)

Council Member White-Boyd moved the adoption of Ordinance No. 41752-061520. The motion seconded by Vice-Mayor Cobb and adopted by the following vote:

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

NAYS: None-0.

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2015 - 2019 HUD CONSOLIDATED PLAN: The City Manager submitted a written communication recommending amendment to the 2015 - 2019 HUD Consolidated Plan.

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

Council Member Bestpitch offered the following resolution:

(#41753-061520) A RESOLUTION approving an amendment to the City of Roanoke's 2015 – 2019 Consolidated Plan, through its 2019 – 2020 Annual Plan, to reallocate certain unspent Community Block Grant (CDBG) funds and Emergency Solutions Grant (ESG) funds received by the City from the United States Department of Housing and Urban Development (HUD) for the 2019 – 2020 Plan Year due to the COVID-19 disaster; authorizing the City Manager or the City Manager's designee to submit such amendment to HUD for final review and approval; and further authorizing the City Manager to execute all necessary documents required for such amendment.

(For full text of resolution, see Resolution Book No. 81, page 91.)

Council Member Bestpitch moved the adoption of Resolution No. 41753-061520. The motion seconded by Council Member Osborne and adopted by the following vote:

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

NAYS: None-0.

AMENDMENT NO. 1 TO THE FIRST REINSTATED AGREEMENT FOR THE EXCHANGE OF REAL ESTATE BETWEEN THE CITY OF ROANOKE AND RUTHERFOORD PARTNERS, LLC: The City Manager submitted a written communication recommending execution of Amendment No. 1 to the First Reinstated Agreement for the Exchange of Real Estate between the City of Roanoke and Rutherford Partners, LLC, in connection with a new transportation facility.

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

Council Member Price offered the following ordinance:

(#41754-061520) AN ORDINANCE authorizing the City Manager to execute Amendment No. 1 to the First Reinstated Agreement for the Exchange of Real Estate between the City of Roanoke, Virginia ("City) and Rutherford Partners, LLC ("Developer") dated September 17, 2019 ("Agreement") to provide for (i) the sale and transfer of Campbell Court, as described below, from the City to Developer; and (ii) the acquisition of the Future Rail Station Parcels, as described below, by the City from Developer; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 81, page 93.)

Council Member Price moved the adoption of Ordinance No. 41754-061520. The motion seconded by Council Member Davis.

Mayor Lea advised that the public hearing was held on the matter to hear citizen comments on June 1, 2020, which was opened and closed and the public comment period ended on June 12, 2020.

There being no additional comments by the Council Members, Ordinance No. 41754-061520 was adopted by the following vote:

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

NAYS: None-0.

AMENDMENT NO. 1 TO THE FIRST REINSTATED AGREEMENT FOR THE EXCHANGE OF REAL ESTATE BETWEEN THE CITY OF ROANOKE AND GREATER ROANOKE TRANSIT COMPANY: The City Manager submitted a written communication recommending execution of Amendment No. 1 to the First Reinstated Agreement for the Exchange of Real Estate between the City of Roanoke and Greater Roanoke Transit Company, in connection with a new transportation facility.

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

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Council Member Price offered the following ordinance:

(#41755-061520) AN ORDINANCE authorizing the City Manager to execute Amendment No. 1 to the First Reinstated Agreement for the Exchange of Real Estate between the City of Roanoke, Virginia and Greater Roanoke Transit Company dated September 17, 2019 ("Agreement") to provide for (i) the sale and transfer of the GRTC Relocation Parcels, as described below, to Greater Roanoke Transit Company ("GRTC") from the City of Roanoke, Virginia ("City"), and (ii) the acquisition of Campbell Court, as described below, by the City from GRTC; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 81, page 95.)

Council Member Price moved the adoption of Ordinance No. 41755-061520. The motion seconded by Council Member White-Boyd and adopted by the following vote:

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

NAYS: None-0.

CHANGE ORDER NO. 3 TO THE CONTRACT BETWEEN THE CITY OF ROANOKE AND ECOTONE, INC: The City Manager submitted a written communication recommending execution of Change Order No. 3 to the Contract between the City of Roanoke and Ecotone, Inc., for the Washington Park Stream Restoration Project.

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

Council Member Bestpitch offered the following resolution:

(#41756-061520) A RESOLUTION authorizing the City Manager's issuance and execution of an Amendment to the City's Contract with Ecotone, Inc. ("Ecotone") for a Bridge Access Path for the Stream Restoration of the Lick Run Tributary of the Roanoke River that runs through Washington Park; 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 Amendment to the above mentioned Contract, as well as the Contract itself.

