

City Council Meeting MINUTES

Monday, March 25, 2024, 6:30 PM

Work Session 6:00 P.M. Council Chambers Conference Room,

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 25, 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 (absent); 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; and 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; and

2. New Business

A. Discussion Items

FY25 Budget Development Update and Discussion

City Manager Dorsey presented an update with highlights of the City of Salem Fiscal Year 2025 budget. Specific priorities were noted for various departments. Discussion was held and questions were asked as these items were shared.

Mayor Turk requested that consideration be given to the use of funding for the enhancement to the entrance corridors and it was recommended that staff check into potential grant opportunities.

3. Adjournment

There being no further business, Mayor Turk adjourned the meeting at 6:31 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 (absent); 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; Clark Ruhland, Communications Specialist; and Jim Guynn, City Attorney.

2. Pledge of Allegiance

3. Bid Openings, Awards, Recognitions

There were none this evening.

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.

Russell Deyerle, 620 Red Lane, voiced opposition to the proposed Planned Use Development (PUD) rezoning of the Hope Tree property. Mr. Deyerle provided a copy of his comments for Council and for the public record. He expressed concerns related to traffic and safety. He also voiced concern about the lack of communication from Hope Tree with the surrounding neighborhoods as they felt they were not informed or invited to meetings held by Hope Tree. Mr. Deyerle noted that he felt the Balzer Traffic study was limited and did not adequately reflect the size and density of the proposed development. Other comments noted were that the proposal would offer competition for the downtown historic Main Street businesses and that it did not follow Salem's Comprehensive Plan. He suggested alternatives for consideration. Mr. Deyerle requested that Salem leaders vote against the rezoning at this time and delay any decision until the Comprehensive Plan revision process is complete.

John Breen, 142 Bogey Lane, expressed concern about issues of blight in Salem, listing several examples. He also addressed issues with the provisions of the Salem Zoning Code and Code enforcement. Mr. Breen expressed concerns with Non-conforming Use situations and the use of Special Exception permits. Council was requested to: 1) Request that during 2024 the City Manager have nonconforming properties identified and an abatement/monitoring plan developed; 2) Request the

City Manager to enforce Salem Code 18-41 that when a structure's use of occupancy is changed, a building inspection occurs; 3) Create within 60 days a Council authorized committee to completely review Salem's Zoning Code and make recommendations; and 4) In 2024 fund an additional zoning enforcement position.

B. Minutes

Consider acceptance of the March 11, 2024, Work Session and Regular Meeting and the March 13, 2024, Special Meeting Work Session minutes.

The minutes were approved as written.

C. Financial Reports

Consider acceptance of the Statement of Revenues and Expenditures for the eight months ending February 2024.

The Financial Reports were received.

5. Old Business

A. Amendment to the City Code - Chapter 106 Zoning

Hold the public hearing and consider amending Chapter 106, Zoning, Article IV Development Standards, section 106-406 miscellaneous provisions of the CODE OF THE CITY OF SALEM, VIRGINIA pertaining to storage containers. (Continued from the November 27, 2023, meeting.) (Planning Commission continued this item until the June 12, 2024, meeting; see page 3 of Planning Commission minutes.) **Staff recommends Council cancel this item with readvertisement and scheduling at a future meeting once a recommendation is received from the Planning Commission.**

Mayor Turk noted that the Planning Commission has postponed this item so that they are able to get more information. Currently, Community Development has Virginia Tech students researching and compiling information. Council needs a recommendation from the Planning Commission prior to looking at this item. The Planning Commission has continued this item to their June meeting. Once a recommendation is received from the Planning Commission, Council will reexamine and address this item at a future Council meeting.

Randy Foley motioned to cancel the public hearing and first reading of an Ordinance for the consideration of amending Chapter 106, Zoning, Article IV Development Standards, section 106-406 miscellaneous provisions of the CODE OF THE CITY OF SALEM, VIRGINIA pertaining to storage containers. Once the Planning

Commission makes a recommendation, the public hearing and consideration will be scheduled for the appropriate Council meeting date and the public hearing will be readvertised. William Jones seconded the motion.

