



City Council Meeting
AGENDA
Monday, August 23, 2021, 6:30 PM

Work Session 5:45 P.M. Council Chambers, City Hall, 114 North Broad Street, Salem, Virginia 24153

Regular Session 6:30 P. M. Council Chambers, City Hall, 114 North Broad Street, Salem, Virginia 24153

WORK SESSION

1. Call to Order
 - A. **Roll Call**
2. New Business
 - A. **Discussion Items**
 - 1) Business and Home Occupation Licensing Fees
 - 2) Review and Discuss Public Comment Rules for Council Meetings (continuation of July 26, 2021 work session discussion)
3. Adjournment

REGULAR SESSION

1. Call to Order
2. Pledge of Allegiance
3. Bid Openings, Awards, Recognitions
4. Consent Agenda
 - A. **Minutes**

Consider acceptance of the minutes for the August 9, 2021 Work Session and Regular Meeting minutes.
 - B. **Financial Report**

Consider the acceptance of the Statement of Revenues and Expenditures for the one month ending July 2021.

5. Old Business
6. New Business

A. **Amendment to the Zoning Ordinance**

Hold public hearing and consider ordinance on first reading for rezoning a portion of the property of Layman Candy Company, Inc., contract purchasers, and Lewis-Gale Medical Center, LLC, property owner, located at 2105 Apperson Drive (Tax Map # 281-1-2) from BCD Business Commerce District to LM Light Manufacturing District. (As advertised in the August 5 and 12, 2021 issues of the *Salem Times-Register*). Planning Commission recommends approval; see page 7 of Planning Commission minutes). **STAFF REPORT**

B. **Amendment to the Zoning Ordinance**

Hold public hearing and consider ordinance on first reading for rezoning a portion of the property of Roanoke College Trustees, property owner, located at 232 North Broad Street (Tax Map # 87-7-7), from CUD College and University District to RSF Residential Single-Family District. (As advertised in the August 5 and 12, 2021 issues of the *Salem Times-Register*). Planning Commission recommends approval; see page 8 of Planning Commission minutes). **STAFF REPORT**

C. **Salem City School Board**

Consider setting date for public hearing in accordance with Section 22.1-29.1 of the Code of Virginia 1950, as amended, regarding the expiration of terms for Nancy Bradley and Teresa Sizemore-Hernandez. (Suggest date of September 13, 2021).

D. **Adjustment to Purchasing Limits**

Consider adoption of Resolution 1406 updating the small purchases limits. - **SUPPLEMENTAL ITEM**

7. Adjournment

Audit-Finance Committee Meeting is cancelled.

**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:
Regular Session 6:30 P.M. Council Chambers, 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**

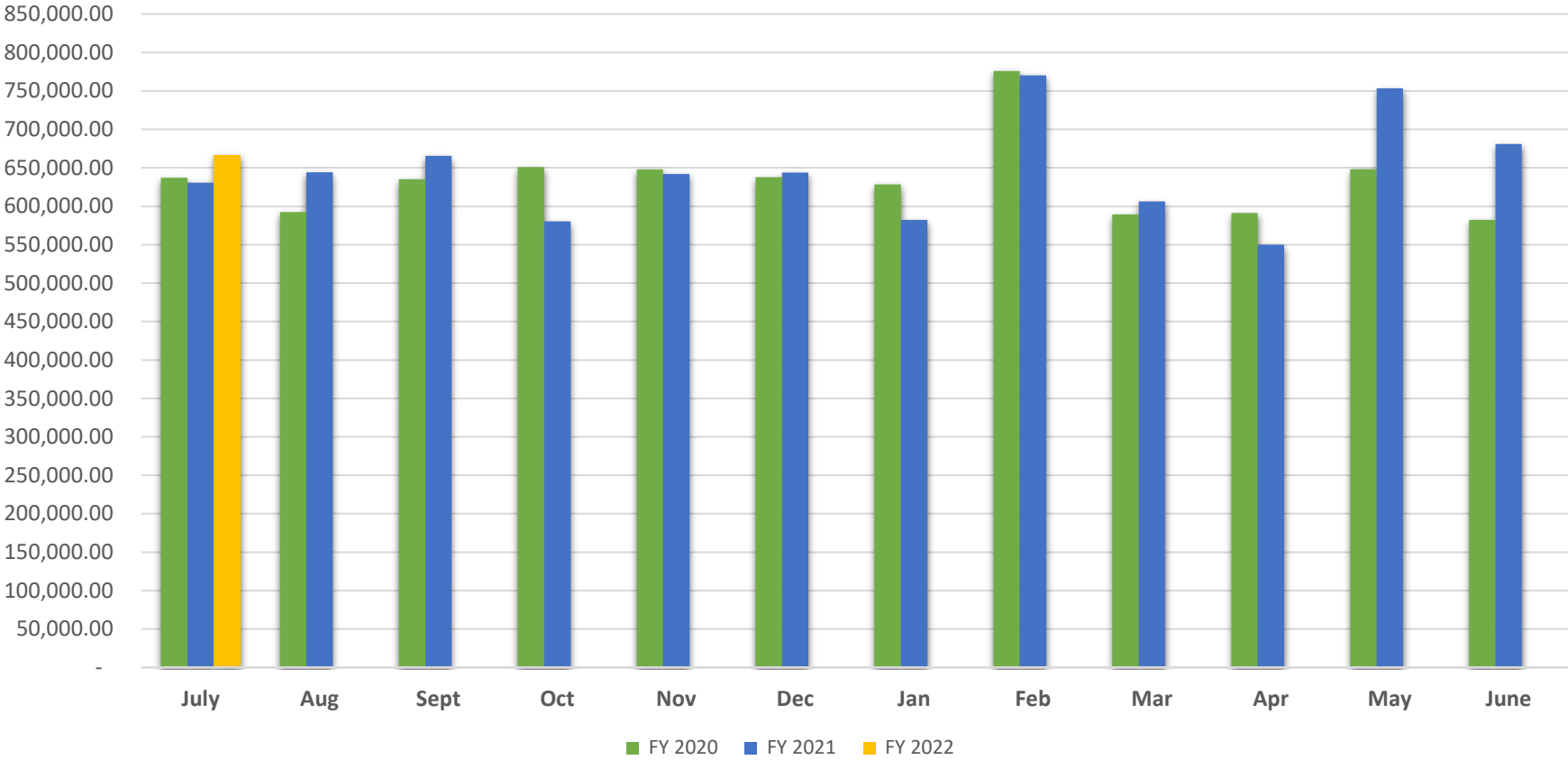
The meeting was adjourned at 6:51 p.m.

Schedule A

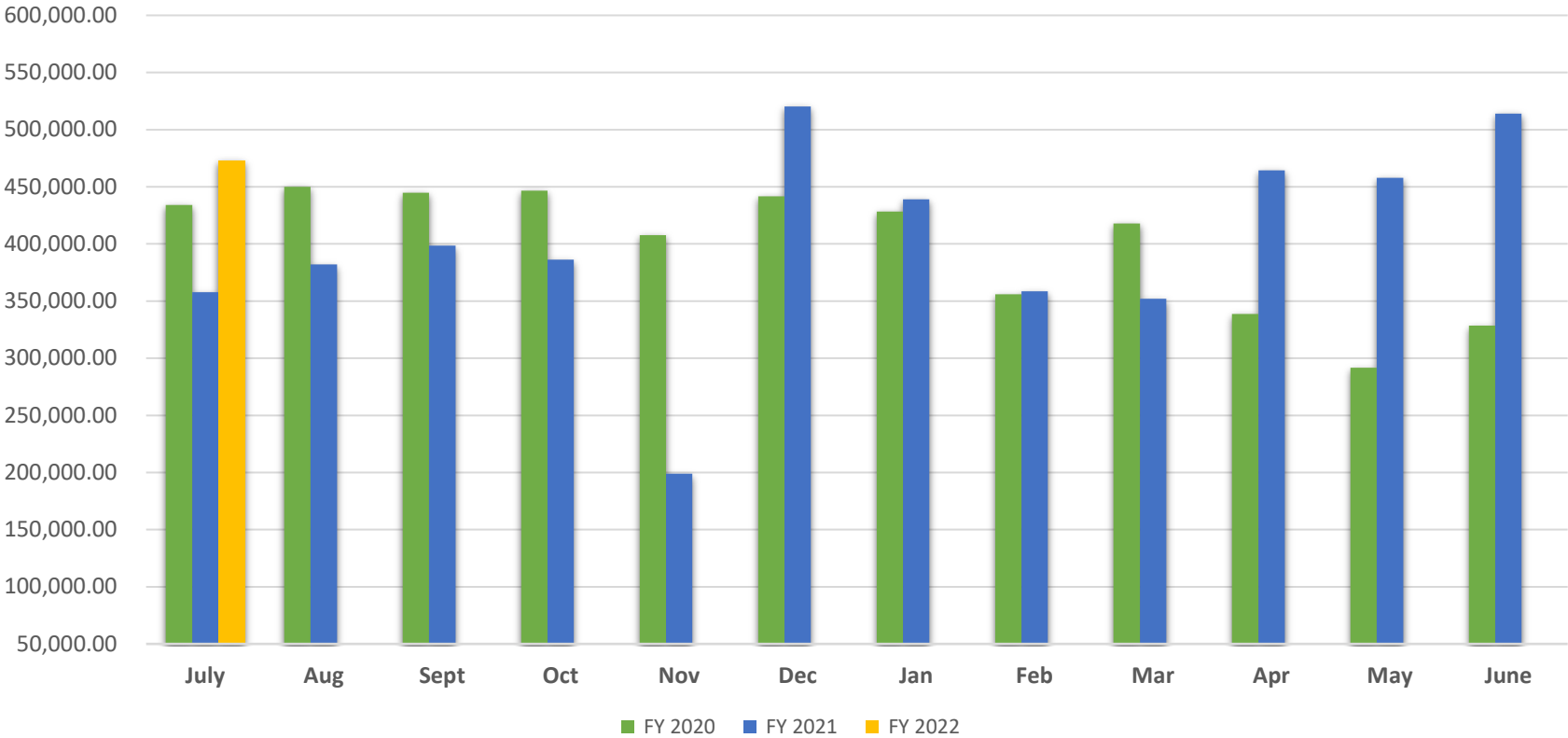
**City of Salem, Virginia
General Fund
Statement of Revenues and Expenditures
For One Month Ending July 31, 2021**

	Current Year Budget	Current Year Year to Date	% of Budget	Prior Year Year to Date	Variance
Revenues:					
Beginning Balance 7-1-21	\$ 2,168,284	-	0%	-	\$ -
General Property Taxes	40,605,600	699,972	2%	1,781,888	(1,081,916)
Other Local Taxes	22,027,515	312,169	1%	270,468	41,701
Permits and Licenses	337,800	30,536	9%	23,050	7,486
Fines and Forfeitures	61,000	200	0%	220	(20)
Revenue from Use of Money and Property	867,809	21,424	2%	94,869	(73,445)
Charges for Services	3,354,271	305,130	9%	246,272	58,858
Payment in Lieu of Taxes from Electric Fund	3,160,000	-	0%	-	-
Payment in Lieu of Taxes from Water Fund	181,000	14,768	8%	14,484	284
Miscellaneous Revenue	266,500	8,272	3%	13,257	(4,985)
Non-Categorical Aid	3,688,907	36,184	1%	(28,859)	65,043
Shared Expenses	1,558,777	-	0%	-	-
Categorical Aid	8,176,237	46,940	1%	50,413	(3,473)
Total Revenues	86,453,700	1,475,594	2%	2,466,061	(990,468)
Expenditures:					
General Government	7,436,702	1,173,999	16%	876,882	297,117
Judicial Administration	2,470,158	252,232	10%	240,332	11,899
Public Safety	18,665,251	2,164,533	12%	1,848,667	315,866
Public Works	12,024,850	741,492	6%	937,845	(196,353)
Health and Welfare	5,177,833	231,754	4%	247,104	(15,350)
Education	23,557,669	2,773,915	12%	2,744,763	29,152
Parks, Recreation and Cultural	6,395,386	511,943	8%	459,751	52,192
Community Development	2,801,835	368,851	13%	335,280	33,571
Non-Departmental	6,460,925	341,126	5%	410,145	(69,019)
Contingency	1,363,091	-	0%	-	-
Contingency for Economic Dev. Opportunities	100,000	-	0%	-	-
Total Expenditures	86,453,700	8,559,844	10%	8,100,769	459,075
Revenues Over/(Under) Expenditures	\$ -	\$ (7,084,251)		\$ (5,634,708)	\$ (1,449,543)

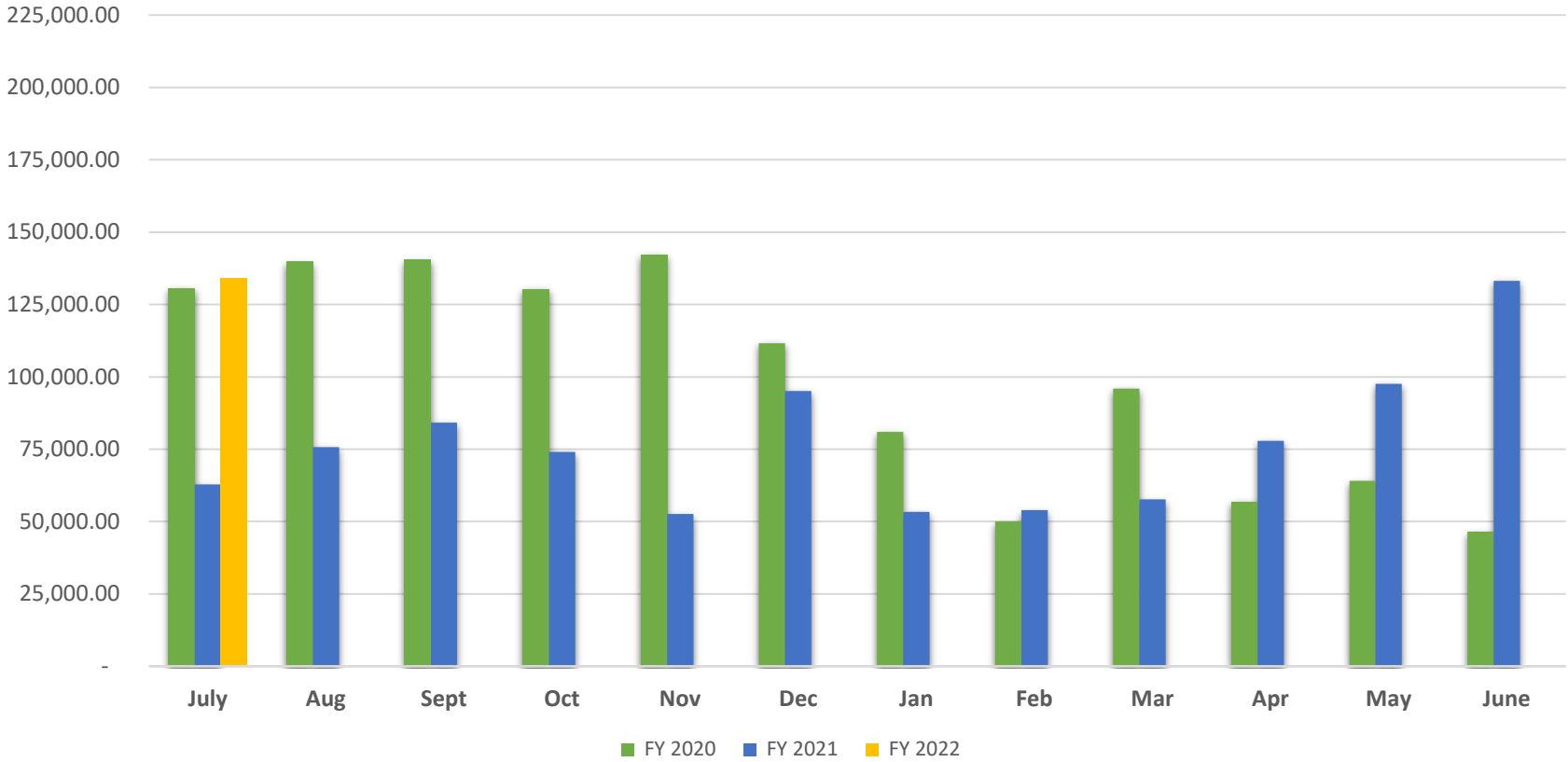
City of Salem
Sales Tax Summary
For Fiscal Years 2020 - 2022



**City of Salem
Meals Tax Summary
For Fiscal Years 2020 - 2022**



**City of Salem
Lodging Tax Summary
For Fiscal Years 2020 - 2022**



City of Salem, Virginia
Debt Outstanding
For Period Ending July 31, 2021

Schedule E

	Balance 7/1/2021	Issuances	Principal Payments	Balance 7/31/2021
City Debt Outstanding				
2011 Union First Market Refunding Bonds	\$ 1,170,792	\$ -	\$ -	\$ 1,170,792
2013 Public Improvement Bonds	1,156,400	-	(89,425)	1,066,975
2016B Public Improvement Bonds	717,601	-	-	717,601
2019 Public Improvement Bonds	4,670,000	-	-	4,670,000
2020 Public Improvement Bonds	2,375,000	-	-	2,375,000
2020 Public Improvement Refunding Bonds	5,519,026	-	-	5,519,026
2021 Public Improvement Refunding Bonds	1,555,000	-	-	1,555,000
Total City Debt Outstanding	<u>17,163,819</u>	<u>-</u>	<u>(89,425)</u>	<u>17,074,394</u>
School Debt Outstanding				
2011 Union First Market Refunding Bonds	2,049,208	-	-	2,049,208
2012A Public Improvement Bonds	5,727,000	-	(477,250)	5,249,750
2013 Public Improvement Bonds	3,563,600	-	(275,575)	3,288,025
2020 Public Improvement Bonds	23,835,000	-	-	23,835,000
Total School Debt Outstanding	<u>35,174,808</u>	<u>-</u>	<u>(752,825)</u>	<u>34,421,983</u>
Total Debt Outstanding	<u><u>\$ 52,338,627</u></u>	<u><u>\$ -</u></u>	<u><u>\$ (842,250)</u></u>	<u><u>\$ 51,496,377</u></u>

City of Salem, Virginia
Capital Projects Fund
Statement of Revenues and Expenditures
For Period Ending July 31, 2021

Schedule F

	Budget	Project To Date	Encumbrances	Total Project	Available Balance	Year To Date	
Fund Balance, July 1, 2021							14,139,216
<u>Revenues:</u>							
Federal Grants	9,289,835	2,317,654	-	2,317,654	6,972,181	-	
State Grants	9,131,023	895,145	-	895,145	8,235,878	-	
Proceeds From Debt Issuance	34,360,900	34,360,901	-	34,360,901	(1)	-	
Interest Income	166,149	166,918	-	166,918	(769)	771	
Donations	45,000	45,000	-	45,000	-	-	
Transfer From General Fund	2,722,487	2,722,486	-	2,722,486	1	-	
Transfer From Electric Fund	148,200	148,200	-	148,200	-	-	
Transfer From Water Fund	28,000	28,000	-	28,000	-	-	
Total Revenues	55,891,594	40,684,304	-	40,684,304	15,207,290		771
<u>Expenditures:</u>							
Sheriff Equipment 2020	22,955	22,955	-	22,955	-	-	
Radio System Upgrade	2,393,480	2,393,482	-	2,393,482	(2)	-	
Fire Truck 2020	698,200	10,526	678,429	688,955	9,245	-	
Animal Shelter HVAC Replacement	46,450	46,450	-	46,450	-	-	
Next Generation 911	378,493	71,343	87,757	159,100	219,393	-	
Street Department Equipment 2016	522,032	483,000	39,014	522,014	18	-	
Roanoke Blvd Multimodal Impr at VA	876,381	778,703	-	778,703	97,678	-	
Colorado St Bridge Replacement	6,450,000	283,176	621,495	904,671	5,545,329	43,241	
Apperson Drive Bridge Replacement	3,364,939	317,575	422,382	739,957	2,624,982	-	
Street Department Equipment 2019	718,342	672,159	46,182	718,341	1	-	
VDOT E Main Project UPC 8753	217,955	165,885	-	165,885	52,070	-	
Street Department Equipment 2020	1,221,293	1,104,991	82,134	1,187,125	34,168	98,707	
Hanging Rock Battlefield Phase 2	570,310	145,174	9,256	154,430	415,880	-	
Kiwanis Scoreboard	45,158	45,158	-	45,158	-	-	
Western Roanoke River Greenway	50,000	1,500	-	1,500	48,500	-	
Elizabeth Campus Greenway	1,104,400	59,802	129,698	189,500	914,900	-	
Parks and Recreation Equipment 2020	22,832	22,833	-	22,833	(1)	-	
Kiwanis Field Lighting Upgrades	700,000	644,727	-	644,727	55,273	182	
Longwood Park Restroom Replacement	150,000	9,410	107,025	116,435	33,565	4,673	
Salem Memorial Park Equipment 2020	35,950	35,950	-	35,950	-	-	
Salem Memorial Park Lower Level Seats	101,000	101,000	-	101,000	-	-	
Library Sidewalk Replacement	36,800	-	13,300	13,300	23,500	-	
Kiwanis Roof/Infrastructure Renovations	344,646	8,310	4,250	12,560	332,086	-	
Moyer Sports Complex Renovation	870,500	5,000	865,500	870,500	-	-	
Downtown Impr - E Main St/College Ave	1,481,039	1,481,038	-	1,481,038	1	-	
Downtown Impr - E Main St/Broad St	974,799	844,540	65,807	910,347	64,452	-	
Downtown Impr - E Main St/Broad St-CDBG	250,000	250,000	-	250,000	-	-	
Downtown Impr - CDBG Community Impr	285,000	27,130	25,615	52,745	232,255	-	
Downtown Impr - E Main St/Union St	1,203,861	58,968	59,925	118,893	1,084,968	-	

City of Salem, Virginia
Capital Projects Fund
Statement of Revenues and Expenditures
For Period Ending July 31, 2021

Schedule F

	Budget	Project To Date	Encumbrances	Total Project	Available Balance	Year To Date	
Downtown Impr - E Main St/Market St	3,629,869	63,970	108,314	172,284	3,457,585	-	
Capital Projects Local Reserve	15,910	-	-	-	15,910	-	
Transfer to Civic Center-2020 Bonds	109,000	109,000	-	109,000	-	-	
Transfer to Schools-2020 Bonds	27,000,000	16,427,365	-	16,427,365	10,572,635	-	
Total Expenditures	55,891,594	26,691,120	3,366,083	30,057,203	25,834,391		146,803
Fund Balance, July 31, 2021							13,993,184

**City of Salem, Virginia
Electric Fund
Statement of Operations
For One Month Ending July 31, 2021**

Operating Revenues	Current Year Budget	Current Year Year to Date	% of Budget	Prior Year Year to Date	Variance
Sale of Power	\$ 39,501,333	\$ 3,586,920	9%	\$ 3,324,289	\$ 262,632
Other Electric Revenue	761,000	10,482	1%	43,107	(32,624)
Reserve for Encumbrances	8,829,167	-	0%	-	-
Total Operating Revenues	49,091,500	3,597,403	7%	3,367,395	230,007
Operating Expenses					
Other Power Generation - Operation	90,000	7,953	9%	9,826	(1,873)
Other Power Generation - Maintenance	63,613	815	1%	-	815
Purchased Power	20,540,000	1,924,938	9%	2,032,278	(107,339)
Transmission - Operation	7,510,500	640,607	9%	504,158	136,449
Transmission - Maintenance	24,000	239	1%	395	(156)
Distribution - Operations	944,150	84,500	9%	105,205	(20,705)
Distribution - Maintenance	1,221,665	95,229	8%	102,902	(7,673)
Customer Service	598,409	58,758	10%	61,378	(2,620)
Administration & General - Operation	2,854,285	11,892	0%	57,239	(45,347)
Administration & General - Maintenance	189,490	16,143	9%	9,572	6,571
Depreciation	-	109,785	0%	109,399	386
Capital	11,266,304	76,569	1%	331,976	(255,408)
Contingency	629,084	-	0%	-	-
Total Operating Expenses	45,931,500	3,027,427	7%	3,324,327	(296,900)
Income (loss) Before Transfers	3,160,000	569,976		43,068	526,908
Transfers	(3,160,000)	-	0%	-	-
Income (loss)	\$ -	\$ 569,976		\$ 43,068	\$ 526,908

