

City Council Meeting MINUTES

Monday, July 10, 2023, 6:30 PM

Work Session 6:15 P.M. Council Chambers Conference Room, City Hall, 114
North Broad Street, Salem, Virginia 24153

WORK SESSION

1. Call to Order

A work session of the Council of the City of Salem, Virginia, was held in the Council Chambers Conference Room, City Hall, 114 N. Broad Street, Salem, Virginia, on July 10, 2023, at 6:15 p.m., there being present the following members of said Council to wit: Renée Ferris Turk, Mayor; James W. Wallace, III, Vice-Mayor; Council members: Byron Randolph Foley, William D. Jones, and H. Hunter Holliday; with Renée Ferris Turk, Mayor, presiding together with James E. Taliaferro, II, City Manager; Rob Light, Assistant City Manager and Clerk of Council; Rosemarie B. Jordan, Director of Finance; Chuck Van Allman, Director of Community Development; Max Dillon, City Planner; Jim Guynn, City Attorney; and Laura Lea Harris, Deputy Clerk of Council; and the following business was transacted;

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

2. New Business

A. Discussion Items

Downtown Signage

Mr. Van Allman noted that Council had met with Mary Ellen Wines, Zoning Administrator, in an earlier work session and that they hoped to find out how Council would like to proceed about a request for a wall sign. Mr. Van Allman shared information on the request and options to be considered. Council discussed the request and asked questions that Mr. Van Allman, Mr. Dillon, and staff responded to. Council agreed that they were in support of Community Development's decision for this request and asked that this be revisited during the Comprehensive Plan.

Mr. Taliaferro shared information requested by Council members as to Constitutional Officer salaries required by the State Compensation Board plus 5%

VRS supplement.

3. Adjournment

There being no further business, Mayor Turk adjourned the meeting at 6:39 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 6:40 p.m., there being present the following members to wit: Renée Ferris Turk, Mayor; James W. Wallace, III, Vice-Mayor; Councilmembers: Byron Randolph Foley, William D. Jones, and H. Hunter Holliday; with Renée Ferris Turk, Mayor, presiding together with James E. Taliaferro, II, City Manager; Rob Light, Assistant City Manager and Clerk of Council; Rosemarie B. Jordan, Director of Finance; Chuck Van Allman, Director of Community Development; Mike Stevens, Director of Communications; and Jim Guynn, City Attorney.

2. Pledge of Allegiance

3. Bid Openings, Awards,
Recognitions

4. Consent Agenda

A. **Citizen Comments**

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

No citizens signed up to speak this evening.

B. **Minutes**

Consider acceptance of the June 21, 2023, Special Meeting Work Session and the June 26, 2023, Work Session and Regular Meeting minutes.

Mr. Wallace requested amending the minutes from the June 26, 2023, Work Session to reflect feedback provided that based on projections, staff was comfortable excess expenditures will not outpace revenues in the next five years. He indicated he felt this was important feedback in Council's comfort level in approving the final FY24 budget.

The minutes were approved as amended.

5. Old Business

A. Amendment to the Zoning Ordinance

Consider ordinance on second reading for the request of J S Salem LLC, contract purchaser, and the Trustees Faith Assembly of God, property owner, for rezoning the property of 500 block of White Street (Tax Map # 161 - 4 - 2) from RSF Residential Single-Family District to CBD Community Business District. (Approved on first reading at the June 26, 2023 meeting.)

Randy Foley motioned to adopt ordinance on second reading for the request of J S Salem LLC, contract purchaser, and the Trustees Faith Assembly of God, property owner, for rezoning the property of 500 block of White Street (Tax Map # 161 - 4 - 2) from RSF Residential Single-Family District to CBD Community Business District with proffered condition. William Jones seconded the motion.

Ayes: Foley, Holliday , Jones, Turk, Wallace

6. New Business

A. Appropriation of Funds

Consider request to appropriate additional state and local funding for the Apperson Drive Bridge Project. **Audit - Finance Committee**

Mr. Foley asked Mr. Van Allman when it is anticipated that this work will begin once it is fully funded.