Ayes: Foley, Jones, Turk, Wallace

Absent: Holliday

6. New Business

A. Amendment to the Zoning Ordinance

Hold public hearing and consider the request of E3MAG LLC, property owner, for rezoning the property located at 744 Electric Road (Tax Map # 155 - 2 - 2.2) from HBD Highway Business District to HM Heavy Manufacturing District. (Advertised in the March 14, and 21, issues of the *Salem Times-Register*.) (Planning Commission recommended approval; see page 7 of Planning Commission minutes.) **STAFF REPORT**

Mayor Turk opened the public hearing.

Stella Reinhard, 213 N. Broad Street, requested more information on this rezoning request. She noted that she had been following this item as it went through the Planning Commission. She expressed that Electric Road is one of the main artery roads through Salem and she had concerns about this rezoning as she thought there were other things that could be done there to make that area special close to the greenway and creek. She stated that she was not aware of all of the details on this particular item; however, she wanted to caution that Salem keeps a vision for these main visible areas of the City.

Mr. Van Allman shared information from Barney Horrell. He explained that this is the fifth and final rezoning request that has been brought before Council requesting rezoning from Highway Business District (HBD) back to Heavy Manufacturing District, (HM). The reason for this request is that that property is very conducive to that type of storage and industrial use. He further explained that this type of requirement also has a much-reduced footprint from traffic compared to any HBD commercial retail use. He also noted that this was the site of GE for many years. The conversion from HBD back to HM brings this property back to what it was originally intended to do without the traffic draw. This will be in line with the other four properties that have been rezoned in this manner and will be in compliance with the other four and they will all be the same use and have the same traffic pattern.

Mayor Turk noted that the ballfields are still located where they had always been.

Mr. Van Allman confirmed this and added that this is being utilized as Mr. Wiley

intended when he originally developed the property after sitting down with Community Development and looking at how the ballfields and flood plain could be utilized for extracurricular activities. This is the reason that we have the greenway, which GE graciously donated the land for as well as the soccer fields up over the ballfields. He felt that this was a good use of the property for both extracurricular activities for the citizens as well as Heavy Manufacturing. He further clarified that this is not really a heavy usage but more of a storage occupation type.

Mayor Turk closed the public hearing.

Randy Foley motioned to adopt ordinance on first reading for the request of E3MAG, LLC, property owner, for rezoning the property located at 744 Electric Road (Tax Map # 155-2-2.2) from HBD Highway Business District to HM Heavy Manufacturing District. William Jones seconded the motion.

Ayes: Foley, Jones, Turk, Wallace

Absent: Holliday

B. Amendment to the Zoning Ordinance

Hold public hearing and consider the request of Pinkesh R. Patel and Sonal P. Patel, property owners, for rezoning the property located at 1200 block Thompson Memorial Drive (Tax Map # 20 - 2 - 4) from RSF Residential Single-Family District to HBD Highway Business District. (Advertised in the March 14, and 21, issues of the *Salem Times-Register*.) (At the petitioner's request Planning Commission continued this item to the April 10, 2024, meeting; see page 8 of Planning Commission minutes.) **STAFF REPORT**
Staff recommends Council cancel this item with readvertisement and scheduling at a future meeting once a recommendation is received from the Planning Commission.

Mayor Turk clarified that this item will be readvertised and will be considered by Council once they have received a recommendation from the Planning Commission and are able to review their discussion and the information that is received from them.

Mr. Foley noted for the benefit of the public that this is a parcel or property located at Exit 140 as you go up Penguin Lane, between Penguin Lane and the North ramp at Thompson Memorial. He added that the Planning Commission would revisit this item and then it will come before Council.

Mr. Dorsey stated that staff is exploring separating advertisements on these items from Planning Commission for the future. Historically, these items are coming to Council the meeting directly following the Planning Commission meeting at which

they are heard. Rather than having them on the agenda for Council and then having to cancel while waiting on the Planning Commission to make their recommendation, they are looking at backing up the Council meeting for those items one extra meeting so that there is plenty of time to find out what the Planning Commission does first and have time to advertise for the item to come to Council at the proper time. This will help the citizens to plan for meeting attendance.