(For full text of resolution, see Resolution Book No. 81, page 97.)

Council Member Bestpitch moved the adoption of Resolution No. 41756-061520. The motion seconded by Council Member Osborne and adopted by the following vote:

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

NAYS: None-0.

COMMENTS OF CITY MANAGER: NONE.

MUNICIPAL AUDITOR:

CITY OF ROANOKE GENERAL AUDIT PLAN: John Aldridge, Partner, Brown Edwards, Certified Public Accountants, appeared before the Council and presented the City of Roanoke General Audit Plan.

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

Mr. Aldridge advised that the audit approach would be to meet with management to discuss the audit, unusual accounting problems, audit efficiency suggestions and any new audit considerations or required disclosures. He noted that during the planning process auditors would provide management with information requests, meet with management to address unusual or new accounting/auditing issues up front, identify significant audit areas, make a preliminary evaluation of internal controls, a preliminary assessment of risk, identify key audit areas, and determine levels of materiality.

In closing, he further advised the areas included to be reviewed included CARES funding, CARES funding and related compliance testing, post-employment benefits - (OPEB and Pension), examine and evaluate actuary reports and related disclosures, joint ventures and debt refunding.

There being no questions and/or comments by the Council Members, Mayor Lea thanked Mr. Aldridge for the presentation and received and filed the briefing.

REPORTS OF COMMITTEES:

VARIOUS EDUCATIONAL PROGRAMS: The Roanoke City School Board submitted a written report requesting appropriation of funds for various educational programs; and the City Manager submitted a written report recommending that Council concur in the request.

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

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Council Member Price offered the following budget ordinance:

(#41757-061520) AN ORDINANCE to appropriate funding from the Commonwealth and private grant for various educational programs, amending and reordaining certain sections of the 2019 - 2020 School Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 81, page 98.)

Council Member Price moved the adoption of Budget Ordinance No. 41757-061520. The motion seconded by Council Member Osborne and adopted by the following vote:

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

NAYS: None-0.

UNFINISHED BUSINESS: NONE.

## INTRODUCTION AND CONSIDERATION OR ORDINANCES AND RESOLUTIONS:

RETIREMENT OF ROBERT BRIAN TOWNSEND: Council Member Bestpitch offered the following resolution commending the services rendered to the City of Roanoke by Robert Brian Townsend as Assistant City Manager for Community Development, on the occasion of his retirement:

(#41758-061520) A RESOLUTION recognizing and commending the services rendered to this City by Robert Brian Townsend as its Assistant City Manager for Community Development, and expressing the gratitude and appreciation of the City and its people for his service.

(For full text of resolution, see Resolution Book No. 81, page 99.)

Vice-Mayor Cobb moved the adoption of Resolution No. 41758-061520. The motion seconded by Council Member Bestpitch.

Following comments by the Council, Resolution No. 41758-061520 was adopted by the following vote:

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

NAYS: None-0.

(Council Member Price was absent.)

MOTION AND MISCELLANEOUS BUSINESS:

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

E-BIKES AND DEFUNDING THE POLICE: Council Member White-Boyd apologized to residents of the City for not promptly responding to emails with regard to City matters, and specifically those in reference to e-bikes and defunding the Police. She advised that she agreed to reallocating and redirecting funds, and was ready for real change and action.

ADDRESS SYSTEMIC RACISM AND ROANOKE CITY PUBLIC SCHOOLS: Council Member Price expressed appreciation for the many emails and phone calls received; acknowledged improvements needed to address systemic racism; noted that racism was taught and change begins with the students; and recommended Roanoke City Public Schools and the newly appointed superintendent were included in decisions.

RACISM: Council Member Osborne commented that racism was a learned behavior and how it was taught must be addressed; and advised that City Council was extremely interested in the views of citizens.

AFRICAN AMERICAN COMMUNITY: Council Member Davis apologized to the African American community for systemic racism and not speaking up with regard to discrimination and bias; and recommended reallocation of funds with regard to the City budget.

RECENT TRAGEDIES AND PROTESTS: Vice-Mayor Cobb shared a personal photograph and emphasized the importance of creating relationships with each other; noted that his grief was real in the recent passing of his father, the grief of the Nation in the light of recent tragedies and protests. He advised that it was critical to have honest, open conversations now and suggested the creation of a neighborhood based survey with regard to police, nurses, first responders, etc., to restore trust and redefine what community safety looks like.



