

City Council Meeting MINUTES

Monday, January 8, 2024, 6:30 PM

Work Session 6:00 P.M. Council Chambers Conference Room, City Hall, 114
North Broad Street, Salem, Virginia 24153

WORK SESSION

1. Call to Order

A work session of the Council of the City of Salem, Virginia, was held in the Council Chambers Conference Room, City Hall, 114 N. Broad Street, Salem, Virginia, on January 8, 2024, at 6:00 p.m., there being present the following members of said Council to wit: Renée Ferris Turk, Mayor; James W. Wallace, III, Vice- Mayor; Council members: Byron Randolph Foley, William D. Jones, and H. Hunter Holliday; with Renée Ferris Turk, Mayor, presiding together with Chris Dorsey, City Manager; Rob Light, Assistant City Manager and Clerk of Council; Rosemarie B. Jordan, Director of Finance; A. K. Briele, Director of Electric Department; Crystal Williams, Assistant to the City Manager; Laura Lea Harris, Deputy Clerk of Council; and the following business was transacted; Mayor Turk reported that this date, place, and time had been set in order for the Council to hold a work session.

2. New Business

A. Discussion Items

1) Discussion of Citizen Comment Requests

Council discussed the Citizen requests from the October 23 through December 11, 2023, meetings of City Council. Mr. Jones noted that he would be meeting with Mr. Thompson this week in regard to the requests from the October 23 and December 11, 2023, meetings. He will report back to Council once this meeting has been held.

Discussion was held on requests from several residents of North Broad Street who had expressed concern about proposed redevelopment of the Hope Tree property. These were from the November 13, November 27, and December 11 meetings. Mayor Turk noted that all of these citizen comments are being shared with Community Development so that concerns can be looked into and to ensure that the angles being presented are being explored. Mr. Holliday shared that he had met with a citizen and discussion was held about traffic studies. It was felt that there were gaps in the Balzer traffic study that had been done. Hope Tree has requested a continuance to February for this item with the Planning Commission.

The rezoning request must be heard by the Planning Commission prior to coming

before Council for action. Each request from a citizen related to Hope Tree was discussed and Council expressed understanding of the concerns and that they would be kept in mind.

Discussion was held on the requests that Code violations and enforcement be addressed. It was noted that these issues are being looked at through the Comprehensive Plan. Discussion was held about enforcement of Salem City Code for issues of blight, dilapidated structures, junk vehicles, and unsightly buildings/conditions, and a response from Council to Community Development with direction on this. Council requested that a Work Session be scheduled to discuss this in further detail.

Council addressed the request from December 11 that Council engage Roanoke College's Institute for Policy and Opinion Research to review the City's survey used for the Comprehensive Plan and to ascertain what would constitute a more useful and statistically valid survey. It was noted that a consultant had been hired by the City and was being utilized for the development of the Comprehensive Plan.

In response to the request made at the December 11 meeting that consideration be given to allowing for accessory dwelling units, allowing space for separate quarters with bath and kitchen on the same floor for family members or rental, and Airbnb options in areas with consistent walking space to amenities, Council responded that these were items that were being explored during the process of the development of the Comprehensive Plan and that Council would continue to inform Community Development of citizen feedback that is received.

3. Adjournment

There being no further business, Mayor Turk adjourned the meeting at 6:23 p.m.

REGULAR SESSION

1. Call to Order

A regular meeting of the Council of the City of Salem, Virginia, was called to order at 6:30 p.m., there being present the following members to wit: Renée Ferris Turk, Mayor; James W. Wallace, III, Vice-Mayor; Councilmembers: Byron Randolph Foley, William D. Jones, and H. Hunter Holliday; with Renée Ferris Turk, Mayor, presiding together with Chris Dorsey, City Manager; Rob Light, Assistant City Manager and Clerk of Council; Rosemarie B. Jordan, Director of Finance; Chuck Van Allman, Director of Community Development; Mike Stevens, Director of Communications; and Jim Guynn, City Attorney.

2. Pledge of Allegiance
3. Bid Openings, Awards, Recognitions
4. Consent Agenda

A. Citizen Comments

Comments from the public, limited to five minutes, on matters not already having a public hearing at the same meeting.

No citizens were present to speak this evening.

B. Minutes

Consider acceptance of the December 11, 2023, Work Session and Regular Meeting minutes.

The minutes were approved as written.

C. Financial Reports

Consider acceptance of the Statement of Revenues and Expenditures for the five months ending November 2023.

The financial reports were received.

5. Old Business

There was no Old Business this evening.