**City of Salem, Virginia
Water Fund
Statement of Operations
For One Month Ending July 31, 2021**

Operating Revenues	Current Year Budget	Current Year Year to Date	% of Budget	Prior Year Year to Date	Variance
Services	\$ 7,049,799	\$ 671,369	10%	\$ 609,507	\$ 61,862
Other Revenue	380,000	23,428	6%	17,199	6,228
Reserve for Encumbrances	504,069	-	0%	-	-
Appropriated from Net Position	1,660,000	-	0%	-	-
Total Operating Revenues	9,593,868	694,797	7%	626,707	68,090
Operating Expenses					
<i><u>Production</u></i>					
Salaries of Personnel	810,926	93,279	12%	87,893	5,386
Fringe Benefits	375,370	30,864	8%	29,139	1,725
Contractual Services	766,591	36,188	5%	37,253	(1,064)
Printing and Binding	2,500	-	0%	-	-
Advertising	1,000	-	0%	-	-
Utilities	417,200	31,727	8%	32,125	(399)
Communications	5,800	220	4%	94	127
Insurance	29,750	4,745	16%	-	4,745
Travel and Training	9,800	901	9%	111	790
Miscellaneous	58,834	31,150	53%	30,991	159
Materials and Supplies	199,100	1,376	1%	4,865	(3,489)
Depreciation	-	71,356	0%	71,242	115
Capital	1,176,111	8,099	1%	-	8,099
Contingency	311,040	-	0%	-	-
Total Production Expenses	4,164,022	309,905	7%	293,713	16,192
<i><u>Distribution</u></i>					
Salaries of Personnel	633,244	57,886	9%	53,826	4,060
Fringe Benefits	301,120	20,319	7%	18,871	1,448
Contractual Services	721,621	49,190	7%	42,984	6,206
Communications	4,950	105	2%	152	(47)
Insurance	24,000	-	0%	-	-
Lease/Rent of Equipment	2,000	152	8%	152	-
Travel and Training	5,300	152	3%	-	152
Miscellaneous	24,834	1,990	8%	2,325	(334)
Miscellaneous Credits	(240,000)	(20,614)	9%	(24,036)	3,423
Materials and Supplies	135,800	(1)	0%	3,857	(3,858)
Depreciation	-	8,104	0%	7,888	216
Capital	2,154,957	5,981	0%	5,575	406
Interest Obligations	1,481,020	(60,486)	-4%	(19,682)	(40,804)
Bond Costs	-	-	0%	-	-
Total Distribution Expenses	5,248,846	62,779	1%	91,911	(29,132)
Income (loss) Before Transfers	181,000	322,113		241,083	81,030
Transfers	(181,000)	(14,768)	8%	(14,484)	(284)
Income (loss)	\$ -	\$ 307,345		\$ 226,599	\$ 80,746

**City of Salem, Virginia
Sewer Fund
Statement of Operations
For One Month Ending July 31, 2021**

	Current Year Budget	Current Year Year to Date	% of Budget	Prior Year Year to Date	Variance
Operating Revenues					
Services	\$ 6,756,019	\$ 609,077	9%	\$ 571,163	\$ 37,914
Other Revenue	149,000	8,200	6%	5,156	3,044
Reserve for Encumbrances	857,329	-	0%	-	-
Appropriated from Net Position	950,000	-	0%	-	-
Total Operating Revenues	8,712,348	617,277	7%	576,319	40,958
Operating Expenses					
Salaries of Personnel	717,508	74,293	10%	66,301	7,992
Fringe Benefits	337,897	25,065	7%	24,454	612
Contractual Services	3,918,758	232,623	6%	236,794	(4,171)
Printing and Binding	1,500	-	0%	-	-
Advertising	1,500	-	0%	-	-
Utilities	4,500	267	6%	849	(582)
Communications	14,700	197	1%	221	(24)
Insurance	18,000	-	0%	-	-
Lease/Rent of Equipment	3,000	152	5%	152	-
Travel and Training	9,000	304	3%	-	304
Miscellaneous	36,834	2,078	6%	2,215	(137)
Miscellaneous Credits	(325,000)	(14,114)	4%	(10,812)	(3,301)
Materials and Supplies	100,800	840	1%	2,132	(1,291)
Depreciation	-	113,660	0%	97,529	16,130
Capital	1,642,469	2,854	0%	4,285	(1,431)
Interest Obligations	1,631,321	(27,489)	-2%	(30,336)	2,848
Bond Costs	-	-	0%	-	-
Contingency	599,561	-	0%	-	-
Total Operating Expenses	8,712,348	410,731	5%	393,782	16,949
Income (loss) before Transfers	-	206,546		182,537	24,009
Transfers	-	-	0%	-	-
Income (loss)	\$ -	\$ 206,546		\$ 182,537	\$ 24,009

**City of Salem, Virginia
Salem Civic Center
Statement of Operations
For One Month Ending July 31, 2021**

Operating Revenues	Current Year Budget	Current Year Year to Date	% of Budget	Prior Year Year to Date	Variance
Shows/rentals	\$ 302,600	\$ 18,199	6%	\$ 9,809	\$ 8,390
Box office shows	960,000	5,480	1%	5,347	134
Catering and concessions	120,000	10,486	9%	1,081	9,405
Merchandise and commissions	103,000	9,954	10%	458	9,496
Static advertising	48,000	25,875	54%	8,875	17,000
Miscellaneous income	16,000	846	5%	2,626	(1,780)
Salem Fair	563,000	539,550	96%	-	539,550
Reserve for encumbrances	11,914	-	0%	-	-
Shuttered Venue Operator Grant (SVOG)	-	1,268,542	0%	-	1,268,542
Total Operating Revenues	2,124,514	1,878,932	88%	28,196	1,850,736
Operating Expenses					
Salaries of personnel	1,064,979	168,040	16%	101,090	66,949
Fringe benefits	460,057	36,930	8%	34,273	2,657
Maintenance and contractual services	276,834	15,187	5%	3,979	11,208
Printing and binding	500	-	0%	-	-
Advertising	25,000	(395)	-2%	340	(735)
Utilities	221,600	31,318	14%	13,739	17,579
Communications	13,900	640	5%	554	86
Insurance	21,000	-	0%	-	-
Leases and Rentals	1,000	-	0%	-	-
Travel and training	4,300	-	0%	-	-
Miscellaneous	89,948	8,356	9%	4,970	3,385
Show expense	1,040,000	8,930	1%	11,104	(2,173)
Fair expense	443,080	444,966	100%	6,220	438,746
Materials and supplies	34,980	1,291	4%	795	496
Depreciation	-	25,885	0%	23,840	2,046
Contingency	86,504	-	0%	-	-
Total Operating Expenses	3,783,682	741,147	20%	200,903	540,244
Income (loss) Before Transfers	(1,659,168)	1,137,785		(172,707)	1,310,492
Transfers	1,659,168	138,264	8%	129,346	8,918
Income (loss)	\$ -	\$ 1,276,049		\$ (43,361)	\$ 1,319,410

**City of Salem, Virginia
Salem Catering and Concessions
Statement of Operations
For One Month Ending July 31, 2021**

Operating Revenues:	<u>Current Year Budget</u>	<u>Current Year Year to Date</u>	<u>% of Budget</u>	<u>Prior Year Year to Date</u>	<u>Variance</u>
Catering	\$ 378,080	\$ 45,736	12%	\$ 6,204	\$ 39,531
Concessions	106,756	3,475	3%	859	2,616
Moyer Concessions	46,363	10,577	23%	7,234	3,343
Salem High Concessions	7,200	-	0%	-	-
Total Operating Revenues	538,399	59,787	11%	14,297	45,490
Operating Expenses:					
<u>Catering</u>					
Salaries of personnel	193,823	24,369	13%	10,218	14,150
Fringe benefits	81,405	5,896	7%	3,831	2,066
Contractual services	6,500	627	10%	459	168
Printing and binding	300	-	0%	-	-
Laundry and Cleaning	10,000	658	7%	-	658
Communications	300	12	4%	16	(4)
Insurance	1,200	-	0%	-	-
Miscellaneous	114,661	14,661	13%	3,765	10,896
Materials and supplies	127,761	7,837	6%	(591)	8,428
Depreciation	-	365	0%	365	0
Contingency	6,214	-	0%	-	-
Total Catering Expenses	542,164	54,426	10%	18,064	36,362
<u>Concessions</u>					
Salaries of Personnel	41,473	4,527	11%	-	4,527
Fringe Benefits	11,219	531	5%	-	531
Miscellaneous	33,750	595	2%	309	286
Materials and Supplies	25,600	499	2%	280	219
Total Concessions Expenses	112,042	6,152	5%	589	5,563
<u>Moyer Concessions</u>					
Salaries of Personnel	18,720	5,799	31%	7,503	(1,703)
Fringe Benefits	4,922	969	20%	2,644	(1,675)
Contractual services	2,500	208	8%	208	-
Miscellaneous	4,400	1,610	37%	1,135	475
Materials and Supplies	9,600	3,168	33%	2,506	661
Total Moyer Expenses	40,142	11,755	29%	13,997	(2,242)
<u>Salem High Concessions</u>					
Salaries of Personnel	4,155	90	2%	-	90
Fringe Benefits	949	7	1%	-	7
Materials and Supplies	1,880	32	2%	73	(40)
Total Salem High Expenses	6,984	130	2%	73	57
Income (loss) Before Transfers	(162,933)	(12,675)		(18,425)	5,750
Transfers	162,933	-	0%	-	-
Income (loss)	\$ -	\$ (12,675)		\$ (18,425)	\$ 5,750

City of Salem, Virginia
Schedule of Deposits and Investments
For Period Ending July 31, 2021

Schedule L

	Cash Value 7/31/2021	Net Change in Fair Value	Fair Value 7/31/2021	FV as a % of Portfolio
Demand & Time Deposits				
Concentration Account	\$ 116,231,727	\$ -	\$ 116,231,727	87.1%
Payroll Account	11,093	-	11,093	0.0%
Revenue Recovery Account	13,266	-	13,266	0.0%
Utility Billing Account	16,491	-	16,491	0.0%
Box Office Account	983,792	-	983,792	0.7%
Held as Fiscal Agent of:				
Cardinal Academy	919,258	-	919,258	0.7%
Court Community Corrections	1,857,719	-	1,857,719	1.4%
Held on Behalf of:				
Economic Development Authority	266,993	-	266,993	0.2%
Total Demand & Time Deposits	<u>120,300,339</u>	<u>-</u>	<u>120,300,339</u>	<u>90.1%</u>
Investments				
Local Government Investment Pool (LGIP)	16,879	-	16,879	0.0%
Local Government Investment Pool EM (LGIP EM*)	862,191	35,955	898,146	0.7%
VA State Non-Arbitrage Program (SNAP)	12,363,177	-	12,363,177	9.3%
Total Investments	<u>13,242,247</u>	<u>35,955</u>	<u>13,278,202</u>	<u>10.0%</u>
Total Deposits and Investments	<u>\$ 133,542,586</u>	<u>\$ 35,955</u>	<u>\$ 133,578,541</u>	<u>100.1%</u>

* Extended Maturity

AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SALEM,
VIRGINIA HELD AT CITY HALL

AGENDA ITEM:

Amendment to the Zoning Ordinance

Hold public hearing and consider ordinance on first reading for rezoning a portion of the property of Layman Candy Company, Inc., contract purchasers, and Lewis-Gale Medical Center, LLC, property owner, located at 2105 Apperson Drive (Tax Map # 281-1-2) from BCD Business Commerce District to LM Light Manufacturing District. Advertised in the July 29 and August 5, 2021 issues of the Salem Times-Register.

SUBMITTED BY:

Benjamin W. Tripp, AICP, CEcD, City Planner

SUMMARY OF INFORMATION:

Zoning: BCD Business Commerce District

Future Land Use Plan Designation: Commercial

Existing Use: Vacant, Storage and Warehousing

Proposed Use: Warehousing and Distribution

The subject property consists of a single parcel of approximately 9.7 acres (noted as Tract A1 on the attached draft subdivision plat provided for reference), located along the north side of Apperson Drive, adjacent to the Eastern City Limits. It is occupied by a single, large building that was part of the original shopping center and most recently used as offices, a technical college, and as storage. This building is being subdivided off separately, so the request only applies to this tract.

SUMMARY OF PROPOSED CHANGES:

The owner of the property is requesting that the large building and its tract be rezoned to Light Manufacturing in order to allow the relocation and growth of their warehousing and distribution business. The applicant states that this new location will enable them to add product lines, increase sales significantly, and that they intend to add one hundred new employees in the next five years as they grow.

FISCAL IMPACT:

Allowing an existing business to expand and to hire a large number of employees will produce a positive fiscal impact.

STAFF RECOMMENDATION:

Staff recommends approval.

AN ORDINANCE TO AMEND SECTION 106-110, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Section 106-110, Article I, Chapter 106 of The Code of the City of Salem, Virginia, relating to building district boundary lines be amended in the following particular and no other, viz:

That the following described property in the City of Salem of Layman Candy Company, Inc., contract purchasers, and Lewis-Gale Medical Center, LLC, property owner, being a portion of the property located at 2105 Apperson Drive (Tax Map # 281-1-2) be and the same is hereby changed from BCD Business Commerce District to LM Light Manufacturing District and the map referred to shall be changed in this respect and no other, said property being described as follows:

BEGINNING AT A POINT ON THE NORTH LINE OF APPERSON DRIVE, 1,926'± EAST OF COOK DRIVE; THENCE N 08°08'12" E A DISTANCE OF 291.17' TO A POINT; THENCE N 81°51'48" W A DISTANCE OF 240.00' TO A POINT; THENCE S 08°08'12" W A DISTANCE OF 247.84' TO A POINT; THENCE S 02°33'57" W A DISTANCE OF 23.71' TO A POINT; THENCE N 88°05'10" W A DISTANCE OF 48.24' TO A POINT; THENCE N 06°18'09" E A DISTANCE OF 87.06' TO A POINT; THENCE N 16°07'24" E A DISTANCE OF 46.38' TO A POINT; THENCE N 08°08'12" E A DISTANCE OF 98.84' TO A POINT; THENCE N 65°51'34" W A DISTANCE OF 22.17' TO A POINT; THENCE N 24°09'00" E A DISTANCE OF 228.95' TO A POINT; THENCE N 81°48'26" W A DISTANCE OF 50.95' TO A POINT; THENCE N 16°47'52" W A DISTANCE OF 29.11' TO A POINT; THENCE N 08°11'34" E A DISTANCE OF 100.59' TO A POINT; THENCE N 81°53'06" W A DISTANCE OF 19.41' TO A POINT; THENCE N 08°06'54" E A DISTANCE OF 59.80' TO A POINT; THENCE N 81°48'29" W A DISTANCE OF 91.89' TO A POINT; THENCE N 24°09'00" E A DISTANCE OF 200.16' TO A POINT; THENCE S 81°52'00" E A DISTANCE OF 644.78' TO A POINT; THENCE S 08°08'00" W A DISTANCE OF 125.76' TO A POINT; THENCE S 81°48'26" E A DISTANCE OF 24.41' TO A POINT; THENCE S 08°11'34" W A DISTANCE OF 284.31' TO A POINT; THENCE N 81°52'00" W A DISTANCE OF 24.12' TO A POINT; THENCE S 08°08'00" W A DISTANCE OF 324.90' TO A POINT; THENCE N 81°52'00" W A DISTANCE OF 175.24' TO A POINT; THENCE S 08°08'00" W A DISTANCE OF 126.93' TO A POINT; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 26.19', WITH A RADIUS OF 1949.86', WITH A CHORD BEARING OF N 77°40'33" W, WITH A CHORD LENGTH OF 26.19' TO A POINT; THENCE N 12°59'15" E A DISTANCE OF 3.50' TO A POINT; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 84.53', WITH A RADIUS OF 1628.58', WITH A CHORD BEARING OF N 78°40'20" W, WITH A CHORD LENGTH OF 84.52' TO A POINT; WHICH IS THE POINT OF BEGINNING, CONTAINING 423,171 SQUARE FEET, 9.7147 ACRES, BEING A PORTION OF TAX PARCEL 281-1-2 AND LYING IN THE CITY OF SALEM, VIRGINIA.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance be and the same are hereby repealed.

This ordinance shall be in full force and effect ten (10) days after its final passage.

Upon a call for an aye and a nay vote, the same stood as follows:

John E. Saunders –
William D. Jones –
Byron Randolph Foley –
James W. Wallace, III –
Renee F. Turk –

Passed:
Effective:

/s/
Mayor

ATTEST:

H. Robert Light
Clerk of Council
City of Salem, Virginia

PETITION FOR ZONING AMENDMENT (REZONING)

City of Salem Community Development Department

Benjamin W. Tripp, AICP - City Planner

Email: bttripp@salemva.gov

Telephone: 540-375-3032

1. Applicant(s): Layman Candy Co, Inc.
P.O. Box 1015 Salem, VA 24153
2. Legal Owner(s) of property requested to be rezoned:
Lewis-Gale Medical Center, LLC c/o Real Estate Department
3. Location of Property:
Address: 2105 Apperson Drive Salem, VA 24153
Subdivision: Plat Book 8, Page 25, Slide 160
Official Tax Map Number: Portion of Tax Parcel: 281-1-2
4. Characteristics of Property:
Size (Acreage): 9.42 +/- Acres
Deed Restrictions: n/a
Present Use: Currently Vacant / Previous Business School
5. Zoning Classification:
Present Zoning: BCD - Business Commerce District
Proposed Zoning: LM - Light Manufacturing
Land Use Designation: Future Land Use Map Indicates as Commercial
6. Reason(s) for Rezoning Request (Including proposed use):
See Attached Narrative
7. Agent(s) or representative(s) of property owner(s): (Specify interest)
Balzer & Associates, Inc. c/o Ben Crew
Mailing Address: 1208 Corporate Circle Roanoke, VA 24018
Telephone Number: 540.772.9580

8. Affidavit:

- A. The undersigned person certifies that this petition and the foregoing answers, statements, and other information herewith submitted are in all respects true and correct to the best of their knowledge and belief. Also, the petitioner understands that a "Notice of Zoning Request" sign will be posted on the property by the City.

Applicant Signature: [Signature] Date: 4/30/2021
Applicant Interest in Property: Contract Purchaser
Applicant Mailing Address: P.O. Box 1015 Salem, VA 24153
Applicant Phone Number: 540-389-2000
Owner Signature: [Signature] Date: 6/30/21
Owner Interest in Property: Nicholas L. Paul, Vice President of Lewis-Gale Medical Center, LLC
100% ownership interest
Owner Mailing Address: One Park Plaza, Nashville, TN 37203; Attn: Vice President, Real Estate
Owner Telephone Number: (615) 344-5962

July 1, 2021

Mr. Jay Taliaferro
City Manager - City of Salem
21 South Bruffey Street
Salem, VA 24153

**RE: 2105 Apperson Drive – Salem, VA 24153
Portion of Tax Parcel 281-1-2
Rezoning Request**

Dear Mr. Taliaferro,

Layman Candy Co. Inc. (Contract Purchaser/Applicant) “Layman” are providing official application, supporting documents, and associated fees required to request a Rezoning of a portion of tax parcel 281-1-2, from Business Commerce District (BCD) to Light Manufacturing District (LM). The proposed zoning will allow for Layman candy Company to relocate within the City of Salem to continue and expand business operations within a currently vacant and larger facility. This zoning request supports the growth objectives and business direction outlined below.

Business Update:

The purchase by Layman Candy Company, Inc (DBA Layman Distributing) of 2105 Apperson Drive; Salem, VA; 24153 (Site) and the subsequent rezoning to Light Manufacturing will have the following impacts on Layman Candy Company’s business:

- Growth Opportunity – Allow Layman Distributing to expand business through additional capacity for products carried, services provided, and the employees necessary to sustain business expansion. Our reported Sales for 2020 were \$289,000,000. With the additional capacity gained with this site, we foresee that we can grow our sales to at least \$500,000,000 in the next 5 years
- Service Area – Layman currently service Virginia, North Carolina, and West Virginia. Additional capacity at Site will allow Layman Distributing to begin servicing Tennessee, Kentucky, Washington, DC, Maryland, and South Carolina. All these new areas would be serviced out of Salem, VA Site with satellite operations added in outlying areas as needed
- Expansion through acquisition – Given the recent consolidation in the Convenience Store and Food Service Distribution industry, Layman has plans to purchase other distributors with owners who are eager and ready to sell their business to Layman. Layman has a proven track record growth via acquisition based on Layman’s recent purchases of the following Distributors:
 - Patrick Wholesale (Honaker, VA) – 2009
 - Sterling Grocery (Princeton, WV – 2018
 - Reidsville Grocery (Reidsville, NC) – 2019
- Other Growth opportunities
 - Food Service Distribution – Layman receives contact all the time to service more restaurants in the Roanoke Valley area and beyond, and this site’s additional capacity will allow us expand our refrigeration capabilities required to bring on additional Food Service Customers

- College and University Distribution – Layman recently have begun servicing several local colleges, and we see this as a profitable area of growth as these locations require a more diverse product mix that additional capacity will allow us to stock
- Job Creation – Layman currently employs 110 people of which 80 live in the Roanoke Valley and surrounding communities. We plan to hire an additional 100 employees in the next 5 years to support the company's growth
- Site Improvement – Layman's plans for this site include demolition of existing interior office space and conversion to warehousing operations.
- Investment – our plans include investing over 1M into the property that includes design services, demolition, tenant upfit, modern signage, IT infrastructure, and product warehouse improvements (Additional fixtures, refrigeration, racking, etc.)

Existing Conditions:

The overall tax map parcel includes multiple buildings with various users and uses. The portion being requested to be rezoned and indicated on the plat including a large existing building which will be renovated, large parking lot between the building and Apperson drive, and additional parking/service area on the northside of the existing building. This is the last parcel to the East prior to crossing the corporate limits into the City of Roanoke, VA. The property has frontage on the public right of way of Apperson Drive. Existing utility services are currently in place and they will be upgraded or modified as necessary to facilitate the new user.

Comprehensive Development Plan & Summary:

This project is in conformance with many of the Goals, Strategies, and Objectives as defined in the City of Salem's Comprehensive Plan. This proposed use revitalizes a previously vacant building and converts it to an active location for a business with a local proven track record. The future land use plan designates this parcel as commercial. The proposed zoning designation of LM is appropriate for this core building with the surrounding properties being zoned Highway Business District (HBD) and Heavy Manufacturing District (HM).

Sincerely,

A handwritten signature in black ink, appearing to read 'BTC' with a stylized flourish.

