

City Council Meeting MINUTES

Monday, March 11, 2024, 6:30 PM

Work Session 5:30 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 March 11, 2024, at 5:30 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; Crystal Williams, Assistant to the City Manager; Laura Lea Harris, Deputy Clerk of Council; John Shaner, Director of Parks and Recreation; John Hull, Executive Director of the Roanoke Regional Partnership; and Pete Eshelman, Senior Director of Creative Strategies; 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; and

2. New Business

A. Discussion Items

- 1) Annual Presentation - John Hull, Executive Director of the Roanoke Regional Partnership
- 2) Roanoke Regional Skatepark update
- 3) Discussion of Citizen Comment Requests

John Hull, Executive Director with the Roanoke Regional Partnership, noted that Pete Eshelman, Senior Director of Creative Strategies, was with him this evening. He presented an overview of the Roanoke Regional Partnership's projects and accomplishments during 2023. His presentation was followed by questions from Council, which were responded to by Mr. Hull and Mr. Eshelman.

John Shaner, Director of Parks & Recreation, shared information on a proposed

Memorandum of Understanding between Roanoke City, Salem, and Vinton that had been offered for consideration for a Roanoke Regional Skatepark. Construction on this would begin this fall and be complete by next summer. This agreement would require a one-time contribution and there would be no expenses required for upkeep or further costs. Vice-Mayor Wallace requested that Mr. Stevens write up a publication to share information on this proposal for the citizens on the City's website.

Mayor Turk presented requests that had been made by citizens during the Public Comment period of Council meetings from January through February. Mr. Jones shared that he had met with Mr. Thompson in reference to his request from the December 11, 2023, meeting. He requested that City Manager Dorsey and Mr. Van Allman meet with Mr. Thompson and review his information to see if anything should be done.

In response to a request from the January 22 meeting related to the Comprehensive Plan and Zoning Code, it was noted that Council would be meeting on Wednesday, March 13, to hold a Work Session with Community Development and that these items would be discussed to hear suggestions and to define what Council would like to see implemented. Vice-Mayor Wallace noted that he would like to see some action taken on the request to adopt architectural standards for development and redevelopment.

City Manager Dorsey stated that staff had responded to citizen request from the January 22, 2024, meeting for information related to the relationship between Roanoke College and the use of City of Salem sports facilities. Figures and items that had been requested have been provided. Work was currently being done to provide additional clarification on some of the items requested. Discussion was held on this item and questions by Council were responded to by staff.

Another request from January 22 expressed a desire to see Council explore updating the Code to allow for alternative styles of housing where appropriate. It was noted that this was being discussed and that the City's Zoning Code would be followed.

In response to a request from the February 12, 2024, meeting related to the posing of the annual proposed tax rates, it was noted that this information is posted according to City Code in the legal advertisement. Vice-Mayor Wallace asked if any tax relief could be offered to citizens. Mr. Light responded that the budget was still in the process of being developed and it was not possible to say at this point in the process.

An update was provided on another February 12 request in reference to the repair of a storm drain at the corner of Mulberry and Palmer. It was noted that the part has

been ordered. Mr. Light stated that he has followed up with Mr. Sutphin, Director of Streets and Maintenance, and that a temporary structure was currently in place and would be taken care of in the next week. Mayor Turk also noted that she had met with Mr. Gladden and that staff had not been directed to take any pictures at his property.

Four citizens spoke at the February 26, 2024, meeting of Council in relation to the proposed Hope Tree rezoning request. It was noted by Council that this request relates to private property. Mr. Foley suggested that information be shared communicating that the City would not be purchasing this property. Mayor Turk noted that Council was not close at this point to making a decision on this request. Planning Commission has not made a decision at this point, and Council cannot make a decision until the request has passed through the Planning Commission with a recommendation. It was felt that traffic would increase, regardless of what is done at this property. It was also noted that it is the responsibility of the developer to find alternative solutions and that sufficient information is not available at this point for Council to make a decision.

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 Mark Popovich, on behalf of City Attorney, Jim Guynn.

2. Pledge of Allegiance

3. Bid Openings, Awards, Recognitions

There were none this evening.

4. Consent Agenda

Mayor Turk noted that Council would be making a change to the agenda this

evening. The information for the Hope Tree item has not yet been through the Planning Commission, and the Planning Commission has to take action prior to Council discussing the item. She stated that Council will hold a public hearing and this public hearing will be advertised so that the citizens will be informed of this.