6. New Business

A. Amendment to the Zoning Ordinance

Hold public hearing and consider adoption of ordinance on first reading for the request of E2ST John, LLC, property owner, for rezoning the property located at 68 St. John Road (Tax Map # 155-2-2.1) from HBD Highway Business District to HM Heavy Manufacturing District. (Advertised in the December 28, 2023, and January 4, 2024, issues of the *Salem Times-Register*.) (Recommend approval; see page 2 of Planning Commission minutes.) **STAFF REPORT**

Mayor Turk opened the public hearing.

Barney Horrell, Brushy Mountain Engineering, addressed Council on behalf of the property owner. He noted that the preliminary site plan included in the Council packet reflected a standard rectangular building that was consistent with the property directly across the street and that there were several buildings in this area that had been through the process of rezoning from Highway Business District (HBD) to

Heavy Manufacturing District (HM) and that this request was consistent with that. He added that the same architect and general contractor would be involved with this.

Mayor Turk closed the public hearing.

William Jones motioned to adopt ordinance on first reading for the request of E2ST John, LLC, property owner, for rezoning the property located at 68 St. John Road (Tax Map # 155-2-2.1) from HBD Highway Business District to HM Heavy Manufacturing District. Randy Foley seconded the motion.

Ayes: Foley, Holliday , Jones, Turk, Wallace

B. Amendment to the Zoning Ordinance

Hold public hearing and consider adoption of ordinance on first reading for the request of Poindexter SW Florida, LLC, property owner, for rezoning the property located at 2105–2121 Apperson Drive (Tax Map # 281-1-2.2) from BCD Business Commerce District to HBD Highway Business District. (Advertised in the December 28, 2023, and January 4, 2024, issues of the *Salem Times - Register*.) (Recommend approval; see page 3 of Planning Commission minutes.) **STAFF REPORT**

Mr. Foley requested Mr. Van Allman to give some information on the location of this request.

Mr. Van Allman explained that this site is out Apperson Drive and is right at the Roanoke City line. This is the building directly behind Wendy's. Currently, there is a consignment shop and a couple of small office use types. Essentially this request, since there is a mix of retail and restaurants in the area, this will allow restaurants basically or other small shops that are allowable under HBD (Highway Business District) zoning. Business Commerce District is restrictive for what is actually going on in that area, and this will allow them to market the building units for more businesses.

Mayor Turk opened the public hearing.

Ben Crew, Balzer and Associates, 1208 Corporate Circle, representing J.C. and Martha Poindexter, property owners, shared that they were requesting to update the zoning to be more appropriate for this specific building to enable some uses and keep the momentum going that is moving forward in that center currently.

Mr. Foley noted that the Planning Commission minutes noted there was nothing specific planned currently and asked if this was still true or if there was a specific

business in mind for this property.

Mr. Crew responded that multiple folks had approached the owners such as sub shops or restaurants that were not allowable through BCD zoning, but that there is not currently a specific business in mind. This would allow them to move forward with some of those more active uses in this center.

Mayor Turk closed the public hearing.

Randy Foley motioned to adopt ordinance on first reading for the request of Poindexter SW Florida, LLC, property owner, for rezoning the property located at 2105– 2121 Apperson Drive (Tax Map # 281-1-2.2) from BCD Business Commerce District to HBD Highway Business District. William Jones seconded the motion.

Ayes: Foley, Holliday , Jones, Turk, Wallace

C. Update Special Regulatory Tax Rate on Electric Utility Bills

Consider request to update Special Regulatory Tax Rate on Electric Utility Bills. **Audit - Finance Committee**

The Code of Virginia mandates a special regulatory tax on electric bills per code Section 58.1-2900 (A) (1-5). The General Assembly updated the special regulatory tax component of the electric utility consumption tax calculation.

James Wallace motioned to update the Special Regulatory Tax effective February 1, 2024, and to amend the book of rates to reflect the required tax of: \$0.000195 for consumption between 1 and 2,500 Kilowatt Hours; \$0.00013 for consumption between 2,501 and 50,000 Kilowatt Hours; and \$0.000091 for consumption of 50,001 or more Kilowatt Hours. William Jones seconded the motion.

Ayes: Foley, Holliday , Jones, Turk, Wallace

D. Approval of Electric Rates

Consider adoption of Resolution 1461 amending the Electric Rate Tariffs. **Audit - Finance Committee**

The cost of electricity purchased by the City from American Electric Power (AEP) is significantly higher this fiscal year than AEP projected. As a result, the City needs to adjust the power cost adjustment (PCA) on electric bills to account for the additional cost of electricity purchased from AEP.