**EQUITY AND EMPOWERMENT ADVISORY BOARD:** Council Member Bestpitch stated as the City was responding to the COVID-19 pandemic, people were now responding to the "other" pandemic, racism, and called for a microscopic review of how the City's system worked. He moved that City Council direct the City Attorney to draft an ordinance to establish an Equity and Empowerment Advisory Board as a permanent council-appointed body, consisting of seven citizens of the City of Roanoke and two members of Roanoke City Council with a purpose to review the priorities for Interwoven Equity in City Plan 2040, develop proposed implementation plans for the policies and actions identified for each priority, review all existing City policies and regulations, and recommend to Council changes necessary to rid the institution of policies and procedures that promote inequity and limit empowerment. He further stated that the Board shall develop bylaws, schedule regular meetings monthly, and hold public hearings to receive community input at least quarterly. The motion was seconded by Council Member White-Boyd and unanimously adopted.

**CITY MOVING FORWARD:** Mayor Lea opined that he looked forwarded to moving forward and was encouraged with regard to what the City can do and will do.

**CITY MONUMENTS:** The City Attorney shared the process for removing certain City monuments from public property; specifically, the monument located in Lee Plaza; and advised the process would begin at the July 6 Council meeting, and a Public Hearing would be held on August 17, 2020, with regard to removing the Robert E. Lee monument.

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

**HOTEL ROANOKE CONFERENCE CENTER COMMISSION:** The Mayor called attention to a vacancy created by the resignation of R. Brian Townsend as a City Employee representative to the Hotel Roanoke Conference Center Commission ending April 12, 2021; whereupon, he opened the floor for nominations.

Council Member Bestpitch placed in nomination the name of Robert S. Cowell, Jr.

There being no further nominations, Mr. Cowell was appointed to fill the unexpired term of office of R. Brian Townsend as a City Employee representative to the Hotel Roanoke Conference Center Commission ending April 12, 2021, by the following vote:

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

**HOTEL ROANOKE CONFERENCE CENTER COMMISSION:** The Mayor called attention to a vacancy created by the resignation of R. Brian Townsend as a City representative to the Virginia's First Regional Industrial Facilities Authority ending June 30, 2022; whereupon, he opened the floor for nominations.

Council Member Bestpitch placed in nomination the name of Robert Ledger.

There being no further nominations, Mr. Ledger was appointed to fill the unexpired term of office of R. Brian Townsend as a City representative to the Virginia's First Regional Industrial Facilities Authority ending June 30, 2022, by the following vote:

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

**OTHER BUSINESS:**

Mayor Lea announced that the following items was to be considered by the Council in connection with the City's Recommended FY2020 – 2021 Budget and other related items, effective July 1, 2020:

**BUDGET:** The Director of Finance submitted a written communication to certify funding in accordance with paragraph (a) of Section 25.1 of the Charter of the City of Roanoke, as amended, and Sections 2-235 (e) and (f) Code of the City of Roanoke (1979), as amended, do hereby certify that funds required for the 2020 – 2021 General Fund, , Stormwater Utility Fund, Civic Facilities Fund, Parking Fund, Risk Management Fund, School General Fund, School Food Fund budgets will be available for appropriation.

(See Certification of Funding on file in the City Clerk's Office.)

Without objection, the Mayor advised that the Certification of Funding would be received and filed.

**REAL ESTATE TAX RATE:** The City Manager submitted a written communication recommending adoption and reaffirmation of Real Estate Tax Rate.

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

# 724

Council Member Bestpitch offered the following ordinance:

(#41759-061520) AN ORDINANCE adopting and reaffirming the real property tax rate as set forth in Article II of Chapter 32 of the Code of the City of Roanoke and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book 81, page 101.)

Council Member Bestpitch moved the adoption of Ordinance No. 41759-061520. The motion seconded by Council Member White-Boyd and adopted by the following vote:

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

NAYS: None-0.

ANNUAL GENERAL, STORMWATER UTILITY, CIVIC FACILITIES, PARKING, RISK MANAGEMENT, SCHOOL GENERAL, SCHOOL FOOD SERVICES AND GRANT FUND APPROPRIATIONS: Council Member Price offered the following budget ordinance regarding the adoption of Annual General, Stormwater Utility, Civic Facilities, Parking, Risk Management, School General, School Food Services and Grant Fund appropriations for the fiscal year beginning July 1, 2020 and ending June 30, 2021:

(#41760-061520) AN ORDINANCE adopting the annual General, Stormwater Utility, Civic Facilities, Parking, Risk Management, School General, and School Food Services Appropriations of the City of Roanoke for the fiscal year beginning July 1, 2020, and ending June 30, 2021; and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 81, page 102.)

