

**City Council Meeting
MINUTES**

Monday, August 9, 2021, 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. Roll Call

A work session of the Council of the City of Salem, Virginia, was held in the Council Chambers Conference Room, 114, North Broad Street, Salem, Virginia, on August 9, 2021, at 6:00 p.m., there being present the following members of said Council, to wit: Renée Ferris Turk, James W. Wallace, III, Byron Randolph Foley, John Saunders (absent), and William D. Jones; with Renée Ferris Turk, Mayor, presiding; together with 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; and Jim Guynn, City Attorney 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

Marijuana Legislation

WHEREAS, Mr. Guynn shared details about the Cannabis Control Act legislation adopted by the General Assembly. He discussed regulations. He explained the option available for localities to hold a referendum that would provide the choice to disallow future retail establishments. He noted that the State will establish controls that dictate the number of such retail operations. He advised that localities have the ability to impact potential locations to the extent allowed through options within the City's Zoning Ordinance. Researching and evaluating such options was recommended as the first step. Mr. Guynn also spoke on the potential effect of decriminalization on the City's Human Resources policies; and

3. Adjournment

There being no further business to come before the Council, the work session was adjourned at 6:30 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 John Saunders (absent); with Renée Ferris Turk, Mayor, presiding together with Rob Light, Assistant City Manager and Clerk of Council; Rosemarie B. Jordan, Director of Finance; Chuck Van Allman, Director of Community Development; Mike Stevens, Communications Director; and Jim Guynn, City Attorney.

2. Pledge of Allegiance

3. Bid Openings, Awards, Recognitions

There were none.

4. Consent Agenda

A. Citizen Comments

Comments from the public, limited to five minutes, on matters not already having a public hearing component that same meeting. The following have signed up to speak at this meeting:
1) Angela Lieb, 420 Valleydale Avenue

Angela Lieb, property owner of rental property at 420 Valleydale Avenue, appeared before Council. She expressed concern about flooding and property damage caused by work done by a company installing internet in the City.

B. Minutes

Consider acceptance of the minutes for the July 26, 2021 Work Session and Regular Meeting minutes.

The July 26, 2021 Work Session and Regular Meeting minutes were approved as written.

5. Old Business

A. **Amendment to the Zoning Ordinance**

Consider ordinance on second reading for rezoning the property of the Salem Historical Society, property owner, located at 1936 West Main Street (Tax Map # 138-2-7) from CBD Community Business District with proffered conditions to CBD Community Business District without conditions. (Approved on first reading at the July 26, 2021 meeting).

William Jones motioned to approve ordinance on second reading rezoning the property of the Salem Historical Society, property owner, located at 1936 West Main Street (Tax Map # 138-2-7) from CBD Community Business District with proffered conditions to CBD Community Business District without conditions. Randy Foley seconded the motion.

Ayes: Foley, Jones, Turk, Wallace

Absent: Saunders

B. **Amendment to the Zoning Ordinance**

Consider ordinance on second reading for rezoning the property of Property Catalyst Group, Inc., applicant, and Layman Candy Company, Inc., property owner, located at 1637 East Main Street (Tax Map #77-3-13) from LM Light Manufacturing with proffered conditions, to HBD Highway Business District with removal of the preexisting proffered conditions, and adding new proffered conditions offered by the owner and applicant. (Approved on first reading at the July 26, 2021 meeting.)

William Jones motioned to approve ordinance on second reading rezoning the property of Property Catalyst Group, Inc., applicant, and Layman Candy Company, Inc., property owner, located at 1637 East Main Street (Tax Map #77-3-13) from LM Light Manufacturing with proffered conditions, to HBD Highway Business District with removal of the preexisting proffered conditions, and adding new proffered conditions offered by the owner and applicant. Randy Foley seconded the motion.

Ayes: Foley, Jones, Turk, Wallace

Absent: Saunders

C. **Amendment to the Zoning Ordinance**

Consider ordinance on second reading for rezoning the property of Property Catalyst Group, Inc., applicant, and Layman Candy Company, Inc., property owner, located at 23 Dalewood Avenue (Tax Map #77-3-12) from HBD Highway Business District with proffered conditions, to HBD Highway Business District with removal of the preexisting proffered conditions and adding new proffered conditions offered by the owner and applicant. (Approved on first reading at July 26, 2021 meeting).