Mr. Foley shared for the benefit of the public that Council had held extensive

discussions with Mr. Briele, Director of Electric Department. If Salem is going to continue to maintain their own Electric Department, this is necessary.

Mayor Turk remarked on the constant increase over the past two or three years in transmission and other rates. She shared that even though Salem owns its own Electric Company, the power has to be purchased to be able to provide the electricity for the citizens. It is critical to meet the cost that the City is having to pay.

James Wallace motioned to adopt resolution 1461 amending the power cost adjustment in the electric rate tariffs to \$0.033126 per kilowatt hour (KWH) effective February 1, 2024. William Jones seconded the motion.

Ayes: Foley, Holliday , Jones, Turk, Wallace

E. Quick Lube Oil Change

Consider setting bond for erosion and sediment control and landscaping and physical improvements for Quick Lube Oil Change. **Audit - Finance Committee**

Mr. Wallace noted for the benefit of the public that this was referring to the piece of land where the old Sonic fast-food restaurant used to be beside American National Bank and the old Fast Freddy's.

The Community Development office has reviewed the estimate for erosion and sediment control, landscaping, and physical improvements for Quick Lube Oil Change located at 830 West Main Street.

James Wallace motioned to bond the project in the amount of \$386,295.00 with a time frame for completion set at twelve (12) months. William Jones seconded the motion.

Ayes: Foley, Holliday , Jones, Turk, Wallace

F. St. John Road Common Development Plan

Consider setting bond for erosion and sediment control and landscaping for St. John Road Common Development Plan. **Audit - Finance Committee**

Vice-Mayor Wallace noted that this item is related to the earlier discussion in the public hearing for the property on St. John Road near the old General Electric building.

The City Engineer's office has reviewed the estimate for erosion and sediment control and landscaping for St. John Road Common Development Plan located at

71 St. John Road, 105 St. John Road, and 416 Electric Road.

James Wallace motioned to bond the project in the amount of \$24,963.00 with a time frame for completion set at twelve (12) months. William Jones seconded the motion.

Ayes: Foley, Holliday , Jones, Turk, Wallace

G. Boards and Commissions

Consider appointments to various boards and commissions.

Randy Foley motioned to reappoint Dr. Forest Jones for a three-year term ending December 31, 2026, and endorse reappointing Helen Ferguson as an at-large member for a three-year term ending December 31, 2026, to the Blue Ridge Behavioral Healthcare Board. Also, to reappoint H. Robert Light for a four-year term ending December 14, 2027, to the Roanoke Valley Broadband Authority. H Hunter Holliday seconded the motion.

Ayes: Foley, Holliday , Jones, Turk, Wallace

7. Adjournment

Mr. Foley took a moment to recognize the passing of G. Michael Pace, Jr. this afternoon and to express his condolences. He noted that Mr. Pace was an integral part of this community as was his father, who served on City Council for years. He shared that Mr. Pace was the founder of the Rule of Law Project and was recognized by the Virginia Bar Association for that, represented numerous organizations in front of City Council as an attorney, was a managing partner for Gentry Locke Attorneys in Roanoke for years, and finally served as Counsel for Roanoke College. He was a true friend and a great gentleman. He expressed his condolences to his wife, Nancy, and his daughters, Maggi and Cate. He noted that his influence and impact will not be forgotten.

Mr. Wallace acknowledged that today was Mr. Dorsey's first day on the job and Council welcomed him as City Manager.

Mr. Jones announced that he would not be seeking reelection on City Council at the end of his term in November of this year. he noted that he had agreed to do four terms when originally elected and that he had served four terms and that he believed in term limits. He recognized former City Council member Lisa Garst in the audience and thanked her for her service on Council. He shared that it was time for him to spend more time with his family and grandchildren. He commented on the sacrifices that family members of Council members made. He shared how the City has gone from having two weeks of reserve funds to having nine months of reserves

during his time on Council due to tough decisions that were made as a body. He also spoke of a brand-new South Salem School and remodeled Salem High School and that he was proud to be part of those accomplishments as well as part of this community. He commented that anyone has the opportunity to be a part of Council, that the decisions are not made lightly without a lot of study put into them, and that often the decisions were not popular. He noted that the responsibility was to do what was in the best interest of the whole City. Councilman Jones encouraged those that are not elected to certain boards or to Council to come back and try again if they were not elected the first time. He noted that this community is great because of people that had decided to give up part of their life to make this place better. He said that Council makes decisions based on the information that they have and what is best for the community. He expressed appreciation to those that had elected him and to those that he has served with. He said that he wanted to announce this now so that anyone that was interested would have the opportunity to do research and make sure this was something that they wanted to do.

The meeting was adjourned at 6:50 p.m.