Council Member Price moved the adoption of Budget Ordinance No. 41760-061520. The motion seconded by Council Member Osborne.

Council Member Davis commented with regard to alternatives to delay a set process, to process funding without a delay in the entire budget and noted that it was important that Council listen to constituents and not dismiss their concerns.

The City Manager advised that the budget was the result of years of work which would have been adopted months ago, but delayed due to the response to COVID-19 and was unsure if the FY 21 budget to be approved would be implemented reason being that the revenues hadn't been received.

Extensive discussion ensued with regard to funding allocated to the police department and what citizens asked the Council to further review; whereupon, Council Member Davis commented that she was not willing to pass the budget, without knowing further discussion would ensue and clear and transparent steps moving forward.

The City Manager responded noting that in accordance with the budget process revenue sources and priorities would be part of the discussion and looking at the reality of revenue cut because of the COVID-19 pandemic from the State and Federal taxes.

Mayor Lea commented that Roanoke City Council was one of the most transparent and open local governing body in the area in terms of hosting briefings at 9:00 a.m. and engaging in the annual strategic planning process beginning in July.

Following additional dialogue with regard to the matter, Budget Ordinance No. 41760-061520 was adopted by the following vote:

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

NAYS: None-0.

**ENDORSEMENT OF THE CAPITAL IMPROVEMENT PROGRAM UPDATE FOR FY 2021 – 2025:** The City Manager submitted a written communication recommending endorsement and concurrence in recommendations for a certain update to the Five-Year Capital Improvements Program for the City of Roanoke for Fiscal Years FY 2021 – 2025.

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

Council Member White-Boyd offered the following resolution:

(#41761-061520) A RESOLUTION endorsing the update to the Capital Improvement Program submitted by the City Manager in the City Council Agenda Report of June 15, 2020.

(For full text of resolution, see Resolution Book No. 81, page 110.)

# 726

Council Member White-Boyd moved the adoption of Resolution No. 41761-061520. The motion seconded by Council Member Osborne and adopted by the following vote:

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

NAYS: None-0.

Council Member Osborne offered the following budget ordinance:

(#41762-061520) AN ORDINANCE to appropriate funding for the FY 2021 - 2025 Update to the Capital Improvement Program, amending and reordaining certain sections of the 2021 General, Capital Projects, and Grant Funds Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 81, page 111.)

Council Member Osborne moved the adoption of Budget Ordinance No. 41762-061520. The motion seconded by Vice-Mayor Cobb and adopted by the following vote:

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

NAYS: None-0.

APPROVAL OF THE 2019 – 2020 HUD ANNUAL PLAN: The City Manager submitted a written communication recommending submission of the approved 2020 - 2024 HUD Consolidated Plan and 2020 - 2021 HUD Annual Plan.

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

Council Member Price offered the following resolution:

(#41763-061520) A RESOLUTION approving the 2020 - 2024 Consolidated Plan (Consolidated Plan) and 2020 - 2021 Annual Plan (Annual Plan); authorizing the City Manager, or the City Manager's designee, to submit the approved Consolidated Plan and 2020 - 2021 Annual Plan to the United States Department of Housing and Urban Development (HUD) for final review and approval; and authorizing the execution of all necessary documents pertaining to such Consolidated Plan and Annual Plan.

(For full text of resolution, see Resolution Book No. 81, page 112.)

Council Member Price moved the adoption of Resolution No. 41763-061520. The motion seconded Council Member Bestpitch by and adopted by the following vote:

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

NAYS: None-0.

PAY PLAN: Council Member White-Boyd offered the following ordinance adopting a Pay Plan for officers, employees, Council-Appointed Officers and Constitutional Officers of the City; and authorization for certain salary adjustments and merit increases and monthly stipends for certain board and commission members, effective July 1, 2020:

(#41764-061520) AN ORDINANCE to adopt and establish a Pay Plan for officers, employees, Council appointed officers and Constitutional Officers of the City effective July 1, 2020; providing for certain salary adjustments; authorizing various annual pay supplements for certain officers and employees; providing for an effective date; and dispensing with the second reading of this Ordinance by title.

(For full text of ordinance, see Ordinance Book 81, page 114.)

Council Member White-Boyd moved the adoption of Ordinance No. 41764-061520. The motion seconded by Council Member Osborne and adopted by the following vote:

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

NAYS: None-0.

At 5:33 p.m., Mayor Lea declared the Council Meeting in recess until 7:00 p.m., for a Closed Meeting through electronic communication means.