Benjamin T. Crew
Associate

e:\drawings\18209\p01-hb-edit-08.03.2021-sheet 1.plt

e:\drawings\18209\p01-hb-edit-08.03.2021.dwg

KNOW ALL MEN BY THESE PRESENTS, TO WIT:

THAT LEWIS-GALE MEDICAL CENTER, LLC IS THE FEE SIMPLE OWNER AND PROPRIETOR OF THE LAND SHOWN HEREON TO BE RE-SUBDIVIDED, BOUNDED BY OUTSIDE CORNERS 1 THROUGH 18 TO 1, INCLUSIVE, WHICH COMPRISES A PORTION OF THE LAND CONVEYED TO SAID OWNER BY DEED RECORDED IN RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE CITY OF SALEM, VIRGINIA IN INSTRUMENT #180001003.

THE SAID OWNERS CERTIFY THAT THEY HAVE RE-SUBDIVIDED THIS LAND, AS SHOWN HEREON, ENTIRELY WITH THEIR OWN FREE WILL AND CONSENT AND PURSUANT TO AND IN COMPLIANCE WITH THE VIRGINIA CODE OF 1950, AS REQUIRED BY SECTIONS 15.2-2240 THROUGH 15.2-2279, AS AMENDED TO DATE AND AS REQUIRED BY THE CITY OF SALEM, VIRGINIA SUBDIVISION ORDINANCE AS AMENDED TO DATE..

WITNESS THE FOLLOWING SIGNATURES AND SEALS ON THIS ____ DAY OF _____, 2021.

OWNER: LEWIS-GALE MEDICAL CENTER, LLC

BY: _____, ITS, _____
(SIGNED NAME) CORPORATE TITLE

(PRINTED NAME)

BOUNDARY COORDINATES		
ORIGIN OF COORDINATES IS ASSUMED		
CORNER	NORTHING	EASTING
1	4076.34222	4867.31025
2	4083.71719	4847.85178
3	4113.65424	4772.38911
4	4164.38016	4628.29617
5	4307.72369	4648.78207
6	4328.94527	4500.29084
7	4203.29669	4482.33381
8	4208.88657	4456.74815
9	4212.29704	4457.53474
10	4251.52608	4162.24915
11	4252.60383	4140.83169
12	4282.08106	4142.15263
13	4283.69228	4093.93571
14	4370.23008	4103.49340
15	4373.80890	3985.45764
16	4441.71988	3833.99550
17	5122.98470	4139.45374
18	5000.00000	5000.00000
1	4076.34222	4867.31025
TRACT A = 18.5595 AC.. (808,453 S.F.)		

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
1-2	676.20'	20.81'	10.41'	20.81'	N 69°14'34" W	1°45'48"
3-4	1949.86'	152.80'	76.44'	152.76'	N 70°36'22" W	4°29'24"
7-8	1949.86'	26.19'	13.09'	26.19'	N 77°40'33" W	0°46'10"
9-10	1628.58'	298.30'	149.57'	297.88'	N 82°25'57" W	10°29'40"
9-D	1628.58'	84.53'	42.27'	84.52'	N 78°40'20" W	2°58'26"
D-10	1628.58'	213.77'	107.04'	213.62'	N 83°55'10" W	7°31'15"
10-11	1953.36'	21.44'	10.72'	21.44'	N 87°07'09" W	0°37'44"

- NOTES:
- THIS PLAT IS BASED ON A CURRENT FIELD SURVEY.
 - PROPERTY CORNERS WERE SET AT ALL NEW CORNERS A THROUGH L.
 - THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT AND THERE MAY EXIST ENCUMBRANCES WHICH EFFECT THE SUBJECT PROPERTY THAT ARE NOT SHOWN HEREON..
 - NOT ALL PHYSICAL IMPROVEMENTS ARE SHOWN HEREON FOR CLARITY.
 - A PORTION OF THIS PROPERTY DOES LIE WITHIN THE LIMITS OF A SPECIAL FLOOD HAZARD AREA AS DESIGNATED BY F.E.M.A. THIS OPINION IS BASED ON AN INSPECTION OF THE FLOOD INSURANCE RATE MAPS AND HAS BEEN VERIFIED BY ACTUAL FIELD ELEVATIONS. SEE MAP NUMBER 51161C0144G, DATED SEPTEMBER 28, 2007. ZONES "AE" & "X" (SHADED & UNSHADED).
 - LEGAL REFERENCE: TAX #281-1-2 TRACT "A" - PLAT BOOK 8, PAGE 25, SLIDE 160.
CURRENT OWNER: LEWIS-GALE MEDICAL CENTER, LLC. - INSTRUMENT #180001003.
 - LINE FROM CORNERS 12 TO A THROUGH D, E TO M, F THROUGH P TO 14 AND Q THROUGH V TO 5 ARE NEW DIVISION LINES.
 - THE RECORDATION OF THIS PLAT OF SUBDIVISION DOES NOT CONSTITUTE A CONVEYANCE OF LAND. ANY LOT, PARCEL OR TRACT OF LAND SHOWN HEREON MUST BE CONVEYED BY DEED AND SAID DEED MUST BE RECORDED IN THE OFFICE OF THE CLERK OF CIRCUIT COURT OF THE CITY OF SALEM.
 - THE SUBJECT PROPERTY IS ZONE (BCD) AT THE TIME OF THIS SURVEY.
 - A RECIPRICAL NON-EXCLUSIVE INGRESS/EGRESS EASEMENT SHALL EXIST OVER ALL PAVED TRAVELWAYS WITHIN THE SUBJECT PARCELS AND A RECPRICAL NON-EXCLUSIVE PARKING EASEMENT SHALL EXIST OVER ALL MARKED PARKING SPACES WITHIN THE SUBJECT PARCELS. A DECLARATION OF COVENANTS AND RESTRICTIONS MAY BE IMPOSED THAT FURTHER DEFINES THE RIGHTS AND/OR RESTRICTIONS AND MAINTENANCE OF THESE EASEMENT AREAS.

STATE OF _____

I, _____, A NOTARY PUBLIC IN AND FOR THE AFORESAID _____ AND STATE DO HEREBY CERTIFY THAT _____ FOR LEWIS-GALE MEDICAL CENTER, LLC, OWNER WHOSE NAME IS SIGNED TO THE FOREGOING WRITING HAS PERSONALLY APPEARED BEFORE ME IN MY AFORESAID _____ AND STATE AND ACKNOWLEDGED THE SAME ON _____, 2021.

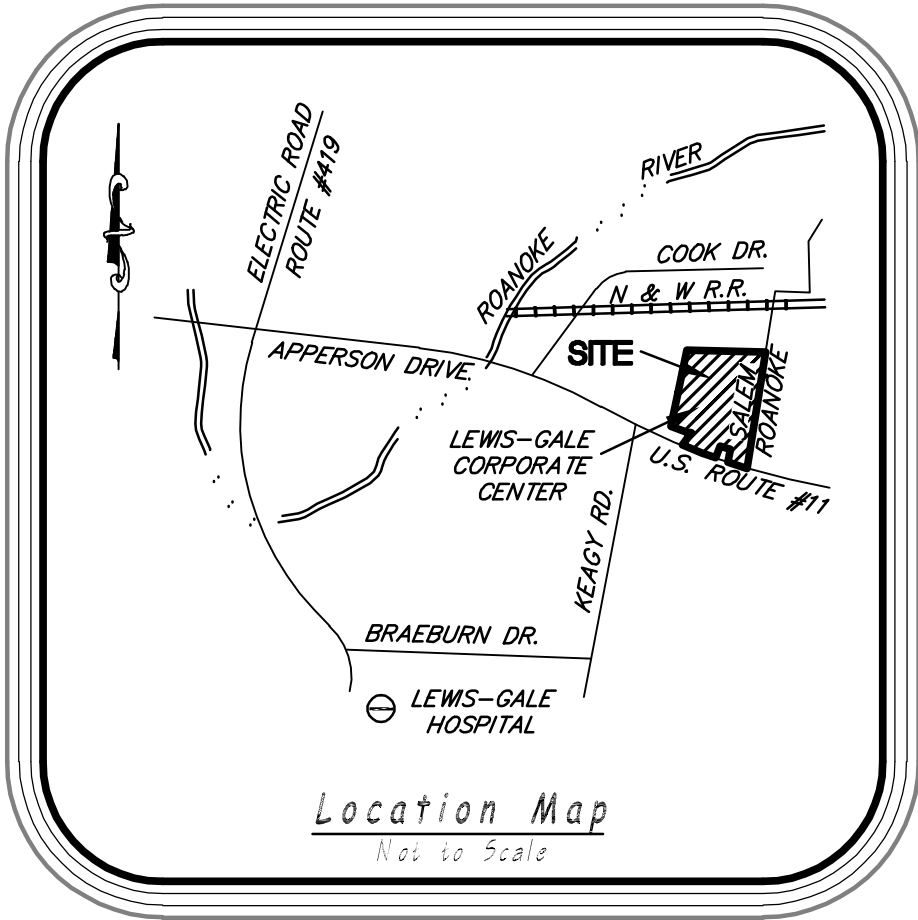
MY COMMISSION EXPIRES ON _____ REG. # _____

NOTARY PUBLIC

NEW DIVISION LINE		
BOUNDARY COORDINATES		
ORIGIN OF COORDINATES IS ASSUMED		
CORNER	NORTHING	EASTING
A	4305.77032	4143.21420
B	4551.11832	4178.29290
C	4517.14969	4415.87684
D	4228.89817	4374.66400
E	4627.88401	3917.46579
F	4940.33978	4057.56136
G	4927.24602	4148.51607
H	4868.04343	4140.07442
I	4865.30312	4159.29263
J	4765.73679	4144.95795
K	4737.87239	4153.36954
L	4730.61203	4203.79879
M	4538.21829	4117.53534
N	4521.70244	4110.13014
O	4512.63439	4130.36354
P	4414.78757	4116.37386
Q	5031.76272	4777.75045
R	4907.26479	4759.95787
S	4903.78625	4784.11923
T	4622.37521	4743.60414
U	4625.78710	4719.73057
V	4304.15335	4673.76439

BOUNDARY LINE TABLE		
LINE	BEARING	DISTANCE
*1-2	N 69°14'34" W	20.81'
2-3	N 68°21'40" W	81.18'
*3-4	N 70°36'22" W	152.76'
4-5	N 08°08'00" E	144.80'
5-6	N 81°52'00" W	150.00'
6-7	S 08°08'00" W	126.93'
*7-8	N 77°40'33" W	26.19'
8-9	N 12°59'15" E	3.50'
*9-10	N 82°25'57" W	297.88'
*10-11	N 87°07'09" W	21.44'
11-12	N 02°33'57" E	29.51'
12-13	N 88°05'10" W	48.24'
13-14	N 06°18'09" E	87.06'
14-15	N 88°15'48" W	118.09'
15-16	N 65°51'00" W	165.99'
16-17	N 24°09'00" E	746.61'
17-18	S 81°52'00" E	869.29'
18-1	S 08°10'30" W	933.14'
12-A	N 02°33'57" E	23.71'
A-B	N 08°08'12" E	247.84'
B-C	S 81°51'48" E	240.00'
C-D	S 08°08'12" W	291.18'
*9-D	N 78°40'20" W	84.52'
*D-10	N 83°55'10" W	213.62'
E-F	N 24°09'00" E	342.43'
F-17	N 24°09'00" E	200.16'
F-G	S 81°48'29" E	91.89'
G-H	S 08°06'54" W	59.80'
H-I	S 81°53'06" E	19.41'
I-J	S 08°11'34" W	100.59'
J-K	S 16°47'52" E	29.11'
K-L	S 81°48'26" E	50.95'
L-M	S 24°09'00" W	210.85'
M-N	S 24°09'00" W	18.10'
N-O	S 65°51'34" E	22.17'
O-P	S 08°08'12" W	98.84'
P-14	S 16°07'24" W	46.38'
17-Q	S 81°52'00" E	644.78'
Q-18	S 81°52'00" E	224.51'
Q-R	S 08°08'00" W	125.76'
R-S	S 81°48'26" E	24.41'
S-T	S 08°11'34" W	284.31'
T-U	N 81°52'00" W	24.12'
U-V	S 08°08'00" W	324.90'
V-5	N 81°52'00" W	25.24'

* DENOTES CHORD BEARING & DISTANCE



APPROVED:

CHARLES E. VAN ALLMAN, Jr., P.E., L.S. DATE
DIRECTOR OF COMMUNITY DEVELOPMENT, CITY OF SALEM

JAMES E TALIAFERRO, II, P.E., L.S. DATE
EXECUTIVE SECRETARY, CITY OF SALEM
PLANNING COMMISSION

CLERK'S CERTIFICATE:

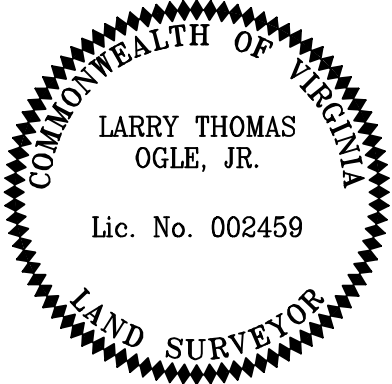
IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE CITY OF SALEM, VIRGINIA, THIS PLAT WITH THE CERTIFICATE OF ACKNOWLEDGMENT THERETO ANNEXED IS ADMITTED TO RECORD ON _____, 2021, AT _____ O'CLOCK ____ M.

TESTEE: GARY CHANCE CRAWFORD - CLERK

DEPUTY CLERK

I HEREBY CERTIFY THAT THIS PLAT IS BASED ON A CURRENT FIELD SURVEY AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

LARRY THOMAS OGLE, Jr.
LS #2459



PLAT SHOWING THE SUBDIVISION OF A
TAX #281-1-2

TRACT "A"
18.5595 AC.

PLAT BOOK 8, PAGE 25, SLIDE 160
PROPERTY OF

LEWIS-GALE MEDICAL CENTER, LLC

CREATING HEREON NEW

LOT 1 - 1.6139 AC.,

LOT 2 - 1.1619 AC.,

LOT 3 - 1.4726 AC.,

LOT 4 - 4.5964 AC. &

TRACT "A1" - 9.7147 AC.

REMAINING PORTION OF TAX #281-1-2

SITUATED AT #2105 APPERSON DRIVE
CITY OF SALEM, VIRGINIA

PHONE: (540) 774-4411
FAX: (540) 772-9445
WWW.LUMSDENPC.COM

4654 BRAMBLETON AVENUE, SW
P.O. BOX 20669
ROANOKE, VIRGINIA 24018

Lumsden Associates, P.C.
ENGINEERS | SURVEYORS | PLANNERS



DATE: August 9, 2021
COMM. NO.: 2018-209
SCALE: None

SHEET 1 OF 2

SLIDE _____, P.B. _____, PG. _____

PLAT SHOWING THE SUBDIVISION OF A
TAX #281-1-2

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18.5595 AC.

PLAT BOOK 8, PAGE 25, SLIDE 160

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REMAINING PORTION OF TAX #281-1-2

SITUATED AT #2105 APPERSON DRIVE

CITY OF SALEM, VIRGINIA

SYMBOL LEGEND

○	STORM DRAIN MANHOLE
⊙	SEWER MANHOLE
⊕	FIRE HYDRANT
⊗	UTILITY POLE
⊘	SIGN
⊙	SEWER CLEANOUT
☆	LIGHT POLE

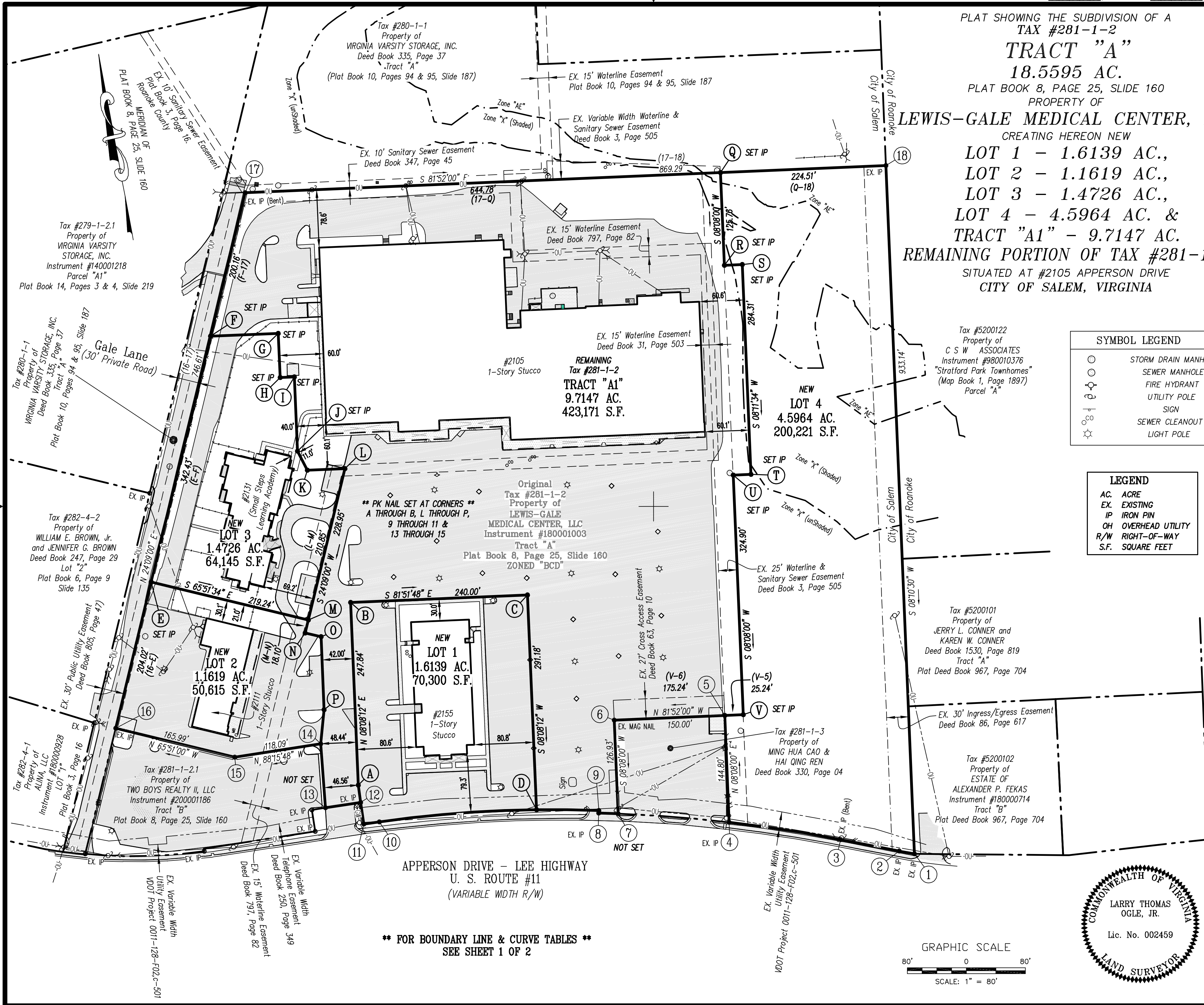
LEGEND

AC.	ACRE
EX.	EXISTING
IP	IRON PIN
OH	OVERHEAD UTILITY
R/W	RIGHT-OF-WAY
S.F.	SQUARE FEET

Lumsden Associates, P.C.
ENGINEERS | SURVEYORS | PLANNERS

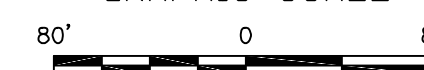


DATE:	August 9, 2021
COMM. NO.:	2018-209
SCALE:	1" = 80'

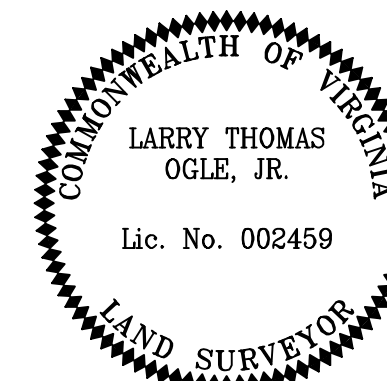


**** FOR BOUNDARY LINE & CURVE TABLES ****
SEE SHEET 1 OF 2

GRAPHIC SCALE



SCALE: 1" = 80'



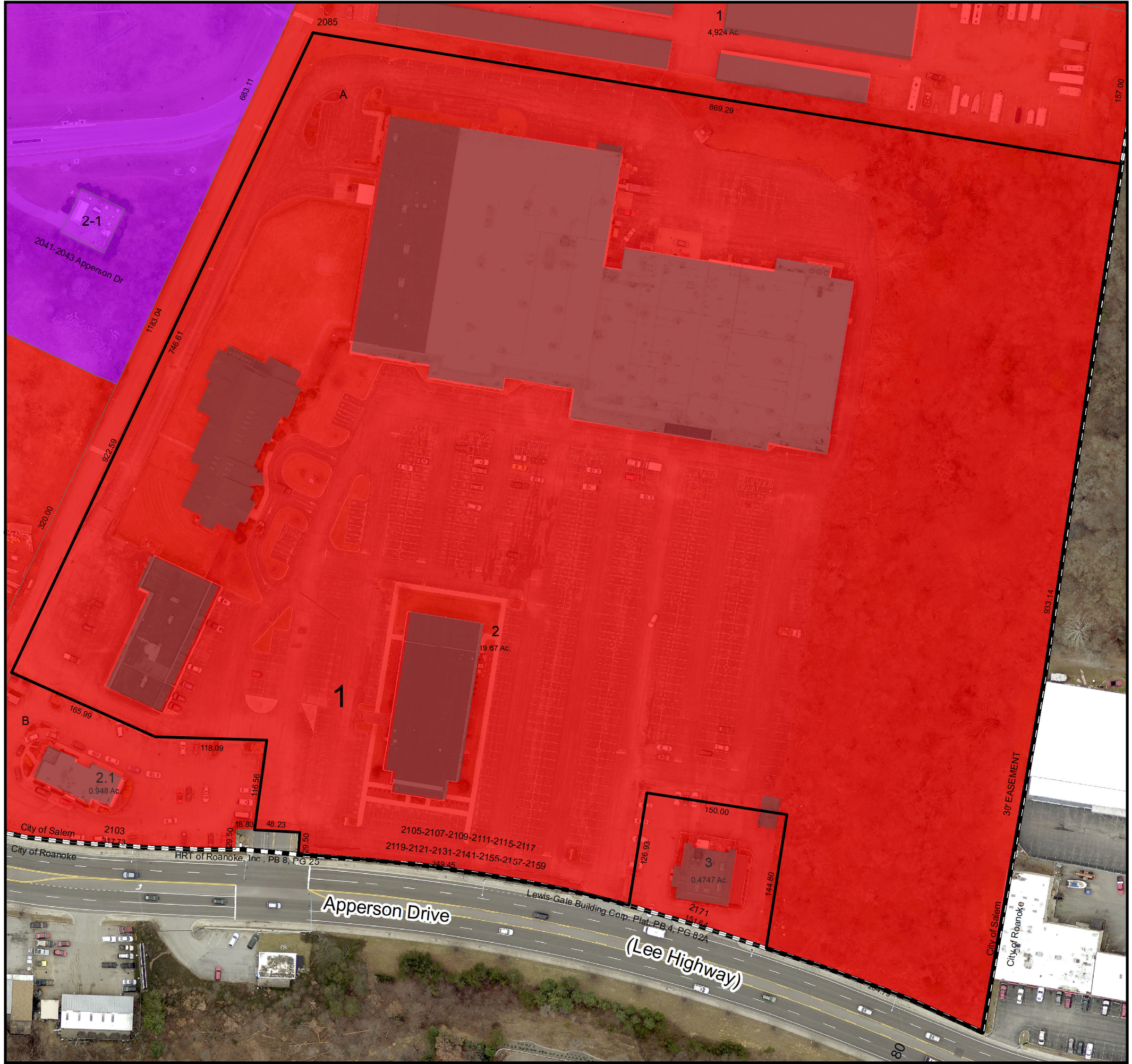
EXISTING ZONING



Tax Parcel 281-1-2 Buildings Parcels City Limits

- | | |
|--|---|
| AG - Agriculture District | PUD - Planned Unit District |
| BCD - Business Commerce District | RB - Residential Business District |
| CBD - Community Business District | RMF - Residential Multi-Family District |
| CUD - College/University District | RMF/RB - Residential Multi-Family/Residential Business District |
| DBD - Downtown Business District | RSF - Residential Single Family District |
| HBD - Highway Business District | RSF/HBD - Residential Single/Highway Business District |
| HBD/HM - Highway Business/Heavy Manufacturing District | RSF/LM - Residential Single Family/Light Manufacturing |
| HBD/LM - Highway Business/Light Manufacturing District | RSF/RB - Residential Single Family/Residential Business District |
| HM - Heavy Manufacturing District | RSF/RMF - Residential Single Family/Residential Multi-Family District |
| LM - Light Manufacturing District | RSF/TBD - Residential Single Family/Transitional Business District |
| LM/HM - Light Manufacturing/Heavy Manufacturing District | TBD - Transitional Business District |
| MHP - Manufactured Home Park District | |