Councilman Foley added that this public hearing will take place at the Civic Center as a large number of citizens are anticipated. He added that legally Council had to continue this item. Since the Planning Commission has not made a recommendation at this point, Council cannot hear the item yet. He suggested that item 6B be cancelled this evening because legally a date for the public hearing must be set if the item is continued.

The citizens were assured that they would have the opportunity to be heard.

City Manager confirmed Council's action.

Randy Foley motioned to cancel item 6B for Hope Tree until it has progressed through the Planning Commission and then readvertise and publish a public hearing date for this item. William Jones seconded the motion.

Ayes: Foley, Holliday, Jones, Turk, Wallace

Mayor Turk reiterated that Hope Tree item 6B was cancelled so that a continuing date did not need to be stated and that the public would be notified through legal advertisement.

Mr. Foley emphasized that the public hearing would only be held after the Planning Commission has voted and made a recommendation.

A. Citizen Comments

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

Mayor Turk noted that this citizen comment period was for citizens to speak to Council on a topic that did not have a public hearing at the same meeting.

Mr. Foley stressed for clarification that citizens will not be able to speak on a Hope Tree topic the night that the public hearing is held.

Mayor Turk added that they would be able to speak on Hope Tree during the public hearing but not during citizen comment period on the night that the public hearing is held.

Judy Minahan, 125 Ferrum Drive, was the first citizen to address Council. She expressed concern about rising real estate tax bills. She requested that Council consider a 40 to 60 percent reduction in the tax bill for residents 75 years and older who have lived in Salem for a minimum of 20 years. She asked that they consider levying a tax on seniors proportionate to the services that are utilized by seniors.

Caroline Scarborough Bain, 721 Academy Street, stated that she was opposed to the PUD development proposal for the Hope Tree property. She expressed concern for the flora and wildlife and expressed the desire to see rescue work before the work begins. She also voiced environmental and traffic concerns. She requested that City Council not vote on this rezoning until a more sensible plan had been presented. She felt that accurate traffic studies needed to be done and that the developers needed to speak to the importance of sustainable building materials and practices and plan for safe indoor air quality in all residential spaces.

Emily Paine Carter, 335 N. Broad Street, expressed concerns about potential Hope Tree rezoning and impact on quality of life in the neighborhood. She spoke of the history of the neighborhood. Mrs. Paine Carter also expressed concerns related to traffic, and environmental impact.

Barbara Bell, 523 E. Burwell Street, noted that she was a resident of North Broad Street for 47 years. She expressed concern for the future of the status of North Broad Street on the Registry of National and State Historic Places with the potential increase of residences on the Hope Tree property. She also spoke of concern for the 24 residents of Hope Tree with mental and physical disabilities and the impact that his proposed development could have on them.

Carl Hart, 720 Mount Vernon Avenue, expressed concerns about speed and traffic related to the proposed Hope Tree development. He questioned the ability of tractor trailer trucks to deliver goods to any businesses that would be in the planned PUD, the difficulty of developing such a community on the existing terrain, and the ability of residents to hook up electric vehicles for recharging in such a neighborhood. Mr. Hart also expressed concern about water drainage.

B. Minutes

Consider acceptance of the February 21, 2024, Special Meeting/Joint Work Session with the Planning Commission and the February 26, 2024, Regular Meeting minutes.

The minutes were approved as written.

5. Old Business

There was no old business this evening.

6. New Business

A. **Taxicabs**

Hold public hearing in accordance with Section 98-94 of THE CODE OF THE CITY OF SALEM, VIRGINIA, and consider issuance of Certificates of Public Convenience and Necessity for the next twelve (12) months, beginning April 1, 2024. Date set for public hearing at February 12, 2024, meeting. (Advertised in the February 29, 2024, issue of the *Salem Times-Register*.)

Mr. Light noted that the City had received two applications for Certificates of Public Convenience. These are from B. Early Cab Service and Reid Taxi, both of which hold existing certificates.

Mayor Turk opened the public hearing.

No one came forward to speak.

Mayor Turk closed the public hearing.

Randy Foley motioned to award Certificates of Public Convenience and Necessity for the next twelve (12) months, beginning April 1, 2024, to B. Early Cab Service, LLC, and Daniel Stephen Reid, trading as Reid Taxi. William Jones seconded the motion.

