

August 10, 1987

A regular meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on August 10, 1987, at 7:30 p.m., there being present the following members of said Council, to wit: James E. Taliaferro, W. Mac Green, Carl E. Tarpley, Jr., and Howard C. Packett (Alexander M. Brown - absent); with James E. Taliaferro, Mayor, presiding; together with William J. Paxton, Jr., City Manager; Joyce C. Bailey, Deputy Clerk of Council; John D. Abbott, City Engineer; O. Marvin Sowers, Jr., Director of Planning and Development; Frank P. Turk, Director of Finance; and Stephen M. Yost, City Attorney; and the following business was transacted:

The minutes of the regular meeting of July 27, 1987, were approved as written.

ORDINANCE
PASSED ON
SECOND
READING
VACATING AN
ALLEYWAY
BETWEEN HIGH
STREET AND
LEE STREET
FOR D. RAE
CARPENTER,
JR.

Mayor Taliaferro reported that Council at its regular meeting held on July 27, 1987, passed an ordinance on first reading vacating a portion of an alleyway which is parallel to High Street and lies between High Street and Lee Street in the City of Salem for D. Rae Carpenter, Jr.; and

WHEREAS, no one appeared in opposition to said alley closing;

ON MOTION MADE BY COUNCILMAN TARPLEY, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, the following ordinance was duly passed and adopted on second reading:

AN ORDINANCE ENACTED PURSUANT TO THE PROVISIONS OF SECTION 15.1-364 OF THE 1950 CODE OF VIRGINIA, AS AMENDED BY THE ACTS OF ASSEMBLY OF 1982, PROVIDING FOR VACATING A PORTION OF AN ALLEYWAY WHICH IS PARALLEL TO HIGH STREET AND LIES BETWEEN HIGH STREET AND LEE STREET IN THE CITY OF SALEM, VIRGINIA.

WHEREAS, an application has been filed with the Council of the City of Salem pursuant to the provisions of the aforesaid Section 15.1-364 requesting that a portion of an alleyway be permanently vacated and discontinued, said application being filed by D. Rae Carpenter, Jr.; and

WHEREAS, Resolution No. 599 adopted on the 13th day of July, 1987, the Council of the City of Salem, Virginia, appointed viewers to report whether or not in their opinion any, and if any, what, inconvenience would result from permanently vacating that portion of the alleyway set forth in the application; and

WHEREAS, the viewers reported in writing under date of July 16, 1987, that, after having been duly sworn, they viewed the said portion of the alleyway and are unanimously of the opinion that no inconvenience would result to anyone from permanently vacating and discontinuing that portion of said alleyway; and

WHEREAS, pursuant to said Code Section 15.1-364, the applicants in this proceeding have caused a public notice to be published in the Salem Times-Register, a newspaper published and having a general circulation in the City of Salem, Virginia, such publication having been made twice, with at least six days elapsing between the first and second publication, to wit: on June 18, 1987, and June 25, 1987, and such notice specified the time and place of hearing, to wit: Monday, July 13, 1987, at 7:30 p.m., in the City of Salem Council Chambers, at which persons affected may appear and present their views, all of which is shown by a Certificate of Publication executed by the Salem Times-Register and filed with the papers in this proceeding; and

WHEREAS, proper notice has been given to the land proprietors along the alleyway affected by the closing; and

WHEREAS, this Council, after considering the evidence submitted, is of the opinion that vacating, discontinuing and closing the aforesaid portion of said alleyway will not abridge or destroy any of the rights and privileges of any person, and that no inconvenience would result to anyone therefrom, and is further of the opinion that the request of the applicants should be granted;

THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that a portion of an alleyway which is parallel to High Street and lies between High Street and Lee Street, more particularly hereinafter described, be permanently vacated, discontinued and closed as provided by Section 15.1-364 of the Code of Virginia as amended to date, and in accordance with the law in such cases made and provided, title to said land is hereby vested in the adjoining property owners. The City of Salem reserves an easement for public utilities in that portion of the alleyway which is being closed. The easement will be 15 feet in width and the centerline of said easement shall be the centerline of the alley prior to closing.

The said portion of the alleyway which is parallel to High Street and lies between High Street and Lee Street, vacated, discontinued and closed is more particularly described as follows:

That portion of an alleyway which is between High Street and Lee Street and extends northerly from the southeasterly corner of that certain 6.443 acre tract (Tax No. 60-1-2), property of D. Rae Carpenter, Jr., to the northeasterly corner of that certain 33 foot strip (0.176 acre) recently acquired by D. Rae Carpenter, Jr., said alleyway being shown on a survey for D. Rae Carpenter, Jr., and Gladys J. Carpenter, a copy of which is attached hereto and made a part hereof.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF SALEM that a certified copy of this ordinance be delivered by the City Clerk to the Clerk of the Circuit Court of the City of Salem, Virginia, for recordation therein, and to the City Engineer of the City of Salem, Virginia, and that the City Engineer of Salem, Virginia, make appropriate notation of the vacation herein approved, on the maps and other documents in his office.

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:

Howard C. Packett - Aye
Alexander M. Brown - Absent
Carl E. Tarpley, Jr. - Aye
W. Mac Green - Aye
James E. Taliaferro - Aye

Passed: August 10, 1987
Effective: August 20, 1987


Mayor

Mayor Taliaferro reported that Council at its regular meeting held on July 27, 1987, passed an ordinance on first reading adopting a Memorandum of Agreement between the City of Salem, Virginia, and the County of Roanoke, pursuant to the provisions of Section 15.1-1167.1 of the 1950 Code of Virginia as amended; and

WHEREAS, no one appeared in opposition to said ordinance;

ON MOTION MADE BY COUNCILMAN TARPLEY, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, the following ordinance was duly passed and adopted on second reading:

AN ORDINANCE ADOPTING A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF SALEM, VIRGINIA, AND THE COUNTY OF ROANOKE, VIRGINIA, PURSUANT TO THE PROVISIONS OF SECTION 15.1-1167.1 OF THE 1950 CODE OF VIRGINIA, AS AMENDED.