Mr. Van Allman responded that if everything works smoothly with VDOT the work would probably begin in the summer of 2024. He noted that this is due to logistics with other projects. He expounded that a contractor was already under contract for the Colorado Street Bridge project, and they are about ready to proceed with that. He felt that due to traffic control issues and considerations with VDOT this project would need to be a little bit further out. He feels that for advertising and awarding of contract they are looking at next year.

Mayor Turk noted that VDOT sets the schedule that guides when the City is able to get projects under way and we try to stay on that schedule. This involves a lot of logistics. Costs have increased tremendously since the original funding was awarded for both of these bridges, which has required that more funds be appropriated. Colorado Street is scheduled to go first. The concern from Council, City Management, and the City team was that they did not want both bridges to be closed at the same time if possible.

Mr. Van Allman responded that we would not be able to avoid having them worked on at the same time; however, neither bridge would be totally closed permanently

during construction as there would be a lane remain open. On the Apperson Drive Bridge project, it will remain closed for the duration of the project for eighteen-wheel traffic. There is physically no way to work on the bridge with tractor trailer trucks going through. The bridges will both remain open to vehicular traffic. There may be cueing issues or there may be a left turn incorporated into one lane, but the bridge will be open.

Mayor Turk asked about the start date for the Colorado Street Bridge.

Mr. Van Allman responded that this work would probably begin in early fall. He stated that he would update Council and that the community would be updated as well in advance of beginning the project. He noted that they would follow the same pattern that was used for the first Colorado Street Bridge. He noted that they may offer local businesses in the area the option to meet with Community Development to discuss any issues so that they can attempt to work those out. He shared that they had done well with community engagement with these bridges.

Mayor Turk remarked that they had done a good job of notification with railroad crossings being closed and situations of that nature. She asked that the public be notified well in advance so that they could plan a different route.

Mr. Van Allman acknowledged that they would do their best.

James Wallace motioned motion to accept additional State of Good Repair state funding of \$1,555,107, Urban state funding of \$3,203, and Revenue Sharing state funding of \$1,938,760 and appropriate the additional state and necessary local funding in the General Fund and Capital Projects Fund for the Apperson Drive bridge project. Randy Foley seconded the motion.

Ayes: Foley, Holliday , Jones, Turk, Wallace

B. Appropriation of Funds

Consider request to accept and appropriate Green Grant funds. **Audit - Finance Committee**

James Wallace motioned to appropriate \$1,000 from the State's Green Grants Program in the Designation of Beginning Fund Balance account and increase the grant expenditure account by \$1,000. Funds will be used to increase the acreage of naturalized areas for pollinators on public land by converting existing turf grass to a working native prairie at Longwood Park. Educational signage will also be posted to provide information on the value of having a wildflower area in the park. William Jones seconded the motion.

Ayes: Foley, Holliday , Jones, Turk, Wallace

C. Appropriation of Funds

Consider request to appropriate General Fund Reserves for repairs to Bridge #1800 (Apperson near Cook Drive) and to replace ambulance (Medic 803).

Audit - Finance Committee

Mr. Wallace noted that this item is appropriating funding budgeted for and approved in the FY24 Capital Improvement Plan for two projects. Bridge #1800 on Apperson Drive over the Roanoke River near Cook Drive needs repair to two sidewalks, an existing waterline on the upstream overhang, and an existing gas line on the downstream overhang. Additionally, Ambulance Medic 803 will be replaced.

James Wallace motioned to appropriate \$692,660 to the Designation of Beginning Fund Balance account, \$385,000 to the Motor Vehicle and Equipment account for the Fire Department, and \$307,660 to the Transfer to Capital Projects account in the General Fund. Also, to re-appropriate \$74,772 of highway maintenance state funding to the Designation of Beginning Fund Balance account and to the Transfer to Capital Projects highway maintenance account in the General Fund. Lastly, to appropriate \$607,660 to the Transfer from General Fund account and to the Apperson Drive Bridge Repairs #1800 account in the Capital Projects Fund. William Jones seconded the motion.