Ayes: Foley, Holliday , Jones, Turk, Wallace

B. **Amendment to the Zoning Ordinance**

Continue the public hearing and consideration of request of Virginia Baptist Children's Home (dba HopeTree Family Services), property owner, for rezoning the properties located at 1000 block Red Ln and a portion of 860 Mount Vernon Lane (Tax Map #'s 41-1-1, 41-1-2, 41-1-3, 41-1-4, 41-1-5, 41-1-6, and a portion of 44-3-10) from RSF Residential Single Family to PUD Planned Unit District. (Continued from the January 22, 2024, meeting.)

Mayor Turk noted that this item had been cancelled at the beginning of the meeting. She reiterated that Council would be holding a public hearing when this item does come back up and that this would be advertised.

C. **Signature Authority and Budgetary Commitment Resolution for VDOT**

Consider the adoption of Resolution 1462 authorizing the City Manager to be signatory authority for the City of Salem for project agreements for locally administered projects with the Virginia Department of Transportation.

Mr. Dorsey explained that every four years VDOT comes to the governmental

entities requesting a continuation or another authorization specifying who is authorized to sign documentation. In this case, this document is for the City of Salem to authorize the City Manager position to be authorized to sign documentation with VDOT.

William Jones motioned to adopt Resolution 1462 authorizing the City Manager to be signatory authority for the City of Salem for project agreements for locally administered projects with the Virginia Department of Transportation. Randy Foley seconded the motion.

Ayes: Foley, Holliday , Jones, Turk, Wallace

D. Olde Salem Days 2024

Consider adoption of Resolution 1463 closing Main Street on Saturday, September 14, 2024.

Mr. Foley asked Barney Horrell if we had checked for conflicts with this date with Virginia Tech, JMU, and UVA games.

Barney Horrell, 3555 Carvins Cove Road, responded to Mr. Foley's question. He responded that he had not checked the schedule for football games, but he did note that he had met with the Street Department last week because this year street improvements will be occurring between Market and Thompson Memorial. The location of the car show and the eastern end of events have historically been placed may look different this year because of this work.

Mr. Foley asked if additional streets needed to be closed.

Mr. Horrell responded that they were not requesting any at this time. Mr. Sutphin, Director of Streets and Maintenance had assured him that the sidewalks would be graveled back or something so that they would be usable. Discussion with the City Engineering Department will be ongoing to determine how construction will interfere with the placement of the crafters. They will have all of these details worked out. At this time, they are just requesting closure of the streets that are historically requested.

Mayor Turk asked if a request could be done at a later date if it is determined that more space is needed.

Mr. Horrell responded affirmatively. He explained that in the past, most of the crafters were kept on Main Street and some of the side streets that had been requested were not utilized. One thing the committee will be exploring is placing some of the crafters down the side streets if the additional space is needed. This

will be decided based on how many crafters request a space,

Mr. Jones asked if there was a deadline for proposing this information to VDOT.

Mr. Horrell answered that the main concern of VDOT is Main Street.

Mr. Light clarified that VDOT was concerned with Main Street, Route 460/Route 11, and that other side streets could be closed administratively by the City Manager.

Mr. Horrell stated that they would go ahead and request the entire Main Street in case they are able to use it, and if they needed to spill out onto side streets they would do so.

Mr. Dorsey confirmed that Virginia Tech is away that weekend.

William Jones motioned to adopt Resolution 1463 requesting the Virginia Department of Transportation (VDOT) approve City Council's request for the temporary closure of Main Street on September 14, 2024, for the Olde Salem Days event. H Hunter Holliday seconded the motion.

Ayes: Foley, Holliday , Jones, Turk, Wallace

E. Appropriation of Funds

Consider request to amend the School Operating Fund, School Grants Fund and School Cafeteria Fund budgets as approved by the School Board on February 13, 2024. **Audit - Finance Committee**

Vice-Mayor Wallace noticed that this is a housekeeping item for the School Division's budget.

James Wallace motioned to approve the School Board's appropriation changes of \$65,000 to the School Operating Fund, \$417,325 to the School Grants Fund, and \$137,000 to the School Cafeteria Fund, as approved by the School Board at their February 13, 2024, meeting. William Jones seconded the motion.

Ayes: Foley, Holliday , Jones, Turk, Wallace

F. Appropriation of Funds

Consider request to appropriate Virginia Fire Programs funding. **Audit - Finance Committee**

Each year, the City receives funding from the Virginia Fire Programs Fund, which

must be spent in accordance with state guidelines. When the budget was adopted in fiscal year 2024, an estimate of Fire Program funding was included. The actual amount received is \$12,428 more than budgeted and needs to be appropriated.