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

PRESENT: Council Members Michelle L. Davis, Djuna L. Osborne, Anita J. Price, Patricia L. White-Boyd, William D. Bestpitch, Joseph L. Cobb and Mayor Sherman P. Lea, Sr.-7.

ABSENT: NONE-0.

The Mayor declared the existence of a quorum.

OFFICERS PRESENT: Robert S. Cowell, Jr., City Manager; Daniel J. Callaghan, City Attorney; and Cecelia F. McCoy, City Clerk.

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

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

CERTIFICATION OF CLOSED MEETING: 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 seconded by Council Member Osborne and adopted by the following vote:

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

NAYS: None-0.

PUBLIC HEARINGS:

VACATE, DISCONTINUE AND CLOSE BY BARRICADE: 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, 2020, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of Eric Ferris to vacate, discontinue and close by barricade a portion of an alley between 16<sup>th</sup> Street, N. W., and 17<sup>th</sup> Street, N. W., parallel to Shenandoah Avenue, N. W. and adjacent to properties bearing Official Tax Map Nos. 2212602, 2212603, 2212604, 2212605, 2212606, 2212607, 2212612, 2212614, 2212615, and 2212616, to prevent access from unauthorized individuals, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, May 26, 2020 and Tuesday, June 2, 2020.

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

The City Planning Commission submitted a written report recommending the approval of the closure by barricade as requested, contingent upon the following conditions:

1. The applicant shall notify the erected barricades to add Knox Padlocks that properly allow cross access for emergency responders to add signage at each gate that lists contact information to gain access when needed for the utilities in the alley. The applicant shall install any utility markers as requested by utility providers and allow access to utility providers when requested.
2. The erected barricades and the required modifications are subject to inspection by the City, including the Fire Marshal's Office.
3. The applicant is responsible for all costs associated with such barricade.
4. City Council retains the authority to authorize removal of the barricade.
5. If the above conditions have not been met within a period of 60 days from the date of the adoption of this ordinance, then such ordinance will be null and void with no further action by City Council being necessary, unless extended by the Agent for the Planning Commission for an additional 60 days.

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

Council Member Bestpitch offered the following ordinance:

(#41765-061520) AN ORDINANCE authorizing the alteration and closing by barricade of certain public right-of-way in the City of Roanoke located on 1619 Shenandoah Avenue, N. W., between 16<sup>th</sup> Street and 17<sup>th</sup> Street, as more particularly described hereinafter; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 81, page 121.)

Council Member Bestpitch moved the adoption of Ordinance No. 41765-061520. The motion seconded by Council Member Osborne.



# 730

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

There being no comments and/or questions by the Council Members, Ordinance No. 41765-061520 was adopted by the following vote:

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

NAYS: None-0.

VACATE, DISCONTINUE AND CLOSE AN ALLEY: 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, 2020, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of Leigh P. Huff, Jr., to vacate, discontinue and close an alley between Sylvan Road, S. E., and Ivy Street, S. E., and adjacent to properties at 1320 Ivy Street, S. E., 601 Camilla Street, S. E., and 615 Camilla Street, S. E., bearing Official Tax Map Nos. 4050202, 4041501, and 4041502, respectively, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, May 26, 2020 and Tuesday, June 2, 2020.

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

The City Planning Commission submitted a written report recommending the approval of the vacation of right-of-way as requested, contingent upon the following conditions:

1. The applicant shall submit a subdivision plat to the Agent for the Planning Commission, receive all required approvals of, and record the plat with the Clerk of the Circuit Court for the City of Roanoke. Such plat shall combine all properties which would otherwise dispose of the land within the right-of-way to be vacated in a manner consistent with law, and retain appropriate easements for the installation and maintenance of any and all existing utilities that may be located within the right-of-way, including the right of ingress and egress. Official Tax Map Nos. 4050202 and 4041502 will be combined in such a manner as to create on tax parcel that contains both the accessory structure and the primary structure and the primary structure. (This condition does not preclude future subdivision of the combined parcel that is consistent with the City's development regulations.)