William Jones motioned to approve ordinance on second reading rezoning the property of Property Catalyst Group, Inc., applicant, and Layman Candy Company, Inc., property owner, located at 23 Dalewood Avenue (Tax Map #77-3-12) from HBD Highway Business District with proffered conditions, to HBD Highway Business District with removal of the preexisting proffered conditions and adding new proffered conditions offered by the owner and applicant. Randy Foley seconded the motion.

Ayes: Foley, Jones, Turk, Wallace

Absent: Saunders

6. **New Business**

A. **Fiscal Agent Agreements**

Consider approval of the fiscal agent agreements with Court-Community Corrections and Cardinal Criminal Justice Academy. **Audit - Finance Committee**

The City serves as fiscal agent for the Court-Community Corrections Program, Regional Alcohol Safety Action Program Board, and Cardinal Criminal Justice Academy. Each of these agencies reimburses the City for out-of-pocket expenses and a portion of salaries and fringe benefits for City Staff.

James Wallace motioned to authorize the proper City officials to execute the above contracts authorizing the City to continue to act as fiscal agent for these agencies for fiscal year 2021-2022. Randy Foley seconded the motion.

Ayes: Foley, Jones, Turk, Wallace

Absent: Saunders

B. **Appropriation of Funds**

Consider request to re-appropriate funding for Sewer vehicle. **Audit - Finance Committee**

Vice-Mayor Wallace stated that in fiscal year 2021, \$40,000 was included in the Sewer fund adopted budget to purchase a ¾ ton crew truck. Due to supply issues in the auto industry, the vehicle was not able to be purchased in fiscal year 2021.

James Wallace motioned to re-appropriate \$40,000 to purchase Sewer vehicle in Fiscal Year 2022. William Jones seconded the motion.

Ayes: Foley, Jones, Turk, Wallace

Absent: Saunders

C. **Performance Contract - Blue Ridge Behavioral Healthcare**

Consider approval of the fiscal year 2022 performance contract with Blue Ridge Behavioral Healthcare. **Audit - Finance Committee**

The City of Salem participates with Blue Ridge Behavioral Healthcare in providing Mental Health, Developmental and Substance Abuse Disorder Services to the citizens of Salem and the Roanoke Region. Each year, Blue Ridge Behavioral Healthcare enters into a "Performance Contract" with the Commonwealth of Virginia for these services. The Code of Virginia requires the local governing body to be given the option to review and concur in the contract. For fiscal year 2021-22, Salem will contribute \$155,104 to Blue Ridge Behavioral Healthcare.

James Wallace motioned to approve the Fiscal Year 2021-2022 Community Services Performance Contract as submitted. William Jones seconded the motion.

Ayes: Foley, Jones, Turk, Wallace

Absent: Saunders

D. **Opioid Abatement Resolution**

Adopt Resolution 1405 authorizing and approving the City Manager and the City Attorney to execute the Virginia Abatement Fund Settlement Allocation Memorandum of Understanding.

Mr. Guynn gave an explanation of the Resolution and the allocation of the Settlement proceeds. He stated that seventy percent of the funds will go to the State for the Opioid Abatement Authority and we will have access to funds based on a grant basis for programs; fifteen percent will be divided among localities in Virginia; and fifteen percent goes to the State. The Memorandum of Understanding basically recites the above and lets us know what comes next as far as making the applications.

Randy Foley motioned to adopt Resolution 1405 authorizing and approving the City Manager and the City Attorney to execute the Virginia Abatement Fund Settlement Allocation Memorandum of Understanding. William Jones seconded the motion.

Ayes: Foley, Jones, Turk, Wallace

Absent: Saunders

E. **Boards and Commissions**

Consider appointments to various boards and commissions.

Randy Foley motioned to recommend Steve Belanger for Circuit Court appointment as alternate member to fill the unexpired term of Channing Mason for the remainder of a five-year term ending November 13, 2023 to the Board of Zoning Appeals and recommend appointing Cole Keister for a three-year term ending August 9, 2024 to the Fair Housing Board. William Jones seconded the motion.

Ayes: Foley, Jones, Turk, Wallace

Absent: Saunders

Mayor Turk mentioned available vacancies on Boards and encouraged citizens to check the website and apply for any positions they are interested in.

Mr. Foley requested clarification from Mr. Guynn on whether there were restrictions on serving on more than one board. Mr. Guynn stated that he would need specific information in order to be able to respond.

7. **Adjournment**

The meeting was adjourned at 6:51 p.m.