FUTURE LAND USE



Tax Parcel 281-1-2 Buildings Parcels City Limits

- | | |
|---------------------------|-------------------------------|
| Commercial | Mixed Use |
| Downtown | Public Parks and Recreational |
| Economic Development Area | Residential |
| Industrial | Transitional |
| Institutional | |

**AFFADAVIT OF MAILING PURSUANT TO S15.2-2204
CODE OF VIRGINIA**

**PLANNING COMMISSION
AUGUST 11, 2021**

ITEM #

This is to certify that I mailed letters in reference to the rezoning request of Layman Candy Company, Inc., contract purchaser, and Lewis-Gale Medical Center, LLC, property owner, for rezoning a portion of the property located at 2105 Apperson Dr (Tax Map # 281-1-22) from BCD Business Commerce District to LM Light Manufacturing District, to the following property owners and adjacent property owners on July 27, 2021, in the 2:00 p.m. mail:

LEWIS GALE MEDICAL CENTER LLC
ATTN REAL ESTATE DEPT
ONE PARK PLAZA
NASHVILLE TN 37203

CAO MING HUA
REN HAI QING
3109 BRAMBLETON AVE SUITE C
ROANOKE VA 24018

VIRGINIA VARSITY STORAGE
APPERSON LLC
2087 APPERSON DR
SALEM VA 24153

WILLIAM E BROWN JR
JENNIFER G BROWN
3767 HARBORWOOD RD
SALEM VA 24153

ALINA LLC
217 HURST AVE NE
ROANOKE VA 24012

TWO BOYS REALTY II LLC
6010 CELL TOWER DR
ROANOKE VA 24012

DONALD W BANDY
P O BOX 4143
ROANOKE VA 24015

PAUL M HODGES
4330 BRANDON AVE SW
ROANOKE VA 24018

BOB IT ENTERPRISES LLC
4324 BRANDON AVE SW
ROANOKE VA 24015

COMMONWEALTH OF VIRGINIA
215 CHURCH AVE SW RM 250
ROANOKE VA 24011

NEAL C WALL
4016 LAKE DR SW
ROANOKE VA 24018

W BANE ATKINSON
SUE B ATKINSON
1301 BELLE AIRE LN SW
ROANOKE VA 24018

WILLIAM G TURNER III
LINDA K TURNER
1302 BELLE AIRE LN SW
ROANOKE VA 24018

JUNIUS E CROWGEY
MARY BETH CROWGEY
3814 BELLE AIRE CIR SW
ROANOKE VA 24018

JERRY L CONNER
KAREN W CONNER
426 N MARKET ST
SALEM VA 24153

ESTATE OF ALEXANDER FEKAS
218 EMERALD LAKE DR
TROUTVILLE VA 24175

ANAMA ENTERPRISES LLC
4119 BRANDON AVE SW
ROANOKE VA 24018

CSW ASSOCIATES
3807 BRANDON AVE SW 245
ROANOKE VA 24018

CITY OF ROANOKE
BLDG PLANNING & DEVELOPMENT
215 CHURCH AVE #166
ROANOKE VA 24011

AEP-1 RIVERSIDE PLAZA
C/O JENNIFER NICOL
P O BOX 16428
COLUMBUS OH 43216-6428

LAYMAN CANDY COMPANY II
P O BOX 1015
SALEM VA 24153

Signed Goretta Prillaman Date 7/27/2021

City of Salem
Commonwealth of Virginia

The foregoing instrument was acknowledged before me this 27th day of July, 2021, by

Goretta L. Prillaman
Krystal M. Graves
Notary Public
My commission expires: March 31, 2023





**IMPORTANT NOTICE OF PUBLIC HEARINGS
PROPOSAL TO CHANGE ZONING**

Notice is hereby given that a request has been filed with the City of Salem by the property owner/petitioner of the property described below. The Planning Commission of the City of Salem will consider this request at its meeting listed below and make a recommendation to the City Council. The City Council of the City of Salem will also consider this request, and the recommendation of the Planning Commission at its meeting listed below. City Council will make the final decision in this matter.

Property Owner/Petitioner:

Layman Candy Company, Inc., contract purchaser, and Lewis-Gale Medical Center, LLC, property owner

Location of Property:

2105 Apperson Drive (Tax Map # 281-1-2)

Purpose of Request:

To rezone from BCD Business Commerce District to LM Light Manufacturing District on a portion of the property located at 2105 Apperson Drive, (Tax Map # 281-1-2).

The date, time, and place of the public hearing scheduled by the Planning Commission on this request are as follows:

**WEDNESDAY, AUGUST 11, 2021 – 7 P.M.
COUNCIL CHAMBERS, FIRST FLOOR, SALEM CITY HALL
114 NORTH BROAD STREET, SALEM, VIRGINIA**

The date, time, and place of the public hearing scheduled by City Council on this request are as follows:

**MONDAY, AUGUST 23, 2021 – 6:30 P.M.
COUNCIL CHAMBERS, FIRST FLOOR, SALEM CITY HALL
114 NORTH BROAD STREET, SALEM, VIRGINIA**

Additional information on this request may be obtained in the Community Development Department, 21 South Bruffey Street, Salem, Virginia or at (540) 375-3032.

James E. Taliaferro, II
Executive Secretary
Planning Commission

LEGAL DESCRIPTION

BEGINNING AT A POINT ON THE NORTH LINE OF APPERSON DRIVE, 1,926'± EAST OF COOK DRIVE;

THENCE N 08°08'12" E A DISTANCE OF 291.17' TO A POINT;

THENCE N 81°51'48" W A DISTANCE OF 240.00' TO A POINT;

THENCE S 08°08'12" W A DISTANCE OF 247.84' TO A POINT;

THENCE S 02°33'57" W A DISTANCE OF 23.71' TO A POINT;

THENCE N 88°05'10" W A DISTANCE OF 48.24' TO A POINT;

THENCE N 06°18'09" E A DISTANCE OF 87.06' TO A POINT;

THENCE N 16°07'24" E A DISTANCE OF 46.38' TO A POINT;

THENCE N 08°08'12" E A DISTANCE OF 98.84' TO A POINT;

THENCE N 65°51'34" W A DISTANCE OF 22.17' TO A POINT;

THENCE N 24°09'00" E A DISTANCE OF 228.95' TO A POINT;

THENCE N 81°48'26" W A DISTANCE OF 50.95' TO A POINT;

THENCE N 16°47'52" W A DISTANCE OF 29.11' TO A POINT;

THENCE N 08°11'34" E A DISTANCE OF 100.59' TO A POINT;

THENCE N 81°53'06" W A DISTANCE OF 19.41' TO A POINT;

THENCE N 08°06'54" E A DISTANCE OF 59.80' TO A POINT;

THENCE N 81°48'29" W A DISTANCE OF 91.89' TO A POINT;

THENCE N 24°09'00" E A DISTANCE OF 200.16' TO A POINT;

THENCE S 81°52'00" E A DISTANCE OF 644.78' TO A POINT;

THENCE S 08°08'00" W A DISTANCE OF 125.76' TO A POINT;

THENCE S 81°48'26" E A DISTANCE OF 24.41' TO A POINT;

THENCE S 08°11'34" W A DISTANCE OF 284.31' TO A POINT;

THENCE N 81°52'00" W A DISTANCE OF 24.12' TO A POINT;

THENCE S 08°08'00" W A DISTANCE OF 324.90' TO A POINT;

THENCE N 81°52'00" W A DISTANCE OF 175.24' TO A POINT;

THENCE S 08°08'00" W A DISTANCE OF 126.93' TO A POINT;

THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 26.19', WITH A RADIUS OF 1949.86', WITH A CHORD BEARING OF N 77°40'33" W, WITH A CHORD LENGTH OF 26.19' TO A POINT;

THENCE N 12°59'15" E A DISTANCE OF 3.50' TO A POINT;

THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 84.53', WITH A RADIUS OF 1628.58', WITH A CHORD BEARING OF N 78°40'20" W, WITH A CHORD LENGTH OF 84.52' TO A POINT;

WHICH IS THE POINT OF BEGINNING,

CONTAINING 423,171 SQUARE FEET, 9.7147 ACRES, BEING A PORTION OF TAX PARCEL 281-1-2 AND LYING IN THE CITY OF SALEM, VIRGINIA.



Marketplace

ourvalley.org

FINCASTLE HERALD

Vinton Messenger

THE NEW CASTLE RECORD

SALEM TIMES-REGISTER

News Messenger

RADFORD

Auctions

Affordable Mini Storage, LLC

Lee Hwy
Roanoke, VA 24019
Saturday, August 7,

1:30pm
CCW34, I11, F08,
E08, F17, J05, E20,

only. Buyer has 24
s to remove items
unit.
Stanley, Auctioneer
#1446 Troutville

Real Estate Sales - Craig County

Yard Sale

Thursday, August 7th
12:30pm
Home of Ron &
Jel Jones
Cumberland Ave
Castle Va

Yard Sales - Radford City

Multifamily Yard Sale

Friday and Saturday,
just 6 and 7
am to 4 pm
* Vienna Avenue,
Radford
Tables, Radial Saw,
Extension Ladder, Cartop
Carrier, Picnic Table,
Furniture, Collectibles,
Workroom Equipment,
Dishes, Kitchenware,
Tools, and
miscellaneous.

For Rent - Apartments

2, 3, 4 BR

Townhouse Style
Accepting applications.
Short waiting list, HUD
 subsidized, W/D hookups,
 private patio, water &
 trash incl. Fairfax Village
 units. 332 Fairfax St.,
 Radford/Cambridge
 Square 1805 Whipple Dr.
 N Blackburg 540-731-
 '86 EHO TDD #800-828-
 20

Help Wanted - General

This person will perform
task on dwellings to
enhance the fuel
conservation and reduce
heating cost in
accordance with the
DHCD Weatherization
Installation Standards

- Must be knowledgeable
in Heating and Cooling
Systems, Construction
and Carpentry
- Must have experience
using various tools and
diagnostic equipment,
read a tape measure,
have basic mathematical
skills
- Must possess the ability
to understand and follow
directions
- Must be able to read and
speak English
- High school graduate or
equivalent required
- Must have completed all
Crew Technician classes
and have a minimum of 6
months Field Experience

Must be able to adjust
work schedule as needed.
Complete background
check required. FT,
w/competitive benefits.
Salary: \$15.00- \$17.00
per hour. Submit cover
letter and resume to:
TAP, Human Resources,
Job Code: CT2-ECHR
Box 2868, 302 2nd St.,
Roanoke, VA 24001-2868
or fax to 540-345-1944

Applicant email address is
required for response
concerning this job.
For more information
about this job and to apply
online:
See our website:
www.tapintothehope.org
TTY: 540-345-4096
AA/EOE/Drug Free
Workplace
Bilinguals encouraged to
apply.



Help Wanted - General

Applicant email address is
required for response
concerning this job.
For more information
about this job and to apply
online:

See our website:
www.tapintothehope.org
TTY: 540-345-4096
AA/EOE/Drug Free
Workplace
Bilinguals encouraged to
apply.

Immediate Counselor openings with the Life Center of Galax.

BENEFITS:
-Company matching 401k
-Blue Cross Blue Shield
health insurance
-Delta Dental insurance
-NVA vision insurance
-Lincoln Financial
disability and life
insurance
-Paid vacation, sick, and
extended sick time

EDUCATION AND LICENSURE REQUIREMENTS:

CSAC required
Bachelor's degree in
social or health services
field required and four or
more years' experience in
counseling field required.
Apply today by going to:
www.galaxrecovery.com

Life Center of Galax is an
Equal Opportunity
Employer

Caretaker Needed

For elderly women
Experience preferred
And references required
Contact
mdolwen@verizon.net
or Call
540-961-3310
And Leave message

Our Lady of Perpetual Help Catholic Church in

Legals - Botetourt County

Courthouse, Main Street,
Fincastle, VA 24090, on
August 24, 2021 at 11:00
a.m., the property described
in said Deed of Trust lying
in the County of Botetourt,
Virginia, and more
particularly described as
follows:

All that certain tract or
parcel of land designated as
TM #72(8)28 and containing
17.614 acres, more or less,
all as shown on that certain
"Boundary Line Adjustment
& Family Subdivision, Plat
of the Property of Kendall
W. & Ann P. Austin", dated
August 11, 2011, prepared
by McMurry Surveyors, Inc.,
of record in the Clerk's
Office of the Circuit Court of
Botetourt County, Virginia,
in Plat Book 52, page 44.

TERMS: Cash - Bidder's
deposit of ten percent (10%)
of the sales price by
cashier's or certified check
may be required. Balance of
purchase price shall be due
and payable not later than
ten (10) days after sale.

WOODS ROGERS PLC,
Substitute Trustee

For Information Contact:
Woods Rogers PLC,
P.O. Box 14125,
Roanoke, VA 24038-4125
Telephone: 540-983-7729



Legals - City of Salem

Notice is hereby given to

all interested persons that
the City of Salem Planning
Commission, at its regular
meeting on August 11,
2021, at 7:00 p.m., in the
Council Chambers of City
Hall, 114 N. Broad Street, in
the City of Salem, Virginia,
will hold a public hearing,
pursuant to Sections 15.2-
2204 and 15.2-2285 of the
Code of Virginia, as
amended, to consider
approval of the following
requests relative to the
CODE OF THE CITY OF
SALEM, VIRGINIA:

1. Hold public hearing to
consider the request of
Layman Candy Company,
Inc., contract purchaser,
and Lewis-Gale Medical
Center, LLC, property
owner, for rezoning a
portion of the property
located at 2105 Apperson
Drive (Tax Map # 281-1-2)
from BCD Business
Commerce District to LM
Light Manufacturing District.

2. Hold public hearing to
consider the request of
Roanoke College Trustees,
property owner, for rezoning
a portion of the property
located at 232 North Broad
Street (Tax Map # 87-7-7),
from CUD College and
University District to RSF
Residential Single-Family
District.

Copies of the proposed
plans, ordinances or
amendments may be
examined in the Office of
the City Planner,
Community Development,
21 South Bruffey Street,
Salem, Virginia.

At said hearing, parties in
interest and citizens shall
have an opportunity to be
heard relative to the said
requests.

THE PLANNING
COMMISSION OF THE
CITY OF SALEM, VIRGINIA
BY
James E. Taliaferro, II
Executive Secretary

Legals - City of Salem

Notice is hereby given to

all interested persons that
the Council of the City of
Salem, at its regular
meeting on Monday, August
23, 2021, at 6:30 p.m., in
the Council Chambers of
City Hall, 114 N. Broad
Street, in the City of Salem,
Virginia, will hold a public
hearing, pursuant to
Sections 15.2-2204 and
15.2-2285 of the Code of
Virginia, as amended, to
consider approval of the
following requests relative
to the CODE OF THE CITY
OF SALEM, VIRGINIA:

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University District to RSF
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THE COUNCIL OF THE
CITY OF SALEM, VIRGINIA
BY
H. Robert Light
Clerk of Council

Legals - City of Salem

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THE COUNCIL OF THE
CITY OF SALEM, VIRGINIA
BY
H. Robert Light
Clerk of Council

At said hearing, parties in
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CITY OF SALEM, VIRGINIA
BY
H. Robert Light
Clerk of Council

At said hearing, parties in
interest and citizens shall
have an opportunity to be
heard relative to the said
requests.

THE COUNCIL OF THE
CITY OF SALEM, VIRGINIA
BY
H. Robert Light
Clerk of Council

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heard relative to the said
requests.

THE COUNCIL OF THE
CITY OF SALEM, VIRGINIA
BY
H. Robert Light
Clerk of Council

Marketplace

ourvalley.org

The New Castle Record

SALEM TIMES-REGISTER

SALEM TIMES-REGISTER

SALEM TIMES-REGISTER

RADFORD News Journal

Wanted - General

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Help Wanted - General

Psychiatrist,
Roanoke, VA & other
Carilion sites across state
of VA. Treat patients
admitted to inpatient
Psychiatric Unit. Complete
intake assessments,
devise treatment plan, &
discharge disposition. Mail
resume to S. Meadows,
Carilion Medical Center,
1212 Third Street SW,
Roanoke, VA 24016.

Legals - Botetourt County

**TRUSTEE'S SALE
OF PROPERTY
400 Quail Ridge
Road, Fincastle, VA
24090**

**Tax Map No.
72(8)28, Parcel No.
23467**

In execution of an Amended
and Restated Credit Line
Deed of Trust dated
October 6, 2014, in the
principal amount of
\$1,086,105.42, recorded in
the Clerk's Office of the
Circuit Court of Botetourt
County, Virginia, of record
as Instrument Number
140003493, Woods Rogers
PLC, Substitute Trustee, will
offer for sale at public
auction outside the main
entrance of the Botetourt
County Circuit Court,
Courthouse, Main Street,
Fincastle, VA 24090, on
August 24, 2021 at 11:00
a.m., the property described
in said Deed of Trust lying
in the County of Botetourt,
Virginia, and more
particularly described as
follows:

All that certain tract or
parcel of land designated as
TM #72(8)28 and containing
17.614 acres, more or less,
all as shown on that certain
"Boundary Line Adjustment
& Family Subdivision, Plat
of the Property of Kendall
W. & Ann P. Austin", dated
August 11, 2011, prepared by
McMurry Surveyors, Inc.,
of record in the Clerk's
Office of the Circuit Court of
Botetourt County, Virginia,
in Plat Book 52, page 44.

TERMS: Cash - Bidder's
deposit of ten percent (10%)
of the sales price by
cashier's or certified check
may be required. Balance of
purchase price shall be due
and payable not later than
ten (10) days after sale.

**WOODS ROGERS PLC,
Substitute Trustee**

For Information Contact:

Legals - City of Radford

before September 24, 2021,
and do what may be
necessary to protect their
interests in this cause.

Entered: 7/22/2021
Melissa White
Circuit Court Clerk/Judge
City of Radford, Virginia

I Ask For This:
Michael R. Beddau, Esq.
(WSB # 41273)
Mary Foll Russell
(VSB No. 48440)
Sandra Anderson PC
P.O. Box 2009
Christiansburg, Virginia
24068-2009
540-260-9011 (phone)
540-260-0022 (facsimile)

Legals - City of Salem

Notice is hereby given to

all interested persons that
the Council of the City of
Salem, at its regular
meeting on Monday, August
23, 2021, at 6:30 p.m., in
the Council Chambers of
City Hall, 114 N. Broad
Street, in the City of Salem,
Virginia, will hold a public
hearing, pursuant to
Sections 15.2-2204 and
15.2-2285 of the Code of
Virginia, as amended, to
consider approval of the
following requests relative
to the CODE OF THE CITY
OF SALEM, VIRGINIA:

1. Hold public hearing to
consider the request of
Layman Candy Company,
Inc., contract purchaser,
and Lewis-Gale Medical
Center, LLC, property
owner, for rezoning a
portion of the property
located at 2105 Apperson
Drive (Tax Map # 281-1-2)
from BCD Business
Commerce District to LM
Light Manufacturing District.

2. Hold public hearing to
consider the request of
Roanoke College Trustees,
property owner, for rezoning
a portion of the property
located at 232 North Broad
Street (Tax Map # 67-7-7),
from CUD College and
University District to RSF
Residential Single-Family
District.

Copies of the proposed
plans, ordinances or
amendments may be
examined in the Office of
the City Planner,
Community Development,
21 South Bruffey Street,
Salem, Virginia.

At said hearing, parties in
interest and citizens shall

Legals - City of Salem

have an opportunity to be
heard relative to the said
requests.

THE COUNCIL OF THE
CITY OF SALEM, VIRGINIA.
BY
H. Robert Light
Clerk of Council

ORDER OF PUBLICATION

COMMONWEALTH OF
VIRGINIA VA. CODE
§§ 1-211.1; 8.01-316, -317,
20-104

Case No. CL21-688
ROANOKE COUNTY
CIRCUIT COURT
305 E. MAIN ST SALEM,
VA 24153

ALTIZER, ZANDER LEE
v.
MCGUIRE, CONNER LEE
The object of this suit is to:
NAME CHANGE OF
MINOR.
It is ORDERED that Ashley
Altizer appear at the above-
named court and protect
his/her interests on 8/27/21
@ 11:00 AM

Enter 7/16/21
Judge Dorsey

NOTICE OF PUBLIC HEARING

Notice is hereby given to all
interested persons that the
Board of Zoning Appeals of
the City of Salem, Virginia
will hold a public hearing, in
accordance with the
provisions of Sections 15.2-
2204 and 15.2-2309 of the
1950 Code of Virginia, as
amended, on August 26,
2021, at 4:00 p.m. in the
Council Chambers of City
Hall, 114 North Broad
Street, in the City of Salem,
Virginia, to consider the
following applications.

The request of Matthew and
Kathryn Cookston, property
owners, for a variance from
Section 106-202.3(B)(1) of
the City of Salem Zoning
Ordinance pertaining to site
development regulations,
for the property located at
436 Westland Street, Tax
Map # 171-2-13. The
petitioners are requesting a
variance of 8.2 feet of side-
yard setback and 25 feet of
rear-yard setback to allow
an addition. Section 106-
202.3(B)(1) states that a
side-yard setback of ten
percent (8.2 feet) and a 25
feet rear-yard setback is
required.

At this hearing, all parties in
interest will be given an
opportunity to be heard,
present evidence, and show
cause why such requests
should or should not be
granted. For additional

Legals - City of Salem

information, contact the
Office of the Zoning
Administrator, 21 South
Bruffey Street, Salem,
Virginia (Phone 375 3032).