2. Upon meeting all conditions to the granting of the applications, the applicant shall deliver a certified copy of this ordinance for recordation to the Clerk of the Circuit Court of Roanoke, Virginia, indexing the same in the name of the City of Roanoke, Virginia, as Grantor, and in the name of the petitioner, and the names of any other parties in interest who may so request, as Grantees. The applicant shall pay such fees and charges as are required by the Clerk to effect such recordation.
3. Upon recording a certified copy of this ordinance with the Clerk of the Circuit Court of the City of Roanoke, Virginia, the applicant shall file with the Engineer for the City of Roanoke, Virginia, the Clerk's receipt, demonstrating that such recordation has occurred.
4. If the above conditions have not been met within a period of twelve (12) months from the date of the adoption of this ordinance, then such ordinance will be null and void with no further action by City Council being necessary, unless extended by the Agent for the Planning Commission for an additional six (6) months prior to the end of the twelve (12) month period.

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

Council Member Osborne offered the following ordinance:

(#41766-061520) AN ORDINANCE permanently vacating, discontinuing and closing a public right-of-way in the City of Roanoke located between Sylvan Road, S. E., and Ivy Street, S. E., and adjacent to properties located at 1320 Ivy Street, S. E., 601 Camilla Street, S. E., and 615 Camilla Street, S. E., as more particularly described hereinafter; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 81, page 124.)

Council Member Osborne moved the adoption of Ordinance No. 41766-061520. The motion seconded by Council Member White-Boyd.

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

There being no comments and/or questions by the Council Members, Ordinance No. 41766-061520 was adopted by the following vote:

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

NAYS: None-0.

VACATE, DISCONTINUE AND CLOSE AN ALLEY: 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, 2020, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of Mary D. Hylton, Agent, Roanoke Emergency Medical Services, Inc., to vacate, discontinue and close an alley at the rear of property located at 374 Day Avenue, S. W., and 0 Day Avenue, S. W., bearing Official Tax Map Nos. 1020201 and 1020202, respectively, and adjacent to 366 Day Avenue, S. W., bearing Official Tax Map No., the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, May 26, 2020 and Tuesday, June 2, 2020.

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

The City Planning Commission submitted a written report recommending the approval of the vacation of right-of-way as requested, contingent upon the following conditions:

1. The applicant shall submit a subdivision plat to the Agent for the Planning Commission, receive all required approvals of, and record the plat with the Clerk of the Circuit Court for the City of Roanoke. Such plat shall combine all properties which would otherwise dispose of the land within the right-of-way to be vacated in a manner consistent with law, and retain appropriate easements for the installation and maintenance of any and all existing utilities that may be located within the right-of-way, including the right of ingress and egress.
2. Upon meeting all conditions to the granting of the applications, the applicant shall deliver a certified copy of this ordinance for recordation to the Clerk of the Circuit Court of Roanoke, Virginia, indexing the same in the name of the City of Roanoke, Virginia, as Grantor, and in the name of the petitioner, and the names of any other parties in interest who may so request, as Grantees. The applicant shall pay such fees and charges as are required by the Clerk to effect such recordation.
3. Upon recording a certified copy of this ordinance with the Clerk of the Circuit Court of the City of Roanoke, Virginia, the applicant shall file with the Engineer for the City of Roanoke, Virginia, the Clerk's receipt, demonstrating that such recordation has occurred.
4. If the above conditions have not been met within a period of twelve (12) months from the date of the adoption of this ordinance, then such ordinance will be null and void with no further action by City Council being necessary, unless extended by the Agent for the Planning Commission for an additional six (6) months prior to the end of the twelve (12) month period.

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

Council Member Osborne offered the following ordinance:

(#41767-061520) AN ORDINANCE permanently vacating, discontinuing and closing a public right-of-way in the City of Roanoke located at the rear of the property located at 374 Day Avenue, S. W., as more particularly described hereinafter; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 81, page 126.)

Council Member Osborne moved the adoption of Ordinance No. 41767-061520. The motion seconded by Council Member Davis.

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

There being no comments and/or questions by the Council Members, Ordinance No. 41767-061520 was adopted by the following vote:

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

NAYS: None-0.

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, June 15, 2020, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of Valley View Mall SPE, LLC, to rezone property at 4822 Valley View Boulevard, N. W., bearing Official Tax Map No. 2370107, from CLS, Commercial Large Site District, to MXPUD, Mixed Use Planned Unit Development, to allow for subdivision of the property, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, May 26, 2020 and Tuesday, June 2, 2020.

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

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

# 734

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

Council Member White-Boyd offered the following ordinance:

(#41768-061520) AN ORDINANCE rezoning certain property located at 4822 Valley View Boulevard, N. W., from CLS, Commercial-Large Site District, to MXPUD, Mixed Use Planned Unit Development District; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 81, page 129.)

Council Member White-Boyd moved the adoption of Ordinance No. 41768-061520. The motion seconded by Council Member Osborne.

