

UNAPPROVED MINUTES  
CITY COUNCIL WORK SESSION  
November 25, 2019

A work session of the Council of the City of Salem, Virginia, was held at the Salem Street and General Maintenance Department, 1228 Indiana Street, Salem, Virginia, on November 25, 2019, at 6:00 p.m., there being present the following members of said Council, to wit: Byron Randolph Foley, Jane W. Johnson, William D. Jones, James A. Martin, and John E. Saunders (absent); with Byron Randolph Foley, Mayor, presiding; together with James E. Taliaferro, II, Interim City Manager and Clerk of Council; Rosemarie B. Jordan, Director of Finance; Judy Hough, Deputy City Clerk; Mike Tyler, Director of Street and General Maintenance; and Todd Sutphin, Assistant Director of Street and General Maintenance; and the following business was transacted:

Mayor Foley reported that this date, place, and time had been set in order for the Council to hold a work session; and

WHEREAS, Mike Tyler along with Todd Sutphin, Tim Martin, and Brad Jordan gave Council a presentation and update on equipment needs for the department and also a short tour of the garage; and

WHEREAS, Mr. Taliaferro gave Council information related to a proposed ordinance on scooters in the City; and

WHEREAS, there were no other topics for discussion.

There being no further business to come before the Council, the work session was adjourned at 7:05 p.m.

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Mayor

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Clerk of Council

**City Council Meeting  
MINUTES**

**Monday, November 25, 2019, 7:30 PM**

Community Room, Salem Civic Center, 1001 Boulevard, Salem, Virginia 24153

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**1. Call to Order**

A regular meeting of the Council of the City of Salem, Virginia, was called to order at 7:30 p.m., there being present the following members to wit: Byron Randolph Foley, Mayor, Jane W. Johnson, Vice-Mayor, Council members: William D. Jones, James A. Martin, and John E. Saunders (absent); with Byron Randolph Foley, Mayor, presiding; together with James E. Taliaferro, II, Interim City Manager and Clerk of Council; Rosemarie B. Jordan, Director of Finance; Mike Stevens, Communications Director; Charles E. VanAllman, Jr., Community Development Director; Judy L. Hough, Deputy City Clerk; and Stephen M. Yost, City Attorney.

Mayor Foley recognized new Salem Police Officers Jonathan Detzler, Dominic Taylor, Richard Beard, Joshua Kingery and Seth Sheppard, who were in attendance and thanked them for their service to the City. He also recognized Senior Police Officers Hernandez and Vernon who were with them.

**2. Pledge of Allegiance**

**3. Consent Agenda**

**A. Minutes**

Consider the acceptance of the minutes from the November 12, 2019, work session and regular meeting.

Accepted as presented

**4. Old Business**

**A. Amendment to the Zoning Ordinance**

Consider ordinance on first reading for rezoning the properties of R. Fralin Companies, Inc., contract purchaser, located at 211 Diamond Road (Tax Map # 272-2-1) and 135 Diamond Road (Tax Map # 273-2-1) from AG - Agriculture District / RSF - Residential Single Family District to RSF Residential Single Family District with amended proffered conditions. (Continued from the October 28, 2019, meeting. Advertised in the October 10 and 17, 2019, issues of the Salem Times Register. Certified letters were mailed on November 14, 2019. Planning Commission recommended approval (3-2 Vote))

Mayor Foley noted Items 4A Amendment to the Zoning Ordinance and 4B Special Exception Permit for the Cluster Housing Overlay were continued from the October 28, 2019, meeting.

Mr. Taliaferro noted that City staff is still working on developing some solutions to the issues that were raised at the October meeting. Staff requests that Council consider continuing these two requests until January 27, 2020, at the Salem Civic Center.

William Jones motioned to continue to the January 27, 2020, meeting the requests of R. Fralin Companies, Inc., contract purchaser, for rezoning the properties located at 211 Diamond Road (Tax Map #272-2-1) and 135 Diamond Road (Tax Map #273-2-1) from AG Agricultural District/RSF Residential Single Family District to RSF Residential Single Family District and for the issuance of a Special Exception Permit to allow Cluster Housing Overlay on the property located at 211 Diamond Road (Tax Map #272-2-1) with amended proffered conditions. Jane Johnson seconded the motion.

Ayes: Foley, Johnson, Jones, Martin

Absent: Saunders

**B. Special Exception Permit**

Consider the request of R. Fralin Companies, Inc., contract purchaser, for the issuance of a Special Exception Permit to allow Cluster Housing Overlay with amended proffered conditions on the property located at 211 Diamond Road (Tax Map # 272-2-1). (Continued from the October 28, 2019 meeting. Advertised in the October 10 and 17, 2019, issues of the Salem Times Register. Certified letters were mailed on November 14, 2019. Planning Commission recommended approval (4-1 Vote))

**5. New Business**

**A. Special Exception Permit**

Hold public hearing to consider the request of R. L. Lucas Construction Inc., contractor, and Richard H. Macher, property owner, for the issuance of a Special Exception Permit to allow a new 1,707 square foot detached garage on the property located at 1900 South Clearing Road (Tax Map #277-1-4) (Advertised in the November 7 and 14, 2019, issues of the Salem Times Register. Recommend approval; see Page 1 Planning Commission minutes). **STAFF REPORT**

Mayor Foley stated notice of such hearing had been published in the November 7 and 14, 2019, issues of the Salem Times Register, and the Planning Commission had

recommended approval of the Special Exception Permit request.