THE BOARD OF ZONING
APPEALS OF THE CITY
OF SALEM
BY: Mary Ellen H. Wines,
CZA, CFM
Zoning Administrator

Legals - Montgomery County

ORDER OF PUBLICATION

Commonwealth of Virginia
VA. CODE § 8.01-316
Case No. JJ019381-01-00
MONTGOMERY COUNTY
J & DR - JUV (CHRISTB)
Juvenile and Domestic
Relations District Court
Commonwealth of Virginia,
In re ELSAYED, LAURA
The object of this suit is to:
CUSTODY

It is ORDERED that the
defendant ELSAYED,
AHMED HASSAN appear at
the above-named Court and
protect his or her interests
on or before 09/01/2021
08:30 AM
07/12/2021
Amie Blankenship
CLERK

LEGAL NOTICE OF PUBLIC HEARING

The Christiansburg Town
Council will hold a Public
Hearing on Tuesday,
August 24, 2021 at 7:00 PM
in the Council Chambers of
the Christiansburg Town
Hall, 100 E. Main Street,
Christiansburg, Virginia
24073. The purpose of the
public hearing is to receive
public comments
concerning:

A. Conditional Use Permit
for a Commercial Auto
Garage at 1250 Roanoke
Street for Tax Parcel Nos.
498 - ((7)) - 16A, 498 - ((7))
- 17A, and 498 - ((A)) -
113C by Glenwood Martin
on behalf of Twin Oaks
Properties LLC. The
property is designated
Business/Commercial on
the Future Land Use Map of
the 2013 Christiansburg
Comprehensive Plan.
Town Hall will be open and
available to receive public
comment in-person at the
time of this Public Hearing.
Additionally, the meeting will
be streamed live on the
Town of Christiansburg's
YouTube channel at
www.christiansburg.org/youtu
ube and will remain on the
Town's YouTube page once
the meeting concludes. For
information on contactless

Legals - Montgomery County

methods for submitting
public comment, please visit
www.christiansburg.org/publichearings

A copy of the applications,
the Town's Zoning Map,
Zoning Ordinance, and
Future Land Use Map may
be viewed in the Planning
Department Office, 100 E.
Main Street, Christiansburg,
VA 24073 during normal
office hours of 8:00 a.m. -
6:00 p.m. Monday through
Friday. Contact Andrew
Warren, Assistant Town
Manager, at (540) 382-6128
ext. 1130 or by email at
awarren@christiansburg.org
with any questions or if
you require reasonable
accommodations.

Legals - Town of Vinton

Notice to Our Family Medicine Patients

Effective Sunday, August
15, 2021, Henry Ivey Jr.,
M.D., will retire and no
longer practice from the
Carilion Clinic Family
Medicine practice located in
Vinton. Your confidential
medical records will remain
with Carilion Clinic. If you
choose to continue your
medical care with us, you
do not need to take any
action. If you choose to
transfer to another provider
and need a copy of your
Carilion Clinic Family
Medicine record, please
contact our office for a
medical record
request/transfer form. After
you return the form and the
request is processed, your
medical record will be sent
to another provider of your
choice within a reasonable
time. If you need help
finding a physician in a
different office, please call
the physician referral line on
Carilion Direct at
800-422-8482.

CARILION CLINIC

THE
CLASSIFIEDS
OF VA

To place a
classified ad,
call 540-389-9355

Planning Commission Meeting MINUTES

Wednesday, August 11, 2021, 7:00 PM

**Work Session, 6:00PM Council Chambers Conference Room
Regular Session, 7:00PM Council Chambers**

WORK SESSION

1. Call to Order

A work session of the Planning Commission of the City of Salem, Virginia, was held in Council Chambers Conference Room, City Hall, 114 North Broad Street, at 6:00 p.m., on August 11, 2021, there being present the members of said Commission, to wit: Vicki G. Daulton, Chair; Denise P. King, Vice Chair, Reid A. Garst II, N. Jackson Beamer, and Neil L. Conner; together with H. Robert Light, Assistant City Manager and Deputy Executive Secretary, ex officio member of said Commission; Charles E. Van Allman, Jr., Director of Community Development, Mary Ellen Wines, Zoning Administrator; Benjamin W. Tripp, City Planner; and Christopher Dadek on behalf of City Attorney Jim H. Guynn, Jr.; and the following business was transacted:

Whereas Chair Daulton called the meeting to order at 6:05 p.m. and reported that this date, place, and time had been set in order for the Commission to hold a work session; and

Whereas Mr. Tripp discussed the change in format of the agenda; and

Whereas a discussion was held regarding moving item 4E to 4A; and

Whereas Vice-Chair King stated that there was an error on page 2 of the minutes of the July 14, 2021, regular session. Susan Menece should be spelled Susan Mini; and

Whereas Mr. Tripp acknowledge the presence of Mrs. Anne-Marie Green at the work session; and

2. New Business

A. Discussion item from the September meeting

Rezoning of 405 Kimball Avenue, Tax Map # 235-1-2 from RMF, Residential Multi-Family District with condition to RMF, Residential Multi-Family District without conditions.

Whereas Mr. Tripp introduced an item scheduled for the September regular session meeting. 405 Kimball Avenue rezoning to remove the condition that the only use allowed is that of a human care facility. He explained that the contract purchasers would like to build townhomes; and

B. Discussion items from the August Meeting

Discussion of items from the August 11, 2021, regular session agenda.

Whereas Mr. Tripp introduced the Apperson Drive rezoning item explaining that neighbors from the City of Roanoke planned to appear at the meeting tonight to discuss traffic issues and truck access. Commissioner Conner asked if staff had a recommendation regarding this item. Mr. Tripp replied that staff would recommend approval. That Mr. Light and the Economic Development Office had been working with the contract purchasers for some time trying to find a suitable location for their expansion; and

Whereas Mr. Tripp introduced the North Broad Street rezoning item explaining that the College wanted to rezone a portion of the property to allow for the construction of a residential single-family dwelling. He further explained that it is not known at this time if the College would build and use for faculty or sell the lot. Ms. Wines clarified that the buffer yard between the existing parking lot and the vacant lot would remain; and

Whereas Mr. Tripp introduced the Village at North Mill Phase Four item explaining that the first plat with the red markings was the preliminary plat that staff comments on and returns to the engineers for correction and that the second plat with no markings is the final plat. He further explained that both the plat and the plan have been through staff review and have been approved; and

Whereas Mr. Tripp introduced the Calhoun Townhomes item explaining that an update plat was sent noting that the adjacent alley was now shown as an eighteen-foot alley and not a public alley due to the indeterminate ownership of the alley. Ms. Wines explained that the facades facing Calhoun are actually the rear of the townhomes but will appear, from the street, as front facades. Chair Daulton inquired if there would be driveways onto Calhoun and Ms. Wines responded that there would be no individual driveways onto a right-of-way that there will be one access onto Calhoun and one on Chestnut; and

Whereas Mr. Tripp introduced the 401 South Market Street item stating that this history of this property makes it a good candidate for the Historic Register and that it also is a good contender for the State and National Registers as well. Ms. Wines explained that there is a condition on the property that it would be used for only a masonic temple and that would have to be removed prior to the petitioners making any changes to the property; and

3. Adjournment

Whereas Chair Daulton inquired if there were any other items for discussion and hearing none, adjourned the work session at 6:46 p.m.

REGULAR SESSION

1. Call to Order

A regular meeting of the Planning Commission of the City of Salem, Virginia, was held after due and proper notice in the Council Chambers, City Hall, 114 North Broad Street, Salem, Virginia, at 7:00 p.m., on August 11, 2021. Notice of such hearing was published in the July 19 and August 5, 2021, issues of the "Salem Times Register", a newspaper published and having general circulation in the City. All adjacent property owners were notified via the U. S. Postal Service.

The Commission, constituting a legal quorum, presided together with Christopher Dadek on behalf of Jim H. Guynn, Jr., City Attorney; Assistant City Attorney; Rob Light, Assistant City Manager; Charles E. Van Allman, Jr., Director of Community Development; Benjamin W. Tripp, City Planner; and Mary Ellen Wines, Zoning Administrator; and the following business was transacted:

Chair Daulton called the hearing to order at 7:00 p.m.

2. Pledge of Allegiance

3. Consent Agenda

A. Minutes

Consider acceptance of the minutes from the July 14, 2021, work session and regular meeting.

Denise King motioned acceptance of minutes from the July 14, 2021, work session and regular meeting as amended. Neil Conner seconded the motion.

Ayes: Beamer, Conner, Daulton, Garst, King

4. New Business

Jackson Beamer motioned to move Item 4E to 4A. Reid Garst seconded the motion.

Ayes: Beamer, Conner, Daulton, Garst, King

A. Salem Historic Registry

Consider petition from JASS Properties, Inc., for inclusion in the Salem Historic Registry of the property located at 401 South Market Street (Tax Map # 145-10-2). Staff noted the following:

This building was originally erected in 1918 for Dr. William Rufus Brown, an important figure in Salem's African American Water Street community, and the town's only African American doctor at the time. Dr. Brown was also an active member of the John Wesley Methodist Church, the NAACP, YMCA, and the Salem/Roanoke County Civic League. He also helped to build Carver High School.

The building later served as "Mae's Inn," a prominent restaurant in Salem's then segregated African American community owned by Ethel May Myers Whitfield. After the restaurant was sold in the late 1950s it became a Masonic lodge (Salem Lodge 120).

On June 17, 2021, the Virginia Department of Historic Resources deemed this property to be eligible for nomination to the National Register of Historic Places and the Virginia Landmarks Register.

This property meets Criteria B and D for inclusion on the registry. Staff recommends approval.

Shirley Everette, 1239 Wildwood Road, Salem, appeared before the Commission to speak on behalf of the request; she handed the Commission a presentation on the property. She stated that the history came to light with the support of Mike Pulice, Mike Stevens, Benjamin Tripp, Francine Ferguson, John Long, Benita VanCleave, clerk in the Real Estate Office, and the trustees of the Masonic Lodge. The building originally served as an apartment building for Dr. William Rufus Brown who died in 1964. Dr. Brown came to Salem after migrating from Trinidad in 1911 as a physician. Mrs. Everette stated that she and her twin sister lived in the building when they first came to Salem. She went on to discuss more history of the structure and shared photos with the Commission.

Neil Conner motioned to approve petition from JASS Properties, Inc., for inclusion in the Salem historic Registry of the property located at 401 South Market Street (Tax Map #145-10-2). Denise King seconded the motion.

Ayes: Beamer, Conner, Daulton, Garst, King

B. Amendment to the Zoning Ordinance

Hold public hearing to consider the request of Layman Candy Company, Inc., contract purchasers, and Lewis-Gale Medical Center, LLC, property owner, for rezoning a portion of the property located at 2105 Apperson Drive (Tax Map # 281-1-2) from BCD Business Commerce District to LM Light Manufacturing District. Staff noted the following:

The subject property consists of a single parcel of approximately 9.4 acres, located along the north side of Apperson Drive, adjacent to the Eastern City Limits. It is occupied by a single large building that was part of the original shopping center, but which was most recently used as offices, a technical college, and as storage. This building is being subdivided off separately, so the request only applies to it.

The owner of the property is requesting that the large building and its tract be rezoned to Light Manufacturing in order to allow the relocation and growth of their warehousing and distribution business. The applicant states that this new location will enable them to add product lines, increase sales significantly, and that they intend to add one hundred new employees in the next five years as they grow. Staff recommends approval.

Ben Crew with Balzer and Associates, 1208 Corporate Circle, Roanoke, appeared before the Commission on behalf of Layman Candy Company. He noted that Glenn Bowe, Vice President of Layman Candy Company was also present. He stated that it is an exciting time for Layman Candy Company and the rezoning will allow them to relocate the business from West Main Street to this currently vacant and larger facility off of Apperson Drive. The relocation will also allow the company to work on the growth projection for the next five years, which are outlined in the narrative provided with the request.

A discussion was held regarding tractor trailer/truck traffic to and from the site--tractor trailers deliver goods, box trucks then distribute goods. Number varies, but possibly ten trucks a day typically more in the early morning.

Glenn Bowe, Vice President of Layman Candy Company, 1630 West Main Street, Salem, appeared before the Commission to help explain truck traffic, egress, etc. with Ben Crew.

A discussion was held regarding the travel path for the trucks--the standard is for all truck traffic to use the signalized intersection, which is a controlled access point. Trucks will then go to the back of the building to the loading docks where the majority of the trucks will be located to do unloading and reloading. It was noted that employees will park in the front of the building; there are two main shifts of employees--7 a.m. to 4 p.m. is the main shift and a shift that comes in at 6 a.m. and works until finished. Initially there will be less than 50 employees working at one time. It was also noted that the way the property is being subdivided there will be a property owners' association and it will have cross access easements to ensure that the main parcel and all out parcels are covered from an access and maintenance standpoint.

The Director of Community Development noted that there are more conflict points on West Main Street where you can have traffic problems in addition to overflow traffic from Interstate 81 compared to Apperson Drive where it is a clear intersection with less conflict points.

Bill Turner, 1302 Belle Aire Lane, Roanoke, VA, appeared before the Commission and stated that his property is in the City of Roanoke, but it overlooks the property. He

stated that he has lived here for almost three years and the main shopping center has been vacant, but Lewis Gale Hospital has been a very good neighbor. He reviewed the history of the businesses that he remembers being in the property over the years. He stated that the notice that was sent out stated that the address of the property is 2105 Apperson Drive and he drove down the property and could not find that address on the main shopping center building. He stated that 2105 Apperson Drive is located on what he considers a "strip mall" perpendicular to Wendy's, which is not large enough to house a candy store much less a distribution center. He spoke with the Zoning Administrator regarding the address issue, and the truck traffic to the property. He stated that he is concerned about the truck traffic coming to and from the property. He further stated that he received a call from Sergeant Beard with the Salem Police Department regarding the truck traffic to and from the property. The concerns he addressed with Sergeant Beard were regarding trucks entering the property by the former Sakura Restaurant, site distance, truck traffic blocking the entrance to Wendy's, truck traffic going in front of the Small Steps Day Care Center, etc. He stated that there is another entrance, but it is privately owned.

Chair Daulton asked that Mr. Crew and Mr. Bowe address Mr. Turner's concerns.

A discussion was held regarding the address issue of the notice. It was noted that the description of the property to be rezoned is noted by the meets and bounds of what is being rezoned. It was further noted that the address listed is the "master" number of the tax parcel.

Jeff Cheater, 1305 Belle Aire Lane, Roanoke, appeared before the Commission. He stated that he looked the property up and there are four buildings on the property with the same parcel number. He questioned what building on the property is being rezoned.

The Zoning Administrator stated that the building in the back, which is the one requesting the rezoning, will be subdivided into its own tax parcel at a later date.

Mr. Cheater stated that he feels that the truck traffic should have been addressed in the initial presentation.

Chair Daulton stated that is why the Commission asked specific questions regarding the truck traffic.

Chair Daulton again asked Mr. Crew and Mr. Bowe to address the traffic concerns.

Mr. Crew stated that Lewis-Gale is the seller and does not have any concerns with there being a conflict of users; therefore, he does not see there is a concern. It was noted that Lewis-Gale is also a landlord to other businesses located on the parcel. He stated that the majority of the truck traffic should be dissipated by 8 a.m. and there will not be a multitude of tractor trailers coming to and from the property, it will be approximately ten in-bound tractor trailers a day; one out-bound tractor trailer a day going to North Carolina, and ten plus or minus box trucks per day for "regional" delivery. He further stated that he feels that the businesses will be able to work together. The Virginia Varsity Storage access is private and is not connected to the development. He noted that

it is a standard operational procedure by Layman Candy Company that truck traffic is to use a signalized intersection to access the property.

A discussion was held regarding tractor trailer and truck traffic loading, unloading and turning radius in the back of the building, and the number of vehicles coming and going from the property. The location of truck traffic near the daycare center--it was noted that there is a designated turn-in area for the daycare; therefore, the truck traffic will not be near the children. It was further noted that the actual route the truck traffic will take on the property has yet to be determined.

No other person(s) appeared related to the request.

Jackson Beamer motioned to approve request of Layman Candy Company, Inc., contract purchasers, and Lewis-Gale Medical Center, LLC, property owner, for rezoning a portion of the property located at 2105 Apperson Drive (Tax Map #281-1-20) from BCD Business Commerce District to LM Light Manufacturing District. Neil Conner seconded the motion.

Ayes: Beamer, Conner, Daulton, Garst, King

C. Amendment to the Zoning Ordinance

Hold public hearing to consider the request of Roanoke College Trustees, property owner, for rezoning a portion of the property located at 232 North Broad Street (Tax Map # 87-7-7), from CUD College and University District to RSF Residential Single-Family District.

Staff noted the following: The subject property consists of a single parcel of approximately one acre located along the east side of North Broad Street, across the street from Shipman Alley. The use of the property divides roughly in half: it is occupied by a parking facility, accessed from Red Lane, on the eastern half, but is vacant on the half fronting on Broad Street.

The applicant is proposing to subdivide off about one-third of the property along North Broad Street and is requesting that this portion be rezoned to Residential Single Family in order to allow the construction of a new single-family residence. Staff recommends approval.

Ben Crew, Balzer and Associates, 1208 Corporate Circle, Roanoke, VA 24018, appeared before the Commission on behalf of Roanoke College. He noted that David Moen, Vice President of Business Affairs at Roanoke College, was also present. He stated that Roanoke College feels this property is "surplus" and would like to have the property rezoned as it is the best use for the parcel. He noted that Roanoke College does not have immediate plans to sell the property, but it may come on the market in the future.

It was noted that the residents who inquired about the rezoning were in favor of the rezoning once they found out it was for residential single family.

No other person(s) appeared related to the request.

Denise King motioned to approve the request of Roanoke College Trustees, property owner, for rezoning a portion of the property located at 232 North Broad Street (Tax Map #87-7-7) from CUD College and University District to RSF Residential Single-Family District. Neil Conner seconded the motion.

Ayes: Beamer, Conner, Daulton, Garst, King

D. The Village at North Mill Phase Four

Consider the request for preliminary and final approval of proposed subdivision plan and plat filed by RFC2017 Land, LLC, property owner/developer, for a 7.767-acre tract known as The Village at North Mill Phase Four.

Staff noted the following: This plat would create seven new lots in phase 4 of the Village at North Mill. These lots are an extension of Woodside Drive, with a remnant lot to be included in a future phase.

This plat meets the City of Salem Subdivision Ordinance, and the Subdivision Plan has been approved by staff. Staff recommends approval.

Reid Garst motioned to approve the request for preliminary and final approval of proposed subdivision plan and plat filed by RFC2017 Land, LLC, property owner/developer, for a 7.767-acre trace known as The Village at North Mill Phase Four. Denise King seconded the motion.

Ayes: Beamer, Conner, Daulton, Garst, King

E. Calhoun Townhomes

Consider the request for preliminary and final approval of proposed subdivision plan and plat filed by Virginia Valley Properties, LLC, property owner/developer, for a 0.72-acre tract known as the Calhoun Townhomes.

Staff noted the following: This plat would create seven (7) new lots (6 townhomes, 1 common area lot) for the Calhoun Townhomes. Parking will be at the rear of the townhomes to include garages. The stormwater management area will be located within the common area lot.

This plat meets the City of Salem Subdivision Ordinance, and the Subdivision Plan has been approved by staff. Staff recommends approval.

The City Planner noted that the alley behind the property has changed from a designation of an 18-foot public alley on the preliminary plat to 18-foot alley on the final plat.

Neil Conner motioned to approve the request for preliminary and final approval of proposed subdivision plan and plat filed by Virginia Valley Properties, LLC, property owner/developer, for a 0.72-acre tract known as the Calhoun Townhomes. Jackson Beamer seconded the motion.

Ayes: Beamer, Conner, Daulton, Garst, King

5. Adjournment

On motion by Jackson Beamer seconded by Neil Conner and duly carried, Chair Daulton adjourned at 8:21 p.m.

Ayes: Beamer, Conner, Daulton, Garst, King

City Council meeting, August 23, 2021, 6:30 p.m.
Council Chambers, City Hall, 114 North Broad Street

AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SALEM,
VIRGINIA HELD AT CITY HALL

AGENDA ITEM:

Amendment to the Zoning Ordinance

Hold public hearing and consider ordinance on first reading for rezoning a portion of the property of Roanoke College Trustees, property owner, located at 232 North Broad Street (Tax Map # 87-7-7), from CUD College and University District to RSF Residential Single-Family District. Advertised in the July 29 and August 5, 2021 issues of the Salem Times-Register.

SUBMITTED BY:

Benjamin W. Tripp, AICP, CEcD, City Planner

SUMMARY OF INFORMATION:

Zoning: CUD College and University District
Future Land Use Plan Designation: Residential
Existing Use: Vacant, Educational Facilities, College/University
Proposed Use: Single Family Dwelling, Detached

The subject property consists of a single parcel of approximately one acre, located along the east side of North Broad Street, across the street from Shipman Alley. The use of the property divides roughly in half: It is occupied by a parking facility, accessed from Red Lane, on the eastern half, but is vacant on the half fronting on Broad Street.

SUMMARY OF PROPOSED CHANGES:

The applicant is proposing to subdivide off about 1/3rd of the property along North Broad Street (noted as Proposed Parcel B on the attached draft subdivision plat for reference), and is requesting that this portion be rezoned to Residential Single Family in order to allow the construction of a new single family residence.

STAFF RECOMMENDATION:

Staff recommends approval.

AN ORDINANCE TO AMEND SECTION 106-110, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Section 106-110, Article I, Chapter 106 of The Code of the City of Salem, Virginia, relating to building district boundary lines be amended in the following particular and no other, viz:

That the following described property in the City of Salem of Roanoke College Trustees, property owner, being a portion of the property located at 232 North Broad Street (Tax Map # 87-7-7) be and the same is hereby changed from CUD College and University District to RSF Residential Single-Family District. And the map referred to shall be changed in this respect and no other, said property being described as follows:

BEGINNING AT A POINT ON THE EAST LINE OF NORTH BROAD STREET, SAID POINT LYING 132'± NORTH OF THE NORTH LINE OF DULANEY'S ALLEY; THENCE ALONG THE EAST LINE OF NORTH BROAD STREET N 12°34'00" W THROUGH AN IRON PIN FOUND AT 129.97', A TOTAL DISTANCE OF 137.26' TO A POINT IN THE CENTER OF VACATED SHIPMAN ALLEY; THENCE LEAVING THE EAST LINE OF NORTH BROAD STREET N 76°41'14" E A DISTANCE OF 111.91' TO A POINT; THENCE WITH A NEW LINE S 13°18'46" E A DISTANCE OF 137.18' TO A POINT; THENCE S 76°39'00" W A DISTANCE OF 113.69' TO A POINT ON THE EAST LINE OF NORTH BROAD STREET; WHICH IS THE POINT OF BEGINNING, HAVING AN AREA OF 15,478 SQUARE FEET, 0.355 ACRES AND BEING IN THE CITY OF SALEM, VIRGINIA.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance be and the same are hereby repealed.

This ordinance shall be in full force and effect ten (10) days after its final passage.

Upon a call for an aye and a nay vote, the same stood as follows:

John E. Saunders –
William D. Jones –
Byron Randolph Foley –
James W. Wallace, III –
Renee F. Turk –

Passed:
Effective:

/s/
Mayor

ATTEST:

H. Robert Light
Clerk of Council
City of Salem, Virginia

PETITION FOR ZONING AMENDMENT (REZONING)

City of Salem Community Development Department

Benjamin W. Tripp, AICP - City Planner

Email: btripp@salemva.gov

Telephone: 540-375-3032

1. Applicant(s):

Roanoke College Trustees c/o David Mowen

2. Legal Owner(s) of property requested to be rezoned:

Roanoke College Trustees c/o VP-Business Affairs

3. Location of Property:

Address: 232 N Broad St

Subdivision: Roanoke College

Official Tax Map Number: Portion of 87-7-7

4. Characteristics of Property:

Size (Acreage): 0.355 AC.