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

There being no comments and/or questions by the Council Members, Ordinance No. 41768-061520 was adopted by the following vote:

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

NAYS: None-0.

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, June 15, 2020, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of Roanoke City Public Schools to amend the Institutional Planned Unit Development Plan and conditions proffered as part of a previous rezoning at 2102 Grandin Road, S. W., bearing Official Tax Map No. 1460101, on August 15, 2016 by the adoption of Ordinance No. 40614-081516; amendments to the Plan include the addition of a fieldhouse with particular landscaping and related access drive, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, May 26, 2020 and Tuesday, June 2, 2020.

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

The City Planning Commission submitted a written report recommending the approval of the rezoning request, finding that the Amended Application No. 2, as amended at the hearing and subsequently submitted as Amended Application No. 3, is consistent with the City's Comprehensive Plan, Greater Raleigh Court Neighborhood Plan, and Zoning Ordinance as the subject property will continue to be developed and used in a manner appropriate to the surrounding area.

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

Council Member Bestpitch offered the following ordinance:

(#41769-061520) AN ORDINANCE amending Ordinance No. 40614-081516, adopted August 15, 2016, to the extent that it placed certain conditions on property located at 2102 Grandin Road S. W., bearing Official Tax Map No. 1460101; and amending the applicable Planned Unit Development Plan pertaining to the aforementioned property; and dispensing with the second reading of this Ordinance by title.

(For full text of ordinance, see Ordinance Book No. 81, page 130.)

Council Member Bestpitch moved the adoption of Ordinance No. 41769-061520. The motion seconded by Council Member Osborne.

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

There being no comments and/or questions by the Council Members, Ordinance No. 41769-061520 was adopted by the following vote:

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

NAYS: None-0.

**REGULATION OF ELECTRIC POWER ASSISTED BICYCLES:** 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, 2020, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a proposal of the City of Roanoke to amend the City Code to implement changes mandated by the General Assembly with regard to the regulation of electric power assisted bicycles within the City, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Monday, June 8, 2020.

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

The City Manager submitted a written report recommending consideration of the regulatory options available, including the proposed ordinance, or other approaches as discussed by the City Attorney to regulate the usage of electric powered-assisted bicycles on the City's Greenways and natural surface trails.

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

Council Member Bestpitch offered the following ordinance:

(#41770-061520) AN ORDINANCE amending and reordaining Section 20-131, Definitions, age of operation, Division 1, Generally, Article VII, Mopeds, Bicycles and Electric Power-Assisted Bicycles, of Chapter 20, Motor Vehicles and Traffic, of the Code of the City of Roanoke (1979), as amended; amending and reordaining Article VII, Mopeds, Bicycles and Electric Power-Assisted Bicycles, of Chapter 20, Motor Vehicles and Traffic, by adding a new Division 5, Electric Power-Assisted Bicycles, Electric Personal Assistive Mobility Devices, Electric Personal Delivery Devices, Electrically Powered Toy Vehicles, And Motorized Skateboards Or Scooter, Article VII, Mopeds, Bicycles and Electric Power-Assisted Bicycles, of Chapter 20, Motor Vehicles and Traffic, of the Code of the City of Roanoke (1979), as amended; and amending and reordaining Section 24-94, Motor vehicle and bicycles to be operated or ridden only on designated roadways or areas, Article IV, Parks, Chapter 24, Public Buildings and Property Generally, of the Code of the City of Roanoke (1979), as amended, in order to implement changes mandated by the General Assembly and to permit all classes of electric power-assisted bicycles on shared-use paths, and natural surface trails within the City and Carvins Cove Natural Reserve; providing for effective dates; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 81, page 132.)

Council Member Bestpitch moved to substitute the proposed ordinance with Alternative Ordinance #1. The motion seconded by Council Member White-Boyd.

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

The City Attorney summarized approximately 70 emails from citizens with regard to the regulation of electric power-assisted bicycles.