Mayor Turk noted that she felt this would make things more efficient and would also allow Council to digest the recommendation from the Planning Commission and to ask questions of staff as well.

Mr. Light added that this would be effective with the items on the May Planning Commission agenda.

Mr. Wallace commented that he thought this was a great idea.

William Jones motioned to cancel the public hearing and first reading of an Ordinance for the request of Pinkesh R. Patel and Sonal P. Patel, property owners, for rezoning the property located at 1200 Blk Thompson Memorial Drive (Tax Map # 20-2-4) from RSF Residential Single Family to HBD Highway Business District. Once the Planning Commission makes a recommendation, the public hearing and consideration will be scheduled for the appropriate Council meeting date and the public hearing will be readvertised. Randy Foley seconded the motion.

Ayes: Foley, Jones, Turk, Wallace

Absent: Holliday

C. Roanoke Regional Skatepark - Memorandum of Understanding

Consider authorizing the City Manger to finalize and execute a Memorandum of Understanding (MOU) with Roanoke City for participation and contribution in a regional skate park.

Mayor Turk noted that this would be located at Wasena Park, not under the bridge, but in another area of the park. She added that what will be put in this area is much more than the City of Salem could ever afford to do for its citizens. This would be a regional cooperation to provide a place for the young people to go.

Mr. Foley added that this is a one-time contribution from the City of Salem to help fund the park but then Roanoke City would maintain the park.

Mr. Light confirmed that and also shared that this would include a pump track for bicycles.

Mr. Foley continued that although he knew citizens would be disappointed at having to travel to the park it would be a better facility for citizens of the Valley.

Mayor Turk commented that this would be much more expansive and possibly even a place for competitions down the road with all of the jumps and additions that would be included

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Randy Foley motioned to authorize the City Manager to finalize and execute a Memorandum of Understanding (MOU) with Roanoke City for participation and contribution in a regional skate park. William Jones seconded the motion.

Ayes: Foley, Jones, Turk, Wallace

Absent: Holliday

D. Adoption of Policy - Capital Reserve

Consider request to adopt the Capital Reserve Policy.

Ms. Jordan noted that the Finance staff had put together a Capital Reserve Policy for Council to consider this evening. This policy promotes good financial management, defines boundaries, supports bond ratings, and is a recommended best practice by the Government Finance Officers Association (GFOA). This resource is frequently turned to in financial policy development. The Finance Department has drafted a Capital Reserve Policy which sets out boundaries of how much of the City's reserves should be set aside for funding the capital projects that are too large to fit within the Operating Budget and too small to require a debt issuance or a bank borrowing. They are putting forth a Capital Reserve Policy that will allow the City to do this and set aside funds. This will be the first year for this; therefore, there will be an initial transference of funds into this Capital Reserve Fund. Staff has plans, if approved by City Council, for limited Capital items in the Fiscal Year 2025 budget that they hope to come out of these funds. Next year will be a much smaller deposit, but there are constraints on when money will be deposited as well as what happens when there is no excess money. This still allows the City to keep very healthy reserves set aside, making sure that there are six months of reserves of expenditures set aside. This money will be available to help with all of the deferred asset purchases and infrastructure improvements that the City has seen over the years. This will help the City to start paying for some of those from a different source.

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Randy Foley motioned to adopt Capital Reserve Policy as presented. William Jones seconded the motion.

Ayes: Foley, Jones, Turk, Wallace

Absent: Holliday

E. Abstract of Votes

Receive the Abstract of Votes cast at the Presidential Primary held on March 5, 2024.

Mayor Turk noted that every year when there is an election, and a Presidential Primary was held on March 5, 2024, the Registrar presents the Abstract of Votes to Council. No action was required. The Abstract of Votes was received by Council.

7. Adjournment

Mr. Foley congratulated Mark Byington, a fellow Salem citizen, for being named head basketball coach at Vanderbilt. He congratulated his parents, Dale and Trula, as well.

Mr. Jones also noted that the Salem High School Forensics team won their 18th consecutive State Championship. This broke the VHSL record for the most championships in a row in the state of Virginia.

The meeting was adjourned at 7:02 p.m.