Deed Restrictions: None

Present Use: Vacant

5. Zoning Classification:

Present Zoning: CUD - College/University District

Proposed Zoning: RSF - Residential Single Family District

Land Use Designation:

6. Reason(s) for Rezoning Request (Including proposed use):

See Narrative

7. Agent(s) or representative(s) of property owner(s): (Specify interest)

Balzer & Associates, Inc. c/o Ben Crew (Consultant)

Mailing Address: 1208 Corporate Circle Roanoke, VA 24018

Telephone Number: (540) 772-9580

8. Affidavit:

- A. The undersigned person certifies that this petition and the foregoing answers, statements, and other information herewith submitted are in all respects true and correct to the best of their knowledge and belief. Also, the petitioner understands that a "Notice of Zoning Request" sign will be posted on the property by the City.

Applicant Signature:  Date: 6-25-21

Applicant Interest in Property: David B. Mowen, VP of Bus Affairs & Treasurer

Applicant Mailing Address:

Applicant Phone Number: 540-375-2265

Owner Signature:  Date: 6-25-21

Owner Interest in Property: David B. Mowen, VP of Bus Affairs & Treasurer

Owner Mailing Address: 221 College Ln, Salem, VA 24153

Owner Telephone Number: 540-375-2265

July 1, 2021

Mr. Jay Taliaferro
City Manager - City of Salem
21 South Bruffey Street
Salem, VA 24153

RE: 232 N Broad St – Salem, VA 24153
Balzer and Associates, Inc. Job # 04210036.00
Rezoning Request

Dear Mr. Taliaferro,

Roanoke College Trustees (Property Owner) are providing official application, supporting documents, and associated fees required to request a Rezoning of a portion of tax parcel 87-7-7, from CUD-College/University District to RSF-Residential Single Family District. The proposed zoning will allow for a residential use on a portion of the existing parcel while the remainder of the property can continue to provide residential parking for Roanoke College.

Project Narrative & Existing Conditions:

A portion of the existing parcel is currently being used to provide residential parking for Roanoke College, while the remainder of the parcel is vacant. The RSF zoning will allow for the development of a single family residence along North Broad Street, while maintaining the parking required by Roanoke College. See attached North Broad Street “Resubdivision Plat for Roanoke College - Zoning Exhibit” dated 6/7/2021 for additional details. The existing parcel is approximately 1.006 acres and is bounded by the public rights-of-way of North Broad Street to the West and Red Lane to the East, and by RSF zoned property to the North and South. The parcel generally drains from West to East towards Red Lane. The property has frontage on two public roads, North Broad Street and Red Lane.

Buffers

An existing row of evergreen trees will provide an existing/natural buffer between the proposed RSF parcel and the portion of the existing parcel to remain CUD.

Comprehensive Development Plan & Summary:

This project is in conformance with many of the Goals and Objectives defined in the City of Salem’s Comprehensive Plan. This project is sensitive to the existing surrounding properties by maintaining existing buffering, while utilizing a vacant property for an appropriate use to match surrounding land uses. This project provides an excellent opportunity to the City of Salem to gain additional residential property in a location of high demand, while supporting Roanoke College and helping to promote low density residential development along North Broad Street.

Sincerely,

A stylized handwritten signature in black ink, appearing to read 'BTC'.

Benjamin T. Crew
Associate

NOTES:

1. OWNERS OF RECORD: ROANOKE COLLEGE
C/O VP OF BUSINESS AFFAIRS

2. LEGAL REFERENCE: INST.#041111075
(SEE NOTE #8 IN REGARDS TO VACATED SHIPMAN ALLEY)

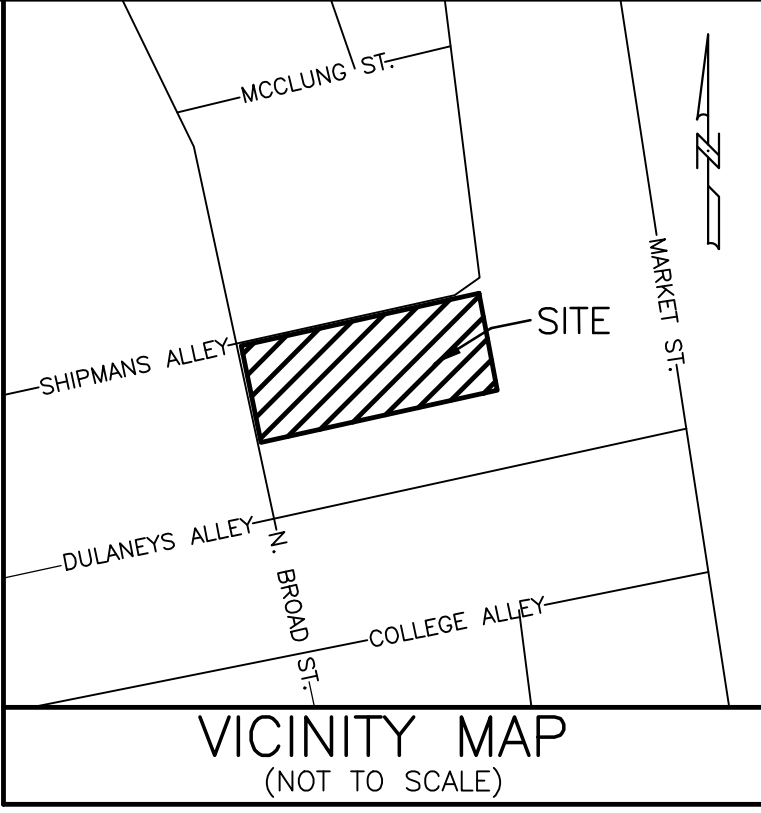
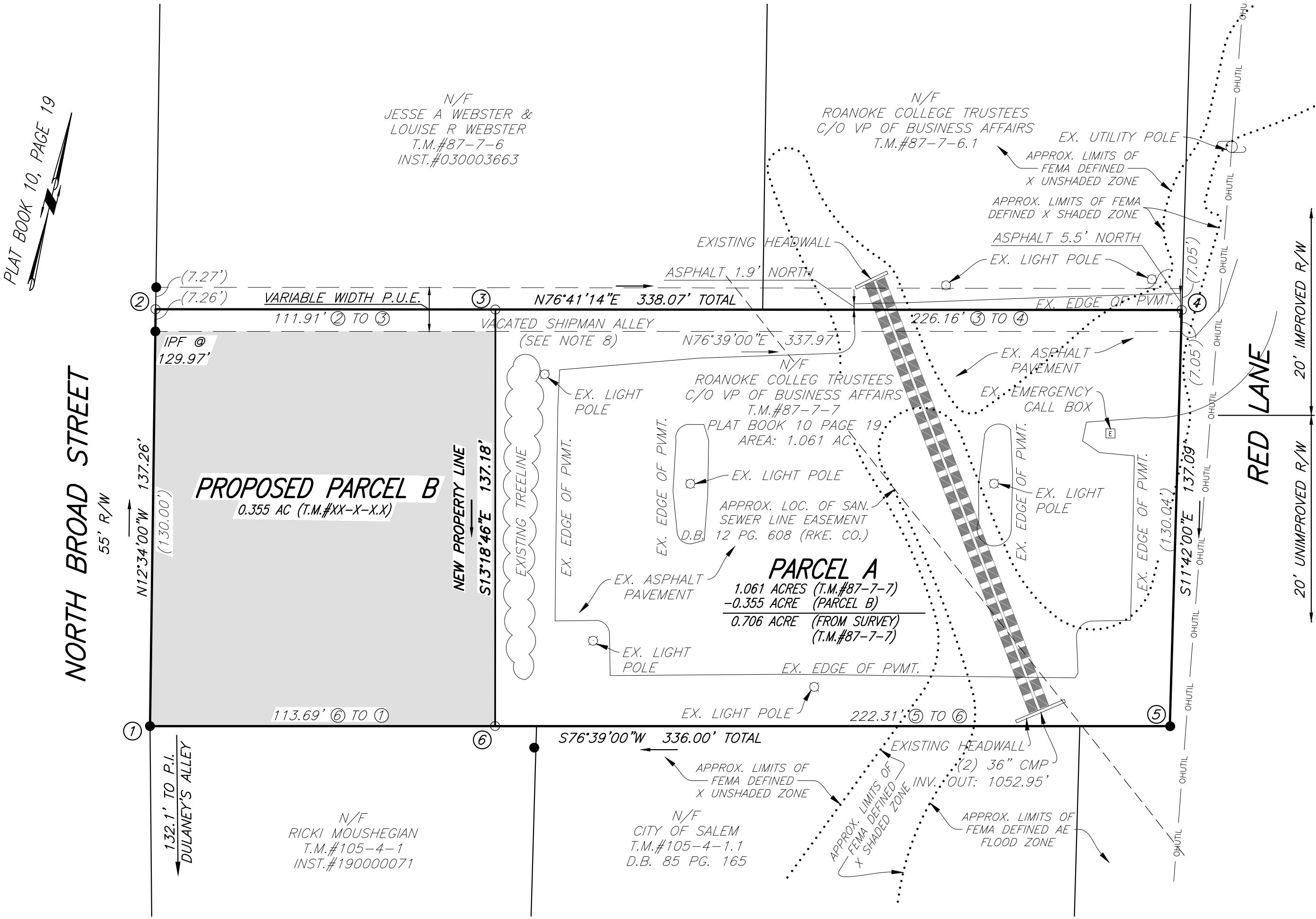
3. PROPERTY IS CURRENTLY ZONED CUD

4. THE CURRENT TAX MAP NUMBER: 87-7-7

5. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT AND THERE MAY EXIST ENCUMBRANCES WHICH AFFECT THE PROPERTY NOT SHOWN HEREON.
6. PROPERTY IS IN F.E.M.A. DEFINED ZONE X UNSHADED, X SHADED, & AE
SEE FEMA MAP #51161C0141G
(REVISED DATE: SEPTEMBER 28, 2007)

7. PROPERTY MAY CONTAIN UNDERGROUND UTILITY SERVICE LINES.

8. MAYOR TARPLEY REPORTED THAT COUNCIL AT ITS REGULAR MEETING HELD ON AUGUST 22, 2005, PASSED AN ORDINANCE ON FIRST READING PERMANENTLY VACATING SHIPMAN ALLEY BETWEEN NORTH BROAD STREET AND RED LANE IN THE CITY OF SALEM, VIRGINIA, FOR THE TRUSTEES OF ROANOKE COLLEGE.
(SEE CITY OF SALEM RESOLUTION #1062)



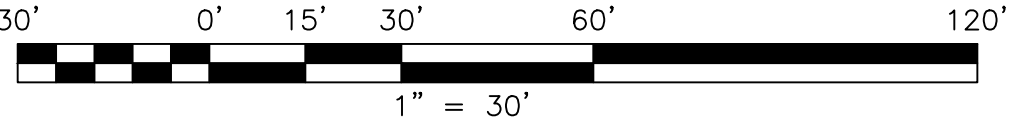
LEGEND

● IRON PIN FOUND

○ DEEDED CORNER

P.U.E. PUBLIC UTILITY ESMT.

COORDINATE LIST(ASSUMED)		
CORNER	NORTHING	EASTING
1	19873.117	10028.287
2	20007.091	9998.422
3	20032.860	10107.322
4	20084.938	10327.408
5	19950.699	10355.208
6	19899.369	10138.909



ZONING EXHIBIT PLAN
ROANOKE COLLEGE

BEING THE RESUBDIVISION OF
TAX MAP #87-7-7
AS SHOWN IN
PLAT BOOK 10 PAGE 19
IN ADDITION TO
1/2 VACATED SHIPMAN ALLEY (SEE NOTE 8)
CREATING HEREON
PARCEL A (0.706 AC) &
PARCEL B (0.355 AC)
232 N. BROAD STREET
CITY OF SALEM, VIRGINIA
SURVEYED 06-07-2021
JOB #04210036.00
SCALE: 1" = 30'
SHEET 1 OF 1

PLANNERS / ARCHITECTS / ENGINEERS / SURVEYORS
ROANOKE / RICHMOND / NEW RIVER VALLEY / STAUNTON / HARRISONBURG / LYNCHBURG
1208 Corporate Circle / Roanoke, Virginia 24018 / Phone (540) 772-9580 / www.balzer.cc

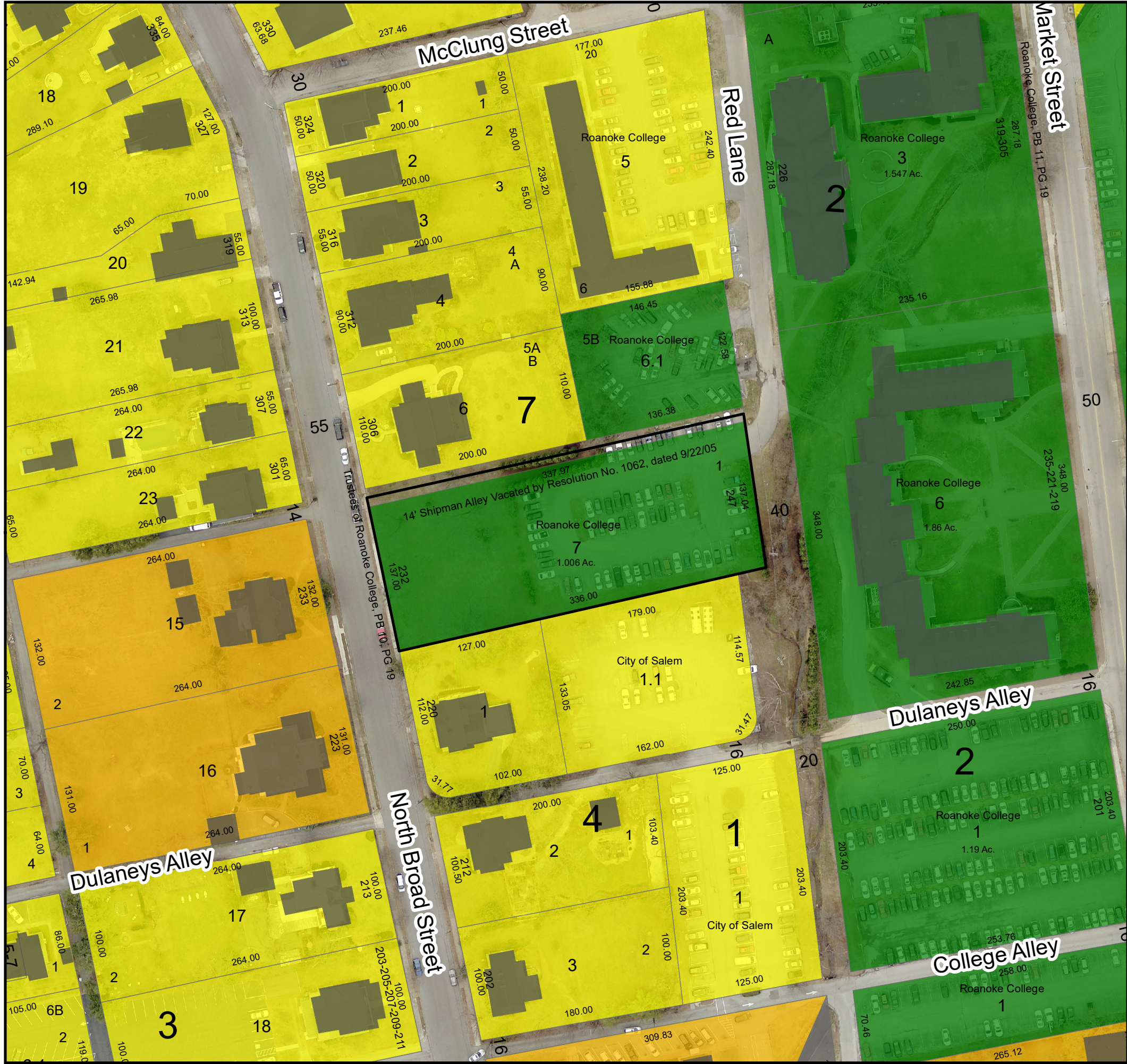


DRAWN BY: BTC

LEGAL DESCRIPTION
PROPOSED PARCEL B
NORTH BROAD STREET

BEGINNING AT A POINT ON THE EAST LINE OF NORTH BROAD STREET,
SAID POINT LYING 132'± NORTH OF THE NORTH LINE OF DULANEY'S ALLEY;
THENCE ALONG THE EAST LINE OF NORTH BROAD STREET N 12°34'00" W THROUGH AN IRON
PIN FOUND AT 129.97', A TOTAL DISTANCE OF 137.26' TO A POINT IN THE CENTER OF VACATED
SHIPMAN ALLEY;
THENCE LEAVING THE EAST LINE OF NORTH BROAD STREET N 76°41'14" E A DISTANCE OF
111.91' TO A POINT;
THENCE WITH A NEW LINE S 13°18'46" E A DISTANCE OF 137.18' TO A POINT;
THENCE S 76°39'00" W A DISTANCE OF 113.69' TO A POINT ON THE EAST LINE OF NORTH
BROAD STREET;
WHICH IS THE POINT OF BEGINNING,
HAVING AN AREA OF 15,478 SQUARE FEET, 0.355 ACRES AND BEING IN THE CITY OF SALEM,
VIRGINIA.

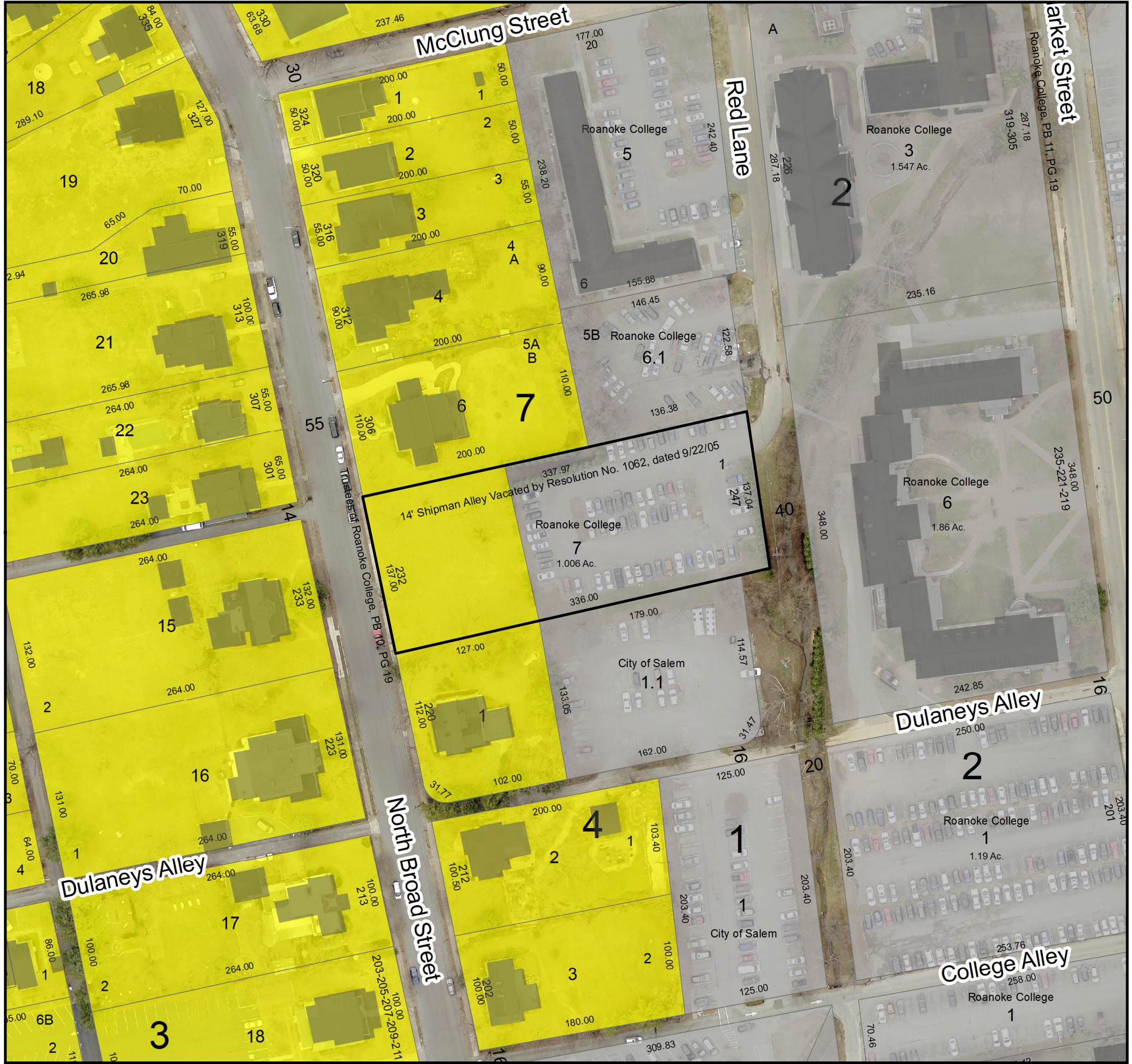
EXISTING ZONING



Tax Parcel 87-7-7 Buildings Parcels City Limits

- | | |
|--|---|
| AG - Agriculture District | PUD - Planned Unit District |
| BCD - Business Commerce District | RB - Residential Business District |
| CBD - Community Business District | RMF - Residential Multi-Family District |
| CUD - College/University District | RMF/RB - Residential Multi-Family/Residential Business District |
| DBD - Downtown Business District | RSF - Residential Single Family District |
| HBD - Highway Business District | RSF/HBD - Residential Single/Highway Business District |
| HBD/HM - Highway Business/Heavy Manufacturing District | RSF/LM - Residential Single Family/Light Manufacturing |
| HBD/LM - Highway Business/Light Manufacturing District | RSF/RB - Residential Single Family/Residential Business District |
| HM - Heavy Manufacturing District | RSF/RMF - Residential Single Family/Residential Multi-Family District |
| LM - Light Manufacturing District | RSF/TBD - Residential Single Family/Transitional Business District |
| LM/HM - Light Manufacturing/Heavy Manufacturing District | TBD - Transitional Business District |
| MHP - Manufactured Home Park District | |

FUTURE LAND USE



Tax Parcel 87-7-7 Buildings Parcels City Limits

- | | |
|---------------------------|-------------------------------|
| Commercial | Mixed Use |
| Downtown | Public Parks and Recreational |
| Economic Development Area | Residential |
| Industrial | Transitional |
| Institutional | |

**AFFADAVIT OF MAILING PURSUANT TO S15.2-2204
CODE OF VIRGINIA**

**PLANNING COMMISSION
AUGUST 11, 2021**

ITEM #

This is to certify that I mailed letters in reference to the rezoning request of Roanoke College Trustees, property owner, for rezoning a portion of the property located at 232 North Broad Street (Tax Map # 87-7-7) from CUD College and University District to RSF Residential SingleFamily District, to the following property owners and adjacent property owners on July 27, 2021, in the 2:00 p.m. mail:

ROANOKE COLLEGE TRUSTEES
221 COLLEGE LN
SALEM VA 24153

CITY OF SALEM
ATTN: JAY TALIAFERRO
P O BOX 869
SALEM VA 24153

JESSE A WEBSTER
LOUISE R WEBSTER
306 N BROAD ST
SALEM VA 24153

RICKI MOUSHEGIAN
220 N BROAD STREET
SALEM VA 24153

CHRISTOPHER T VANDEGRIFT
LINDSAY E VANDEGRIFT
301 N BROAD ST
SALEM VA 24153

SCOTT WILLIAM WISE
MARGARET DAVIES WISE
233 N BROAD ST
SALEM VA 24153

PAUL C KUHNEL
RUTH ELLEN KUHNEL
223 N BROAD STREET
SALEM VA 24153

ALL ABOUT THE RARI LLC
2760 GLENEAGLES RD
SALEM VA 24153

Signed

Kristal M. Graves

Date

7/27/2021

City of Salem

Commonwealth of Virginia

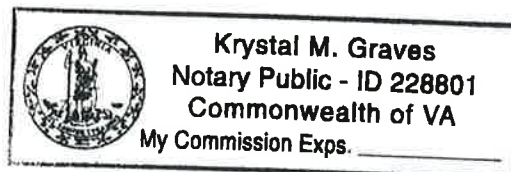
The foregoing instrument was acknowledged before me this 27th day of July, 2021, by

Goretha L. Prillaman

Kristal M. Graves

Notary Public

My commission expires: March 31, 2023





**IMPORTANT NOTICE OF PUBLIC HEARINGS
PROPOSAL TO CHANGE ZONING**

Notice is hereby given that a request has been filed with the City of Salem by the property owner/petitioner of the property described below. The Planning Commission of the City of Salem will consider this request at its meeting listed below and make a recommendation to the City Council. The City Council of the City of Salem will also consider this request, and the recommendation of the Planning Commission at its meeting listed below. City Council will make the final decision in this matter.