Wesley Best, 5516 Coleman Road, Roanoke, Virginia;  
Matthew McKimmy, 2228 Westover Avenue, S. W., Roanoke, Virginia;  
Cole Inman, 213 Lakehurst Avenue, Salem, Virginia;  
Liz Belcher, 1206 Kessler Mill Road, Salem, Virginia;  
Whit Ellerman, 517 Walnut Avenue, S. E., Roanoke, Virginia;  
Stephen Ambruzs, 3656 Winding Way Road, S. W., Roanoke, Virginia;  
David Sterling Hunt, 1911 Arden Road, Roanoke, Virginia;  
Kelsey Harrington, 2227 Windsor Avenue, S. W., Roanoke, Virginia;  
Rob Issem, 3228 Lawndale Road, Roanoke, Virginia;  
Alan Henry, 2302 Rosalind Avenue, S. W., Roanoke, Virginia;  
Ken Potter, 1321 Sylvan Road, S. E., Roanoke, Virginia;  
Josh Nolan, 1631 Sigmon Road, N. W., Roanoke, Virginia;  
Beth Oates, 3656 Winding Way Road, S. W., Roanoke, Virginia;  
Ashley Seaward, 2580 55<sup>th</sup> Street, Suite 20, Boulder, Colorado;  
Harry Freedy, 3816 Sunscape Drive, Apartment 412, Roanoke Virginia;  
Kyle Inman, 2719 Summit Ridge Road, Roanoke, Virginia;  
Michael McEvoy, 2584 Inglewood Road, S.W., Roanoke, Virginia;  
Barbara Leach, 5244 Victoria Street, N. W., Roanoke, Virginia;  
Barbara Duerk, 2607 Rosalind Avenue, S. W., Roanoke, Virginia;  
Jay Gauldin, 501 Riverland Road, S. E., Roanoke, Virginia;  
Ken McLeod, 505 6<sup>th</sup> Street, S. W., Roanoke, Virginia;  
Wayne Wilcox, 479 Deer Run Circle, Salem, Virginia;

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

Following additional dialogue with regard to the matter by the Council Members, Council Bestpitch moved to amend Alternative Ordinance #1 stating that (i) the word "band" in the title paragraph be changed to "permit"; (ii) the word "from" be changed to "on"; and (iii) adding Code of Virginia (1950), as amended, to follow §46.2-904 on page 6. The motion seconded by Council Member White-Boyd and adopted by the following vote:

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

NAYS: None-0.



# 738

Council Member Bestpitch moved the adoption of Ordinance No. 41770-061520, as amended. The motion seconded by Council Member White-Boyd and adopted by the following vote:

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

NAYS: None-0.

NEW BUSINESS:

STAR CITY STRONG TASK FORCE: Council Member White-Boyd offered the following resolution to appoint task force members to review the Star City Strong: Response, Recovery, Resilience Framework, evaluate alternatives and make recommendations to City Council for use of the Star City Strong Recovery Fund to support the recovery, and resilience of the community:

(#41771-061520) A RESOLUTION appointing the members of the Star City Strong Recovery Fund Task Force and establishing an effective date.

(For full text of ordinance, see Ordinance Book No. 81, page 139.)

Council Member White-Boyd moved the adoption of Ordinance No. 41771-061520. The motion seconded by Council Member Price and adopted by the following vote:

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

NAYS: None-0.

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that City Council sets this time as a priority for citizens to be heard. All matters would be referred to the City Manager for response, recommendation or report to Council, as he may deem appropriate.

Based upon Executive Order Number Fifty-One, issued by Governor Northam on March 12, 2020, Executive Order Number Fifty-Five, issued by Governor Northam on March 30, 2020, Virginia Code Section 2.2-3708.2(A)(3), Virginia Code Section 15.2-1413, Ordinance No. 41703-032720, and Resolution No. 41704-032720, City Council will be conducting this regular session of City Council by electronic communication means without a quorum of City Council physically present in Council Chamber and without the presence of members of the public in the City Council Chamber.

In order to afford citizens an opportunity to provide comments to City Council during the COVID-19 pandemic disaster, citizens wishing to address the Council during this regular session of City Council conducted by electronic communication means were instructed to sign-up by emailing or by calling the City Clerk's Office at [clerk@roanokeva.gov](mailto:clerk@roanokeva.gov) and (540) 853-2541, by 12:00 p.m., on Monday, June 15.

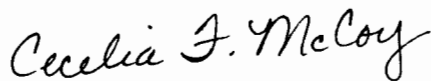
Those citizens, who have signed up to speak before the Council, have been provided the Zoom meeting information and will be allowed to join the regular session at this Agenda Item 3 and address City Council by electronic communication means. City staff will identify each citizen to speak and then that citizen may address City Council.

CITY PERMIT CENTER: Melanie Crovo, 1712 Edgerton Avenue, S. E., addressed the Council with regard to the inaccessibility and unresponsiveness of the City's permit center.

There being no further business to come before the Council, Mayor Lea declared the regular meeting adjourned at 10:04 p.m.

APPROVED

ATTEST:



Cecelia F. McCoy, CMC  
City Clerk



Sherman P. Lea, Sr.  
Mayor

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