James Wallace motioned to appropriate \$12,428 in Fire Program Grant revenue to Fire Program Grant account and to increase the budget for Fire Programs Grant expenditure account by \$12,428 for the purposes stated above. William Jones seconded the motion.

Ayes: Foley, Holliday , Jones, Turk, Wallace

G. **Appropriation of Funds**

Consider request to reappropriate Four-for-Life funds. **Audit - Finance Committee**

Each year, the City receives funding from the Virginia Department of Health for the Four-for-Life program, which must be spent in accordance with state guidelines. If funds are not spent in the fiscal year received, localities can carry over these funds. The Salem Rescue Squad has accumulated Four-for-Life funds from previous fiscal years and would like to utilize \$54,914 of the carryover balance to purchase training equipment.

Mr. Foley asked to clarify that the amount was \$54,914 for the record.

This was confirmed by Vice-Mayor Wallace.

James Wallace motioned to appropriate \$54,914 from fund balance to Four for Life expenditure account for the purchase of training equipment. William Jones seconded the motion.

Ayes: Foley, Holliday , Jones, Turk, Wallace

H. **Appropriation of Funds**

Consider request to appropriate Transportation Alternatives federal funding for Hanging Rock Battlefield Trail Phase 2. **Audit - Finance Committee**

The City of Salem completed construction on the second phase of the Hanging Rock Battlefield Trail in summer 2023, which added a walkway connecting the existing Hanging Rock Battlefield Trail to East Main Street along Kesler Mill Road. Additional Transportation Alternatives federal funding of \$187,631 was

received after the project began and results in lowering the amount of local funding necessary by \$151,637.

James Wallace motioned to appropriate additional funding of \$187,631 to the Capital Projects Fund revenue account, Federal Grants – Capital Projects, and to the Capital Projects Fund expenditure account, Hanging Rock Battlefield Phase 2. Also, to transfer \$151,637 in local funding from expenditure account, Hanging Rock Battlefield Phase 2 to Capital Projects Local Reserve account. William Jones seconded the motion.

Ayes: Foley, Holliday , Jones, Turk, Wallace

I. **Old Virginia Brick Site Demolition**

Consider setting bond for erosion and sediment control for Old Virginia Brick Site Demolition. **Audit - Finance Committee**

Vice-Mayor Wallace noted for the benefit of the public that there was nothing new going on at this location. He explained that there is demolition of some old buildings, and they were distributing some dirt and did not have the necessary permits to do that. This is to rectify that situation.

The City Engineer's office has reviewed the estimate for erosion and sediment control for Old Virginia Brick Site Demolition located at 2500 West Main Street.

Mr. Foley asked Mr. Van Allman since this was after the fact, what would occur if something had been harmed from erosion?

Mr. Van Allman responded that they would have had to clean up whatever issues had been caused and that they would have had to come into full compliance with the permit and there are fines and fees for doing any land-disturbing activity without a plan. There could be additional fees levied by the State as well/

Mr. Foley asked to confirm that at this time there were no fines and that this was just being done retroactively.

Mr. Van Allman confirmed this information. He noted that the Community Development went out to the site and discovered this, notified them, did a site assessment to determine that no erosion left the site. No damage outside of the site was done. They will make sure that they get up to compliance.

Mayor Turk noted for the record that this was private property owned by someone not willing to sell this or discuss this option.

James Wallace motioned to bond the project in the amount of \$16,205.00 with a time frame for completion set at twelve (12) months. William Jones seconded the motion.

Ayes: Foley, Holliday , Jones, Turk, Wallace

J. Boards and Commissions

Consider appointments to various boards and commissions.

Randy Foley motioned to appoint Steve Poff for the remainder of the current five-year term of John R. Hildebrand as a regular member ending January 1, 2026, to the Board of Appeals (USBC Building Code) and to reappoint Janie Whitlow to the Fair Housing Board for a three-year term ending April 9, 2027. H Hunter Holliday seconded the motion.

Ayes: Foley, Holliday , Jones, Turk, Wallace

7. Adjournment

Mr. Foley noted for the record that he felt compelled to clarify that the City will not be purchasing the Hope Tree property and that this was not an option. The choice will be between RSF Residential Single-Family zoning or the PUD Planned Unit Development.

The meeting was adjourned at 7:17 p.m.