Property Owner/Petitioner:

Roanoke College Trustees, property owner

Location of Property:

232 North Broad St (Tax Map # 87-7-7)

Purpose of Request:

To rezone from CUD College and University District to RSF Residential Single Family District on a portion of the property located at 232 North Broad Street, (Tax Map # 87-7-7).

The date, time, and place of the public hearing scheduled by the Planning Commission on this request are as follows:

**WEDNESDAY, AUGUST 11, 2021 – 7 P.M.
COUNCIL CHAMBERS, FIRST FLOOR, SALEM CITY HALL
114 NORTH BROAD STREET, SALEM, VIRGINIA**

The date, time, and place of the public hearing scheduled by City Council on this request are as follows:

**MONDAY, AUGUST 23, 2021 – 6:30 P.M.
COUNCIL CHAMBERS, FIRST FLOOR, SALEM CITY HALL
114 NORTH BROAD STREET, SALEM, VIRGINIA**

Additional information on this request may be obtained in the Community Development Department, 21 South Bruffey Street, Salem, Virginia or at (540) 375-3032.

James E. Taliaferro, II
Executive Secretary
Planning Commission

AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SALEM, VIRGINIA
HELD AT CITY HALL

MEETING DATE: August 23, 2021

AGENDA ITEM: Consider setting date for a public hearing in accordance with Section 22.1-29.1 of the Code of Virginia 1950, as amended, regarding the expiration of terms for Nancy Bradley and Teresa Sizemore-Hernandez.

SUBMITTED BY: Jay Taliaferro, City Manager

SUMMARY OF INFORMATION:

The current terms for School Board members Nancy Bradley and Teresa Sizemore-Hernandez expire on December 31, 2021. Per the Code of Virginia, Council must hold a public hearing to receive the views of citizen within the school division at least seven days prior to any appointment. No nominee or applicant whose name has not been considered at a public hearing shall be appointed as a School Board member.

Pending Council direction to set the public hearing date for the September 13, 2021 regular City Council meeting (or an alternate meeting date if Council elects), the City will provide public notice of this date and request interested applicants submit a letter of interest and resume to the office of the Clerk of Council for consideration and naming at the public hearing.

STAFF RECOMMENDATION:

Staff recommends Council set a public hearing on the appointment of school board members for September 13, 2021 during the regular Council meeting, provide public notice, and accept letters of interest and resumes from interested applicants for naming at this public hearing.

§ 22.1-29.1. Public hearing before appointment of school board members

At least seven days prior to the appointment of any school board member pursuant to the provisions of this chapter, of §§ [15.2-410](#), [15.2-531](#), [15.2-627](#) or § [15.2-837](#), or of any municipal charter, the appointing authority shall hold one or more public hearings to receive the views of citizens within the school division. The appointing authority shall cause public notice to be given at least ten days prior to any hearing by publication in a newspaper having a general circulation within the school division. No nominee or applicant whose name has not been considered at a public hearing shall be appointed as a school board member.

1985, c. 423; 1987, c. 430.

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

Item #6D

Date: 08/23/2021

AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SALEM, VIRGINIA
HELD AT CITY HALL

MEETING DATE: August 23, 2021

AGENDA ITEM: Adjustment to Purchasing Limits

SUBMITTED BY: Rosemarie B. Jordan, Director of Finance

SUMMARY OF INFORMATION:

The *Virginia Public Procurement Act (VPPA)* permits the City of Salem to establish small purchase procedures not requiring the use of competitive sealed bidding or competitive negotiation for single or term contracts. The current limit for small purchases requires different quotations if the purchase is between \$2,000 and \$40,000. The City requests to increase this limit to be more in line with other localities. The change would allow for the following categories of small purchases:

SUMMARY OF PURCHASING TYPES AND REQUIREMENTS		
ANTICIPATED COST OR TYPE	QUOTATIONS REQUIRED	FORMAL BIDS OR PROPOSALS REQUIRED
Under \$5,000	No	No
\$5,001 to \$75,000	3 Written	No
\$75,001 or Over Must be Advertised	3 Written	Yes
Emergency	No	No
Exempt Purchases	No	No
Sole Source	No	No

STAFF RECOMMENDATION:

It is staff's recommendation that City Council adopt Resolution 1406 updating the small purchases limits as described above, effective upon passage.

IN THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, August 23, 2021:

RESOLUTION 1406

WHEREAS, the Virginia Public Procurement Act (Section 11-35, et seq. of the 1950 Code of Virginia, as amended) provides for public policies and requirements pertaining to governmental procurement from both tax sources and nongovernmental sources; and

WHEREAS, the Council of the City of Salem has previously adopted a formal, written purchasing policy, in full and complete compliance with the requirements of the said Virginia Public Procurement Act; and

WHEREAS, the Council of the City of Salem, Virginia, wishes to revise its purchasing policy;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, THAT the Purchasing Policy and Small Purchases Procedure, Article 6, attached hereto and made a part hereof, are hereby adopted as the official Purchasing Policy of the City of Salem, Virginia, and shall become effective August 23, 2021.

Upon a call for an aye and a nay vote, the same stood as follows:

John E. Saunders –
William D. Jones –
Byron Randolph Foley –
James W. Wallace III –
Renee F. Turk –

ATTEST:

H. Robert Light
Clerk of Council

ARTICLE 6: GENERAL CONDITIONS FOR PURCHASES POLICY

6000 ESTABLISHMENT OF SMALL PURCHASES POLICY

The *Virginia Public Procurement Act (VPPA)* permits the City to establish small purchase procedures, not requiring the use of competitive sealed bidding or competitive negotiation for single or term contracts if the aggregate or sum of all phases is not expected to exceed \$75,000, however, such small purchase procedures shall provide for competition whenever practicable (*Code of Virginia*, §2.2-4303G). The following small purchase procedures have been established by the City for use when acquiring materials, supplies, equipment, printing or nonprofessional services under \$75,000.

6001 TYPES OF PURCHASES AND PROCEDURE

Purchases not exceeding \$75,000, usually may be made using the small purchase procedures. Small purchases generally do not justify the administrative time and expense necessary to conduct competitive formal bidding or competitive negotiation. All purchases require the completion of a purchase order by the individual authorizing the purchase or the Purchasing Department. For purchases over \$5,000 departments shall solicit at least three written quotations, and keep the information gathered with the purchase order as backup documentation. **Departments shall not reveal quotations to competing vendors prior to award.** Departments must not circumvent competitive procurement requirements by fragmenting orders for like goods or services so that they fall within the dollar limits established for small purchases as stated below:

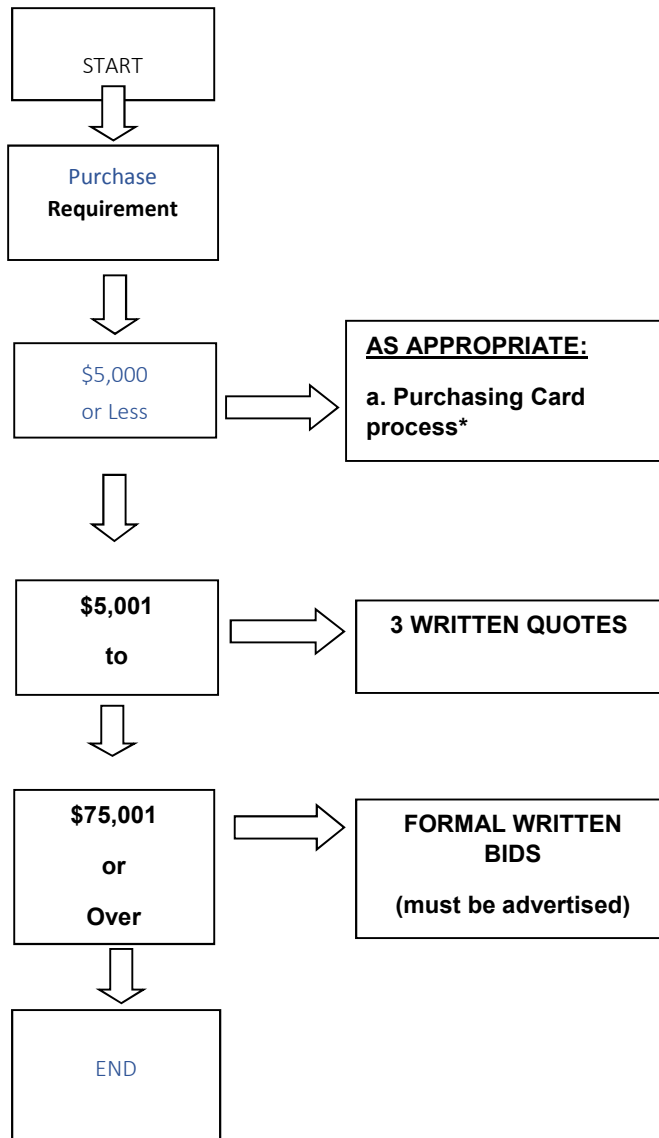
6002 FIVE TYPES OF SMALL PURCHASES

1. Purchases under \$5,000 in value
2. Purchases between \$5,001 and \$75,000 in value
3. Emergency purchases
4. Purchases exempt by VPPA
5. Sole Source

SUMMARY OF PURCHASING TYPES AND REQUIREMENTS		
ANTICIPATED COST OR TYPE	QUOTATIONS REQUIRED	FORMAL BIDS OR PROPOSALS REQUIRED
Under \$5,000	No	No
\$5,001 to \$75,000	3 Written	No
\$75,001 or Over Must be Advertised	3 Written	Yes
Emergency	No	No
Exempt Purchases	No	No
Sole Source	No	No

SMALL PURCHASE PROCEDURES

SMALL PURCHASE PROCESS



***NOTE:** Use Purchasing Card Method for purchase of recurring, frequent Maintenance, Repair and Operating (MRO) supplies/services.

6003 PURCHASES DEFINED

PURCHASES UNDER \$5,000 IN VALUE - Purchases in this group require no quotations by the using Department. The \$5,000 applies to the total of all items purchased on an invoice (not the value of the individual item).

PURCHASES BETWEEN \$5,001 AND \$75,000 IN VALUE - Purchases of this type should be accomplished primarily by the using department, with the assistance of the Purchasing Department as required. The total value of all items purchased should not exceed \$75,000. For purchases of this type at least three (3) quotations are required and may be obtained as an written or fax quotation. The Department Director may at his/her option, request that the purchase be made by the Purchasing Department. If this is the case, then the same procedures as those in the next group should be followed.

PURCHASES OVER \$75,001 IN VALUE - Purchases which fall in this category are likely to be of two types: **Capital Equipment or Operational Purchases**. All purchases falling into these classifications require formal bids or proposals be received. Capital Equipment purchases will usually require formal sealed bids. Department Directors will be required to assist the Purchasing Department in the development of formal specifications for the needed items or services and they should allow the proper lead time in their planning.

COMPETITIVE NEGOTIATION (FOR GOODS AND NONPROFESSIONAL SERVICES)

Competitive negotiation may be the procurement method used for goods and nonprofessional services when it is not practicable or fiscally advantageous to use competitive sealed bidding.

This method of procurement requires the issuance of a Request for Proposal (RFP) that describes in general terms the requirement, the factors that will be used to evaluate the proposal, the City General Terms and Conditions, plus any special conditions including unique capabilities or qualifications that will be required.

6004 EMERGENCY PURCHASES:

CRITERIA:

Under certain circumstances emergency purchases are necessary to serve the best interests of the City and its citizens. An emergency shall be deemed to exist, when a breakdown in an essential service occurs or under any other circumstances when supplies are needed for immediate use which could not be anticipated and may vitally affect the safety, health, or welfare of the citizens of the City of Salem. An emergency will also occur as a result of needing parts or labor for unanticipated and unforeseeable repairs to equipment, which must be kept in operating order. The designated authorized departmental representative shall purchase directly any supplies or services needed to meet the existing emergency. The use of emergency purchases for failure to anticipate and plan according to normal needs is inappropriate. Abuse of emergency purchases will be reported by the Purchasing Agent to the City Manager.

PROCEDURES:

Any department which purchases a service or commodity under this section must inform the Purchasing Department using the “**Emergency Purchase Authorization Form**” (see attached form) and on the Purchase Order under vendor notes. Attach form with full justification to purchase order.



CITY OF SALEM

EMERGENCY PURCHASE AUTHORIZATION FORM

Date: _____

Department: _____ Division: _____

Contact: _____ Phone: _____

VendorName: _____ Cost: \$ _____

Material or Services Purchased: _____ - _____

NATURE OF THE EMERGENCY:

Date & Time: _____

_____ Threat to terminate essential services:

_____ Threat to public safety, health or welfare:

Briefly explain circumstances:

Signed: _____
(Signature of Department Director or Designee)

6005 EXCEPTIONS TO SMALL PURCHASING PROCEDURES:

- A. Professional Services
- B. Building Contracts
- C. Purchase of Property
- D. Dues, Subscriptions and Memberships
- E. Travel and Training Expenses
- F. Utility Charges and Services
- G. Books, Magazines and Periodicals
- H. Insurance
- I. Personnel Services (Anyone to whom a salary or fee is paid)
- J. Postage and Other Mailing Fees
- K. Fringe Benefits
- L. Other as may be determined from time to time by Purchasing Agent

6006 SOLE SOURCE PURCHASES

GENERAL: The City Code allows for exemption from the competitive process when a written determination has been made by **the Purchasing Agent or Department Director** that there is **only one source practicably available** to supply a good or service.

SOLE SOURCE PROCEDURES:

- A. CRITERIA. The following are the criteria used for determining sole source:
 - 1. The Vendor is the original equipment manufacturer and there are no regional distributors;
 - 2. The parts or equipment requested are not interchangeable with similar parts or equipment available from another manufacturer;
 - 3. No other equipment is available that will meet the specialized needs of the department or perform the intended function; or
 - 4. Detailed justification is available which establishes beyond a doubt that the Vendor is the only source practicably available to provide the item or service required.
- B. PROCEDURES. The following procedures shall be used:
 - 1. Complete the Sole Source Justification Form (see attached sample);
 - 2. Submit a copy to the Purchasing Department for review and approval. This form must include documentation or justification to support the determination of Sole Source;
 - 3. Attach the Sole Source Justification Form and any other documentation as an attachment when entering into New World for approval of purchase.



CITY OF SALEM

SOLE SOURCE JUSTIFICATION FORM

Date: _____ Department: _____

Division: _____ Contact: _____

Vendor Name: _____ Cost: \$ _____

SOLE SOURCE JUSTIFICATION

INITIAL ALL ENTRIES THAT APPLY

1. _____ Vendor is the original equipment manufacturer; there are no regional distributors.
2. _____ The parts/equipment are not interchangeable with similar parts of another manufacturer.
3. _____ This is the only equipment that meets the specialized needs of the department and performs the intended function.
4. _____ Detailed justification is available which establishes that the Vendor is the only source practicably available to provide the item or service required (attach details).

By signing below, I recommend that competitive procurement be waived, and that the service or material on the attached PO be purchased as a sole source.

Signed: _____
(Signature of Department Director or Designee)

Approved: _____
Purchasing

If applicable, attach additional justification information to this form.

6007 SPECIFICATIONS

DEFINITION

The term, "specification," refers to that portion of a solicitation that describes the characteristics of a commodity or service required by a using department/agency. It is used interchangeably with the terms, "purchase description," "purchase specification," "purchase requirement," "scope of work" and "statement of work". A specification may include requirements for samples, prototypes, inspection, testing, warranty and packaging. The specification portion of a solicitation should not contain bidding instructions, contractual terms and conditions, delivery, pricing formats or similar material.

AUTHORITY FOR SPECIFICATIONS

The City Code gives the Purchasing Agent the authority and responsibility for specifications. Since the purpose of a specification is to translate a user's need into the delivery of a good or service, the development of specifications must be a cooperative effort between the using department and Purchasing. However, prior to release of a specification as part of a solicitation, the Purchasing Agent must be satisfied that it will result in a fair and equitable competitive procurement.

When Purchasing and the using department disagree on a specification and cannot resolve the difference, the Director of Finance shall arbitrate. Final appeal shall be to the City Manager.

TYPES OF SPECIFICATIONS

There are several types of specifications. The development, selection and use of a particular type is dependent on the situation, time, information available and needs of the user.

- A. **PERFORMANCE SPECIFICATIONS:** Performance specifications are preferred since they communicate what a product is to do, rather than how it is to be built. Performance specifications should include if applicable:
 - 1. A general description;
 - 2. Required performance characteristics (minimum/maximum) to include speed, storage, production capacity, usage, ability to perform a specific function;
 - 3. Operational requirements, such as limitations on environment, water or air cooling, electrical requirements;
 - 4. Site preparation requirements for which the contractor will be responsible, such as electricity, plumbing, or for which the City will be responsible;
 - 5. Compatibility requirements with existing equipment or programs;
 - 6. Conversion requirements for maintaining a current equipment or system until switching to the new equipment or system;
 - 7. Installation requirements;
 - 8. Delivery date;
 - 9. Maintenance requirements;
 - 10. Supplies and parts requirements;
 - 11. Quantity and method of pricing;
 - 12. Warranty;
 - 13. Service location and response time.
- B. **DESIGN SPECIFICATIONS:** Design specifications employ dimensional and other physical

requirements and concentrate on how a product is fabricated, rather than on what it should do. Design specifications are normally prepared by architects and engineers for construction or custom manufactured products. Components of a design specifications include the following:

1. Dimensions, tolerances and specific manufacturing or construction processes;
 2. References to a manufacturer's brand name or model number; and
 3. Use of drawings and other detailed instructions to describe the product.
- C. **BRAND NAME OR EQUAL:** When a specification mentions a manufacturer's brand name or model number, it shall also include the words, "or equivalent". In this regard, "or equivalent" is interpreted to mean, *substantially equal and capable of performing the essential functions of the referenced brand name or model.* Identify in the requisition any specific features of the referenced brand that must be met.
- D. **SCOPE OF WORK FOR SERVICES:** The following is an outline of the types of information that should be included in a scope of work for procurement of professional or other services:
1. **General Requirements.** Describe the contractor's responsibility to provide a service or produce a specific study, design or report for the using department.
 2. **Specific Requirements.** Address the specific tasks, sub-tasks, parameters and limitations which must be considered in producing the service or final project. Such factors as the following should be included:
 - a) Details minimum or desired qualifications;
 - b) Amount of service needed;
 - c) Location of service;
 - d) Definition of service unit;
 - e) Time limitations;
 - f) Travel regulations or restrictions;
 - g) Special equipment required;
 - h) Other factors affecting working environments.
 3. **City Provided Materials or Services.** List any plans, reports, statistics, space, personnel, or other City provided items that must be used by the contractor.
 4. **Deliverables, Reports and Delivery Dates.** Identify the specific delivery dates for all documentation or other products the contractor must furnish. Be clear about the expectations of the City for the contractor's performance.

SPECIFICATION "DO'S" AND "DON'TS"

A. DO'S

1. Use the words, "shall, must or will," to describe a command or mandatory requirements;
2. Provide as much information as possible;
3. Provide a description of functional, performance or technical characteristics as appropriate;
4. Be specific and detailed in presenting mandatory requirements.

B. DON'TS

1. Assume the Purchasing Department or Vendors are familiar with all your needs;
2. Provide information to any potential bidder during bidding process. All bidders must be notified in writing of any changes or interpretations, all bidders must receive the

- same information;
- 3. Copy specifications verbatim from a vendor's publication;
- 4. Present something as mandatory if it is really only optional;
- 5. Write specifications or scope of work that restrict response to a single bidder/offeror;
- 6. Place bid/proposal administrative or contractual terms in the specification portion of the document.

PREPARATION AND REVIEW OF SPECIFICATIONS

Departments are responsible for the first draft of specifications to be submitted to Purchasing. Lengthy and complex specifications should be submitted to Purchasing via Microsoft Word. Establish a due date and time that will allow sufficient time for potential bidders to seek clarification and for the issuance of an addendum, if necessary. The due date shall not be less than 10 days from the issue date of the ITB. After Purchasing has reviewed the specifications and attached the standard terms and conditions, the Department will be forwarded a draft for final review.

CONFERENCE/SITE VISITS

All pre-bid conferences and/or site visits shall be mentioned in both the ITB and any advertisement. If attendance at such a conference or site visit is a prerequisite for bidding, the public notice period shall be long enough to provide adequate opportunity for potential bidders to obtain a copy of the ITB and attend. Mandatory pre-bid conferences scheduled during a period of suspended City business operations should be rescheduled by the purchasing agent with a date and time which will permit proper notification to all potentially interested participants. Any changes in the requirements of the solicitation must be made by written addendum. The due date for receipt of bids should not be less than 7 days after the issue date of the addendum.

FOLLOWING ITEMS SHOULD BE CONSIDERED WHEN DEVELOPING THE SOLICITATION:

1. **AVAILABILITY OF FUNDS** – Funds to support a procurement solicitation must be available. If funds are limited, the file should contain a statement of dollar amount that cannot be exceeded, to ensure that a buyer does not make an award in excess of the funds available.
2. **TAXES** - The City of Salem and Salem City Public Schools are exempt from State Sales Tax and Federal Excise Tax. The City of Salem Finance Department upon request shall furnish tax Exemption Certificate. The City's Federal Tax ID number is 54-6001593. This tax-exempt status does not transfer to the contractor for any taxes associated with the work under this contract. The contractor will pay all sales, consumer, use, and other similar taxes required by the law of the place where the work is performed.
3. **PROMPT PAYMENT DISCOUNT** – If there is a certainty that payment can be made with a specified period, then a solicitation may be issued including a provision that discounts offered for prompt payment will be considered in determining the low bid. The provision should establish a minimum number of days that the City will consider; e.g., prompt payment discounts for less than 30 days will be considered.
4. **LICENSING** - Bidders are required under the Virginia Contractors' licensing law (title 54, Chapter 11) to show evidence of appropriate license before bid may be awarded.

Bidder shall place on the envelope containing bid the following: Virginia License Number _____.