Ayes: Foley, Holliday , Jones, Turk, Wallace

D. Appropriation of Funds

Consider request to appropriate proceeds from the sale of equipment. **Audit - Finance Committee**

James Wallace motioned to appropriate accumulated surplus equipment sale revenue of \$37,000 to the Designation of Beginning Fund Balance and increase the expenditure budget for Machinery & Equipment account by \$37,000 in the Street Department. William Jones seconded the motion.

Ayes: Foley, Holliday , Jones, Turk, Wallace

E. Transfer of Funds to Salem Public Schools

Consider authorizing the transfer of funds from contingency to the Salem Public Schools. **Audit-Finance Committee**

Mr. Wallace remarked for background purposes that the City Manager had shared the information in the Audit- Finance Committee meeting that if the State's funding

comes through, Dr. Hicks has stated that this money will be coming back to the City. He asked Mr. Taliaferro to elaborate on this.

Mr. Taliaferro shared that in talking to the School division, the School Superintendent stated that potentially, with an amended State budget, the School Division could receive extra moneys that could fund part of the items from this 1.1 million that has designated uses. If so, he has agreed that they would return the portion that the City provided to fund those items.

James Wallace motioned to authorize the transfer of additional requested funds of \$1,098,231 for FY24 to the Salem Public Schools for specific budgetary needs. The City's FY24 budget accounts for this request and funding is available to transfer upon Council approval. William Jones seconded the motion.

Ayes: Foley, Holliday , Jones, Turk, Wallace

F. West Main Street Storage

Consider setting bond for physical improvements and erosion and sediment control and landscaping for West Main Street Storage. **Audit - Finance Committee**

For the benefit of the those present, Mr. Wallace clarified that this item is in reference to the old Layman Distribution Warehouse on West Main Street.

James Wallace motioned to set a bond amount of \$18,813.00 and time for completion of twelve (12) months for physical improvements, erosion and sediment control and landscaping for West Main Street Storage, located at 1630 West Main Street. Randy Foley seconded the motion.

Ayes: Foley, Holliday , Jones, Turk, Wallace

G. Boards and Commissions

Consider appointments to various boards and commissions.

Randy Foley motioned to re-appoint Margaret Humphrey and J. Chris Conner for two-year terms ending August 12, 2025, to the Personnel Board and to appoint Jeff Ceaser to complete a two-year term ending June 30, 2024, to the Roanoke River Blueway Advisory Committee. Mayor Turk thanked these individuals for their previous service and that we appreciate them for the work they put in on behalf of the City. William Jones seconded the motion.

Ayes: Foley, Holliday , Jones, Turk, Wallace

7. Closed Session

A. Closed Session

Hold a closed session in accordance with Section 2.2-3711 A (3) and (7) of the 1950 Code of Virginia, as amended, for:

(1) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. Specifically, the acquisition of real property.

(2) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

Jim Wallace motioned that, in accordance with Sections 2.2-3711 A (3) and (7) of the 1950 Code of Virginia, as amended, Council hereby convenes to closed session at 6:55 p.m. for the purpose of discussing the following specific matters:

(1) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. Specifically, the acquisition of real property.

(2) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

William D. Jones seconded the motion.

Ayes: Foley, Holliday, Jones, Turk, Wallace

Mayor Turk noted that no action would be taken this evening,

James Wallace motioned to reconvene at 7:57 p.m. in accordance with Section 2.2-3712 D. of the Code of Virginia, 1950 as amended to date, Council certifies that in closed session only items lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such items identified in the motion by which the closed session was convened were heard, discussed, or considered by the Council. Randy Foley seconded the motion.

Ayes: Foley, Holliday , Jones, Turk, Wallace

8. Adjournment

The meeting was adjourned at 7:58 p.m.