Staff noted the following regarding the request: the subject property consists of a single parcel approximately 4.755 acres, located to the west of the cul-de-sac of Ridgewood Drive. The property is occupied by the 14,288 square foot "Ridgewood Farm" manor house, which contains an additional separate apartment. The applicant is requesting a Special Exception Permit to allow the construction of a garage over 1,000 square feet. The garage would be located in the northeast corner of the rear yard. The proposed three-bay garage would have a footprint of 1,040 square feet on the ground floor and 518 square feet on the second floor. The original plans submitted showed an apartment in the second story of the garage. As dwelling units are not allowed in accessory structures, the applicant amended the plans to show only storage space.

Mr. VanAllman noted this property is commonly known as the "Ridgewood Farm Manor House", and it is approximately 4.7 acres. The actual footprint of the proposed garage will be 1,040 square feet, which is 40 square feet above the allowed square footage. The total square footage will be 1,558 square feet, 1,040 on the bottom level and 518 square feet on the upper level that will only be used for storage.

Mayor Foley noted that Richard Macher, property owner, and Mr. Lucas with R. L. Lucas Construction Inc, contractor, were in the audience. Mayor Foley opened the public hearing and asked if anyone would like to speak regarding this request. There was no response, and the public hearing was closed.

William Jones motioned to approve the request of R. L. Lucas Construction Inc., contractor, and Richard H. Macher, property owner, for the issuance of a Special Exception Permit to allow a new 1,558 square foot detached garage on the property located at 1900 South Clearing Road (Tax Map #277-1-4). James Martin seconded the motion.

Ayes: Foley, Johnson, Jones, Martin

Absent: Saunders

#### **B. Salem Municipal Golf Course**

Consider renewing the lease for Salem Municipal Golf Course for 2019.

The Clerk of Council noted that the City has received a request from Charles Johnston for leasing the golf course for 2020. The proposal is to use the same lease that Mr. Yost prepared in the 1970s or 80s. The City renews the lease every year. He further noted that he would be glad to answer any questions.

Jane Johnson motioned to renew the lease for 2020 for the Salem Municipal Golf Course and to authorize the City Manager to execute the lease. James Martin seconded the motion.

Ayes: Foley, Johnson, Jones, Martin

Absent: Saunders

**C. Abstract of Votes**

Receive the Abstract of Votes cast at the November 5, 2019, General and Special Elections.

The Abstract of Votes was accepted as presented.

Absent: Saunders

**D. Appropriation of Funds**

Consider request to accept and appropriate grant funds received from U.S. Department of Homeland Security. **Audit - Finance Committee**

Mr. Jones noted the Audit Finance Committee met this evening to discuss this request. The City has been awarded \$127,273 in Assistance to Firefighters grant funding from the U.S. Department of Homeland Security. A local match of \$12,727 is required and is available in General Fund Contingency. Funds will be used to purchase diesel exhaust capture systems at each Fire Station. The Committee reviewed the request and recommends accepting and appropriating the \$127,273 in grant revenue and to appropriate the \$12,727 local match to be used to purchase diesel exhaust capture systems for each Fire Station.

William Jones motioned to accept and appropriate the grant funds received from the U.S. Department of Homeland Security. James Martin seconded the motion.

Ayes: Foley, Johnson, Jones, Martin

Absent: Saunders

**6. Closed Session**

**7. Adjournment**

Mayor Foley noted that Mr. Taliaferro would like to discuss adding an additional item to the agenda.

Mr. Taliaferro asked if Council would consider adding consideration of an ordinance related to scooters in the City. Mayor Foley noted that scooters are



coming, and Council just recently learned that we have to enact an ordinance by January 1st or we will have to accept what the General Assembly puts into place.

Mr. Yost discussed the proposed ordinance which would amend the City Code pertaining to dockless mobility operations and shared mobility systems. He noted there is section of the Virginia code which allows localities to regulate, license, and permit the operation of motorized skateboards or scooters, bicycles, or electric powered-assisted bicycles. As the Mayor has stated, in order to regulate them the ordinance has to be in effect by January 1, 2020, thus the reason for bringing before Council tonight so we can have the second reading at the December meeting. If we do not enact this ordinance by January 1, then we cannot regulate, permit or license any of these entities. Further, this is a situation where we cannot under Virginia prohibit these activities, but we can regulate them as far as how they will work, where in the City they can be used, and so forth. He further discussed the proposed ordinance, permitting, etc.

Vice Mayor Johnson asked if these can be treated like we currently treat taxicabs where they have to come back and renew their permit every year. Mr. Yost noted that he has not seen this and is not sure. There is a permit process in the beginning where we will have to get a lot of information including the operator's insurance information. He furthered noted that he could look into this. There was further discussion regarding insurance requirements, etc.

Mr. Jones asked if we could also require helmets for them, and Mr. Yost noted that we can only require what we do for bicycles. Mr. Jones noted that if we require for this then we would have to change the bicycle ordinance, is that correct? Mr. Yost noted that we are limited by what we can require with regards to helmets for bicycles. He believes that we can only require helmets for age 14 and under.

There was further discussion regarding the proposed dockless mobility operations and shared mobility systems. Mr. Taliaferro noted to clarify the version of the ordinance before Council this evening, the ordinance before Council is an amended version which has a couple of corrections that were pointed out by Mr. VanAllman.

Jane Johnson motioned to adopt an ordinance on first reading amending Chapter 86 Traffic and Vehicles, Article XII Dockless Mobility Operations; Shared Mobility Systems, Sections 86-480 through 86-484 of The Code of The City of Salem, Virginia, pertaining to dockless mobility operations and shared mobility systems (\*amended version). James Martin seconded the motion.

Ayes: Foley, Johnson, Jones, Martin  
Absent: Saunders

The meeting was adjourned at 7:48 p.m.