5. PERMITS - The successful bidder agrees to obtain all permits necessary for the work to be performed under any contract resulting from this bid.
6. PERFORMANCE PERIOD – The performance period stated in the contract must include a starting and ending date, or the contract period must be for a specific period of time after a starting point; e.g., 120 days after date of award. If an option to renew the contract for an additional period is desired, the option must be stated in the solicitation.
7. BONDS – For the procurement of goods or services other than construction, for any dollar amount, consider if bid or performance and payment bonds are necessary to protect the City's interest.
 - Bidders must submit with bid a cashiers' check, certified check or bidders bond payable to the City of Salem.
 - If personal bonding is desired such as financial or security service, the requirement should be stated in the solicitation.
 - For construction contracts in excess of \$100,000, a bid bond or performance and payment bonds are required.
8. INSIDE DELIVERY – If inside delivery is required, the solicitation should so state. Consider specifying access requirements, e.g., elevator, loading dock, stairwell limitations.
9. SAMPLES/DEMONSTRATION – If samples or demonstration models are required, the type, quantity, size, place, and time for submission must be stated in the solicitation.
10. TECHNICAL DATA – If technical data will be required for evaluation, the solicitation should specify when and where the data should be submitted.
11. WARRANTY – If a warranty is required, specify the type and minimum warranty period in the solicitation.
12. PERFORMANCE BOND - The successful bidder shall execute a performance and payment bond for not less than 100% of the amount of the contract award and shall furnish same to the Purchasing Agent within 10 days of notice of intent to award contract. Such bond shall guarantee faithful performance by the contractor and indemnify the City from all claims from subcontractors for any amount due on account of labor, materials or services furnished. No contract shall be binding upon the City until such bond has been filed with the City.
13. CANCELLATION CLAUSE – If the solicitation will result in a term contract this clause should be included.
14. LIQUIDATED DAMAGES – If time and delivery are critical, it may be necessary to include a provision for liquidated damages. The basis for the amount of liquidated damages assessed must be supportable and reasonable, considering the service or goods being purchased and the impact of delay on the City. **A liquidated damages**

clause is not to be used as a penalty but as a means to access for damages which may be incurred by late delivery.

15. OWNERSHIP OF DOCUMENTS – If the contract will result in the production of plans, camera ready copy, art work, or any other material that has been paid for by the City and is required for subsequent or future production, then the appropriate special clause should be used in the solicitation to ensure ownership and retention by the City.
16. INSURANCE - The City will not be responsible for injury or damage incurred during performance of this service and/or contract. The vendor shall file with the City certificates of policies of workers compensation, public liability, automobile liability (including non-ownership and hired vehicles liability) and property damage insurance satisfactory to the City in compliance with the law in form and amount sufficient properly to protect the City. All insurance required by this agreement shall be and remain in full force and effect for the entire life of the contract and the City shall be named as an additional insured under such insurance contracts which shall contain a stipulation that the insurance provided shall not terminate, lapse or otherwise expire prior to ten (10) days written notice to that effect given by the insurance carrier to the City and that the insurance carrier will not invoke the defense of performance of a governmental function by the party of the first part in performing this contract to defeat liability or recovery under the insurance contract. The party of the first part will provide the City with a certificate of insurance from the insurance carrier to the effect that the insurance has been provided as set forth in and required by this section.

Workers compensation insurance shall comply with the requirements of the laws of the Commonwealth of Virginia. Public liability insurance and automobile liability insurance each shall be in an amount not less than \$1,000,000, for injuries including wrongful death to any one person and not less than \$500,000, for injuries including wrongful death resulting from any one occurrence. Property damage insurance shall be in an amount not less than \$1,000,000. No contract shall be binding upon the City until the certificate of insurance or policies called for herein has been filed with the City and all have been approved as to form and sufficiency by the City.

17. HOLD HARMLESS - The successful bidder shall agree to indemnify and hold harmless the City and all of its officers, agents, and employees from all suits, actions or claims of any character, name and description brought for or on account of any injuries or damages received or sustained by any person, persons or property by or from the said successful bidder or by or in consequence of any neglect in safeguarding the work, or through the use of unacceptable materials in the construction of improvements, or by or on account of any act or omission, neglect, misconduct or negligence of the successful bidder.

6008 BIDDING METHODS

Competition is not required for orders (invoices) less than \$5,000 in value. Competitive bidding is the preferred means of procurement. There are two (2) basic means of bidding, governed primarily by dollar amount and available time. The two (2) methods are written quotation and formal sealed bid, as defined below:

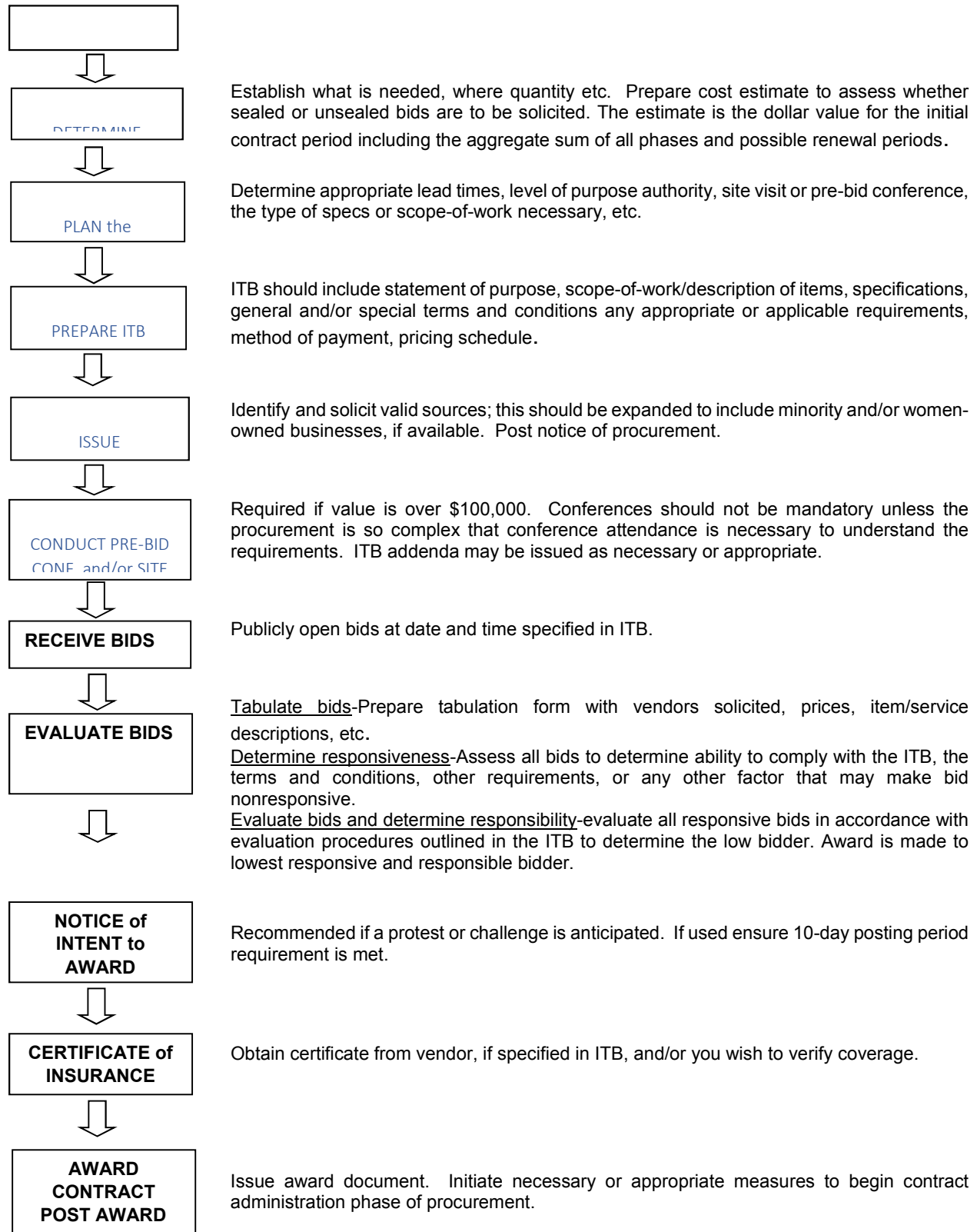
WRITTEN QUOTATION: A written solicitation must be sent to at least three vendors with a

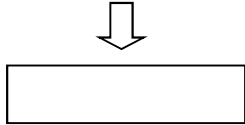
specified reply date. All quotes received after the date and time are non-responsive and are not considered for award. Requires written specifications for goods or services requested. Used for purchases in value between \$5,001 and \$75,000. Requires adequate time for preparation of specifications, sending quote, receipt, evaluation and award.

FORMAL OR COMPETITIVE SEALED BIDDING: Competitive sealed bidding is the preferred method for acquiring goods, printing, and nonprofessional services for public use when the estimated cost is over \$75,000. It is mandatory that all bids over \$75,000 must be advertised (ex.: The Roanoke Times) and cannot be due for at least 10 days after bid was advertised. The goods or services to be procured when using this method must be capable of being described so that bids submitted by potential vendors can be evaluated against this description in the Invitation to Bid (ITB) and an award made to the lowest responsive and responsible bidder. Competitive sealed bidding includes the issuance of a written ITB containing the specifications or scope of work/purchase description and the contractual terms and conditions applicable to the procurement. The requirements set forth in the ITB may include special qualifications required of potential contractors, life cycle costing, value analysis, and any other criteria such as testing, quality, workmanship, delivery and suitability for a particular purpose which may help in determining acceptability. ITBs must describe the requirements accurately and completely. Unnecessarily restrictive specifications or terms and conditions that unduly limit competition must be avoided. Bidders names are not announced until the opening. Requires adequate time for preparation of specifications, sending formal bid, receipt, evaluation and award, generally 30 to 45 days. In addition to the public notice, bids are to be solicited directly from potential bidders. In the competitive sealed bid process, bids are publicly opened and read aloud. The bids are evaluated based upon the requirements set forth in the ITB, and an award is made to the lowest responsive/responsible bidder.

COMPETITIVE SEALED BID PROCESS

For Goods and Non-professional Services (Over \$75,000)





A. NEGOTIATION WITH THE LOWEST RESPONSIBLE BIDDER

If the bid from the lowest responsible bidder exceeds available funds, the department may negotiate with the apparent low bidder to obtain a contract price within available funds if the solicitation contains the appropriate clause in Appendix B, II, (*Code of Virginia, §2.2-4318*). This clause shall not be used as a matter of routine. If the buyer decides to negotiate in such circumstances, the decision must be documented in writing in advance of the negotiations. Otherwise, unless canceled or rejected, a responsive bid from the lowest responsible bidder shall be accepted as submitted. "Available funds" are those budgeted by the department for the requirement and designated as such prior to the issuance of the ITB. The purpose of this provision is not to force a bidder to take a lower price but rather to negotiate an acceptable change in requirements, including price, that is agreeable to both parties. Negotiations might include an extended delivery date, reduced quantity, different accessories, etc., with a corresponding reduction in price.

B. PREPARATION AND ISSUANCE OF ITBs

1. After Purchasing has reviewed the specifications and attached its standard terms and conditions, the using Department will be forwarded a draft for final review.
2. Establish a due date and time that will allow sufficient time for potential bidders to seek clarification and for the issuance of an addendum, if necessary. The due date shall not be less than 10 days from the issue date of the ITB.
3. Scope. Specify in detail the materials, equipment, and supplies to be furnished or the scope of work to be performed by the contractor, including or incorporating by reference the specifications, drawings and contractual terms and conditions applicable to the procurement.
4. Verify. Review the ITB Solicitation to assure that all requirements applicable to the procurement have been met.
5. Sources. Mail copies of the ITB to at least four potential sources. This should be expanded to include minority and/or women-owned businesses, if available. If fewer than the required number of sources are solicited, the reasons must be documented in writing and placed in the purchase file.

C. EXEMPTIONS TO BIDDING:

Exemptions to competitive bidding are specified by law and are the exception.

No contract is binding on the City if it does not have a purchase order, is not signed by either the City Manager or the Purchasing Agent or City Manager Designee, in writing, by the City Manager to sign contracts on the City's behalf.

A. BID DATA SHEET FORM

1. Bid shall be submitted on the designated form, with blank spaces properly completed. **(See Attached Bid Data Sheet Form)**
2. Bid shall be signed in longhand on the bid form, along with the typed name of the person authorized to bind the bidder to a contract. Bid must be signed in order to be considered responsive.
3. If the bidder is a corporation, bid must be signed with the legal name of the corporation and the signature of a person authorized to bind a corporation to a contract.

B. QUESTIONS

1. Any questions about specifications shall be submitted in writing to the Purchasing Department by the due date for questions in bid or proposal document.
2. Necessary replies will be sent to all bidders of record as an addendum which becomes part of the bid package.
3. Oral instructions do not become a part of the bidding instrument.

C. SUBMITTAL OF BIDS

1. Bids shall include all costs as described and indicated by the specifications. Unit price will prevail.
2. Bids should be submitted in a sealed envelope with the outside of the envelope marked or labeled with bid title as noted in the Invitation to Bid.
3. It is the sole responsibility of the bidder to have his bid submitted at the place and by the time shown on the bid form. Bids received after this time will not be considered and will be returned to the bidder unopened.
4. Telephone or FAX bids are not acceptable, unless requested in invitation to bid or quote.
5. After three (3) consecutive "no responses" in any given commodity/service classification, the City reserves the right to remove the company from the bid list for that commodity/service.

D. CONDITIONS OF BIDS

1. Each bidder is responsible to inform himself fully of the conditions relating to the project. Failure to do so will not relieve a successful bidder of his obligation to perform as per the provisions of the contract.
2. After the bid opening, all bids submitted shall be good and may not be withdrawn for a period of (90) calendar days unless otherwise specified by bidder.

3. The procedure for bid withdrawal shall be stated as follows: The bidder shall submit to the Purchasing Department his original work papers, documents, and materials used in the preparation of the bid within two (2) days after the date fixed for opening of bids. The work papers shall be delivered by the bidder in person or by registered mail. Such mistake shall be proved only from the original work papers, document, and materials delivered as required.
4. Specifications or certain brand names used are considered to be a minimum for acceptance by the City of Salem. Alternate bids are acceptable only if alternate is equal to or better than the specified. The City will be the sole body to determine acceptable alternative/equality.
5. Bidders shall include manufacturer's name, make, model number, and any warranties where applicable.
6. The City may require more complete detailed specifications on items quoted or samples prior to bid award, at no expense to the City. If not destroyed or used during testing, samples will be returned at the bidder's request and expense.



**CITY OF SALEM
PURCHASING DEPARTMENT**

114 NORTH BROAD STREET

P.O. Box 869

SALEM, VA 24153

PHONE (540) 375-3063 ♦ FAX (540) 375-4057

DATE: XXX

BIDS WILL BE RECEIVED BY THE CITY OF SALEM IN THE PURCHASING DEPARTMENT, LOCATED AT 114 NORTH BROAD STREET, P.O. Box 869, SALEM, VIRGINIA 24153. ANY QUESTIONS CONCERNING THIS INVITATION TO BID (ITB) SHOULD BE DIRECTED TO XXX, BUYER AT (540) 375-3063 OR BY EMAIL AT [XXX](#).

INVITATION TO Bid #: XXX

Bid DESCRIPTION: XXX

DATE AND TIME Bid DUE: XXX

TO BE CONSIDERED, RETURN ONE (1) ORIGINAL AND ONE (1) COPY, IN A SEALED ENVELOPE, CLEARLY MARKED "ATTN: PURCHASING DEPARTMENT - ITB #XXX" WITH YOUR COMPANY NAME AND THE DATE/TIME BID IS DUE. ANY BID RECEIVED AFTER THE ABOVE DATE AND TIME FOR SUBMITTAL, WHETHER BY MAIL OR OTHERWISE, WILL BE REJECTED AND SUCH BID SHALL BE RETURNED TO THE BIDDER UNOPENED. FAXED OR EMAILED BIDS ARE NOT ACCEPTABLE.

AWARD WILL BE MADE IN THE BEST INTEREST OF THE CITY OF SALEM, THE CITY RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS, TO WAIVE INFORMALITIES, AND TO PURCHASE ANY PART OF, OR THE WHOLE OF, THE ITEMS AND/OR SERVICES LISTED IN THIS INVITATION TO BID.

NO BID MAY BE WITHDRAWN AFTER OPENING EXCEPT FOR CLERICAL ERRORS, AS SET FORTH IN SECTION 2.2-4330 OF THE VIRGINIA CODE. BIDDER MUST GIVE THE CITY A NOTICE IN WRITING OF THE REQUEST TO WITHDRAW A BID WITHIN TWO (2) BUSINESS DAYS AFTER THE CONCLUSION OF THE BID OPENING.

ALL BIDS SHALL BE F.O.B. SALEM, VIRGINIA, AND SHALL INCLUDE THE EARLIEST DELIVERY DATE.

TERMS ARE NET 30 UNLESS OTHERWISE STATED IN THIS INVITATION TO BID.

THE CITY OF SALEM DOES NOT DISCRIMINATE AGAINST FAITH BASED ORGANIZATIONS.

BIDDER ACKNOWLEDGMENT & DATA SHEET

DATE:

LEGAL NAME OF BUSINESS (PRINT):

ADDRESS:

AUTHORIZED SIGNATURE:

PRINT OR TYPE AUTHORIZED SIGNATURE NAME & TITLE:

PHONE NUMBER:

FAX NUMBER:

EMAIL ADDRESS:

VA CONTRACTOR'S LICENSE #:

VIRGINIA STATE CORPORATION COMMISSION (SCC) ID #:

BUSINESS LICENSE #:

BY SIGNING THIS INVITATION TO Bid (ITB), THE BIDDER ACKNOWLEDGES THAT HE/SHE FULLY UNDERSTANDS THIS ITB AND

THAT IT MEETS OR EXCEEDS ALL SPECIFICATIONS LISTED OR REFERENCED.

E. RECEIPT

Bids shall be received until the date and time specified in the ITB. Bids are then publicly opened and read aloud. Late bids shall not be considered and will be returned to the bidder unopened.

F. OPENING.

After bid opening, each bid is evaluated to determine if it is responsive to the ITB. The responsive bids are then evaluated according to the criteria and/or evaluation procedure described in the ITB to determine which is the lowest.

G. EVALUATION.

The lowest responsive bidder is then evaluated to determine if the firm is responsible.

H. REJECTION OF BIDS

The City may reject a bid if:

1. The bidder misstates or conceals any material fact in the bid, or if,
2. The bid does not strictly conform to the law or the requirement of the bid, or if,
3. The bid documents are in any respect incomplete, or if,
4. The bid is conditional, except that the bidder may qualify his/her bid for acceptance by the City on an "All or None" basis or a "low item" basis. An "All or None" basis bid must include all items upon which bids are invited.

I. AWARD OF CONTRACT

1. No contract is binding on the City if it does not have a purchase order, is not signed by either the City Manager, or the Purchasing Agent, or by someone authorized, in writing, by the City Manager to sign contracts on the City's behalf.
2. The contract will be awarded to the lowest responsible and responsive bidder whose bid, conforming to the contract documents, is most advantageous to the City, considering price and any other evaluation criteria set forth in the bid documents.
3. In the case of a tie bid, please refer to Section 2032 in Article 2 of this manual.
4. Prices must be quoted F.O.B. City of Salem with all transportation charges prepaid, unless otherwise specified elsewhere in the "Invitation to Bid."
5. Where the bid involves the furnishing of separate items or groups of items, the City reserves the right to make partial awards to different bidders for certain items or

groups of items of the bid unless bidder qualifies his bid otherwise.

6. In the case of an award of a bid or cancellation of a contract in which the low bidder is declared non-responsive or non-responsible, the lowest remaining bid shall be deemed low bid.
7. Competitive Negotiation projects will be solicited by Requests for Proposals and awarded in accordance.
8. Some bid invitations request that pricing be submitted for multiple years. Unless otherwise indicated in the bid specifications, bid will be awarded based on first year bid prices only. The City reserves the right to exercise contracts for subsequent years as an option based upon appropriation of funds, current needs, and service record of the vendor.

J. CANCELLATION OF BIDS or CONTRACTS

1. The City reserves the right to cancel the "Invitation to Bid," and to reject any or all bids in whole or in part whenever the Purchasing Agent or designee determines that such action is in the best interest of the City. The City may also waive any minor informalities or irregularities in any bid where such action serves the City's best interest. The reason for the cancellation shall be made part of the bid file.
2. Either party to a contract agreement shall have the right of cancellation, with or without reason, by serving notice on the other party, in writing of such intent to cancel the entire contract at least 30 days prior to any such proposed cancellation date.

K. BID ADDENDUM

Any addendum issued by the City must be signed by a authorized person. The addendum becomes a part of the bid package and supersedes original specifications that are changed by the addendum.

L. ETHICS

By submitting their signed bids/proposals, all Bidders/Offerors certify that their bids/proposals are made without collusion or fraud and that they have not offered or received any kickback or inducements from any other bidder/offeror, supplier, manufacturer or subcontractor in connection with their bid/proposal, and that they have not conferred on any City employee having official responsibility for this procurement transaction any payment, loan, subscription, advance, deposit of money, services or anything of more than nominal value, present or promised, unless consideration of substantially equal or greater value was exchanged.

6010 COMPETITIVE NEGOTIATION (FOR GOODS AND NONPROFESSIONAL SERVICES).

The *Virginia Public Procurement Act (VPPA)* requires the use of competitive negotiation for the procurement of all professional services. Competitive negotiation may be the procurement method used for goods and nonprofessional services when it is not practicable or fiscally advantageous to use competitive sealed bidding. (SEE SECTION 7001 COMPETITIVE NEGOTIATION.)

6011 BIDDERS LIST

The City Bidders List is compiled with the current data from all vendors who have requested to receive solicitations for specific commodities. In some cases due to the large number of vendors listed for goods or services, it may be necessary to restrict the number of vendors solicited from the Bidders List. Purchasing shall maintain a current list of qualified bidders for goods, services, insurance and construction required by the City.

The bidders list is compiled from various sources including:

1. Bidders' request submitted in letter form
2. Vendors previously used
3. Catalogs
4. Trade journals

6012 ELECTRONIC PURCHASE ORDERS

All purchases over \$5,000 must be entered into New World prior to any goods and services being purchased or received. Purchase orders issued by the New World Purchase Order process will be approved and distributed as outlined in the Financial Management System instructions attached.

6013 VENDOR AND CITY RELATIONSHIP

The City welcomes visits to its departments by current and prospective vendors. In order that the staff and vendors may schedule their time most productively, vendors are advised to make appointments with department directors before visiting. It is the responsibility of the Purchasing Department to establish a relationship of mutual confidence and satisfaction between the City and its vendors. It is, therefore, necessary that the Purchasing Department be aware of all transactions that are conducted between the City and its suppliers. Vendors provide valuable information when developing and evaluating purchasing requirements. Assistance provided by vendors is considered normal sales practice, but care must be taken to ensure that no vendor should receive preferential treatment in a competitive bid program because of such assistance. Departments are cautioned that commitments cannot be made which would lead a vendor to believe that they will subsequently receive an order.

No special consideration should be shown to local vendors. However, in determining the "lowest responsible bidder," consideration should be given to purchase price, availability and cost of parts and service, transportation costs, availability of technical assistance and any other potential costs which may be associated with the purchase.

6014 AVAILABILITY OF FUNDS

Before any purchase in excess of \$5,000.00 is made, the Purchasing Department, or Department shall determine the availability of sufficient funds to cover this purchase. If funds are unavailable, the Department may transfer funds from one line item account to another within the same department.

6015 PROCUREMENT REVIEW

The Purchasing Department is responsible for reviewing specifications and sources of supply, and the requesting department and the Purchasing Department will jointly be responsible for developing a list of acceptable vendors for a specific product or service. Departments may not alter specifications without discussion with the Purchasing

Department.

Review of purchasing procedures includes, but not limited to:

1. "Sole source" and "emergency" purchases
2. Purchase of goods where quality seems to be greater or less than required
3. Request or purchases where materials seem inconsistent with requirements
4. Request or purchases that do not conform to City standards
5. Purchases without proper authorization
6. Purchases without obtaining necessary quotes

6016 SURPLUS PROPERTY DISPOSAL

Disposal of surplus property using sealed bids or public auction such as gov deals. Public auction platform must be used for disposal of surplus.