WHEREAS, the City of Salem, Virginia, and the County of Roanoke, Virginia, entered into a Memorandum of Agreement, which Agreement provided for the annexation, by the City, of 95.23 acres upon certain conditions; and

WHEREAS, said Memorandum of Agreement was presented to the Commission on Local Government; and

WHEREAS, the Commission on Local Government conducted a hearing, pursuant to Section 15.1-945.7A of the 1950 Code of Virginia, as amended; and

WHEREAS, the Commission on Local Government issued its report and found the Memorandum of Agreement consistent with the best interest of the Commonwealth and recommended approval by the Court; and

WHEREAS, the intention of the City Council of the City of Salem, Virginia, to adopt this Ordinance and hold a public hearing was advertised in accordance with the provisions of Section 15.1-1167.1 of the 1950 Code of Virginia, as amended; and

WHEREAS, the public hearing was held on June 27, 1987; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that it does hereby adopt the Memorandum of Agreement between the City of Salem, Virginia, and the County of Roanoke, Virginia, dated March 3, 1987, the full text of which is attached to and made a part of this Ordinance.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that the appropriate City officials are hereby authorized and directed to execute all necessary documents and that the City Attorney shall file with the Circuit Court of Roanoke County, Virginia, the appropriate legal pleadings necessary to seek affirmation of the Memorandum of Agreement and to validate the said Agreement and give it full force and effect.

BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that a certified copy of this Ordinance be delivered by the City Clerk to the City Attorney for filing with the legal pleadings to be filed in the Circuit Court of Roanoke County, Virginia, pursuant to Section 15.1-1167.1 of the Code of Virginia of 1950, as amended.

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.

ORDINANCE
PASSED ON
SECOND
READING
ADOPTING A
MEMORANDUM OF
AGREEMENT
BETWEEN THE
CITY AND
COUNTY

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

Howard C. Packett - Aye
Alexander M. Brown - Absent
Carl E. Tarpley, Jr. - Aye
W. Mac Green - Aye
James E. Taliaferro - Aye

Passed: August 10, 1987
Effective: August 20, 1987


Mayor

ORDINANCE
PASSED ON
SECOND
READING
AMENDING
SECTION 32-56
OF CITY CODE
PERTAINING TO
RESIDENTIAL
APARTMENTS
ABOVE THE
FIRST FLOOR
IN BUSINESS
DISTRICT B-1

Mayor Taliaferro reported that Council at its regular meeting held on July 27, 1987, passed an ordinance on first reading amending Section 32-56 of The Code of the City of Salem, Virginia, by adding subsection 6 pertaining to residential apartments above the first floor in Business District B-1 zones; and

WHEREAS, no one appeared in opposition to said amendments to the Code;

ON MOTION MADE BY COUNCILMAN PACKETT, SECONDED BY COUNCILMAN TARPLEY, AND DULY CARRIED, the following ordinance was duly passed and adopted on second reading:

AN ORDINANCE TO AMEND, REVISE AND REORDAIN SECTION 32-56, ARTICLE X, CHAPTER 32, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, BY ADDING SUBSECTION 6 PERTAINING TO RESIDENTIAL APARTMENTS ABOVE THE FIRST FLOOR OF A BUSINESS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Section 32-56, Article X, Chapter 32, of The Code of the City of Salem, Virginia, be amended, revised, and reordained by adding Subsection 6 to read as follows:

- (6) Residential apartments above the first floor after public hearings by the Planning Commission and the Council and approval by the Council as provided in Section 32-87 and Section 32-87.1 and further provided that any conditions which may be prescribed by Council are complied with.

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:

Howard C. Packett - Aye
Alexander M. Brown - Absent
Carl E. Tarpley, Jr. - Aye
W. Mac Green - Aye
James E. Taliaferro - Aye

Passed: August 10, 1987
Effective: August 20, 1987


Mayor

ORDINANCES
PASSED ON
SECOND
READING
ADDING
SECTION
32-72.1
THROUGH
32-72.8 TO
CITY CODE
PERTAINING TO
BUSINESS-
COMMERCE
DISTRICT B-C

Mayor Taliaferro reported that Council at its regular meeting held on July 27, 1987, passed ordinances on first reading amending Chapter 32 of The Code of the City of Salem, Virginia, by adding thereto Sections 32-72.1 through 32-72.8, pertaining to Business-Commerce District B-C; and

WHEREAS, no one appeared in opposition to said amendment to the Code;

ON MOTION MADE BY COUNCILMAN TARPLEY, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, the following ordinances were duly passed and adopted on second reading:

AN ORDINANCE TO AMEND, REVISE, AND REORDAIN CHAPTER 32, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, BY ADDING THERETO SECTIONS 32-72.1 THROUGH 32-72.8, PERTAINING TO COMMERCIAL AND INDUSTRIAL DISTRICTS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Chapter 32 of The Code of the City of Salem, Virginia, be amended, revised, and reordained by adding Sections 32-72.1 through 32-72.8 thereto to read as follows:

ARTICLE XIII. BUSINESS-COMMERCE DISTRICT B-C REGULATIONS.

Section 32-72.1. Intent.

Business-Commerce Districts B-C are intended to encourage the orderly development of areas and projects which require an integrated mixture of light industrial, business commercial, research, and office uses but which also require some supportive general commercial and related uses and a higher standard of building and site design; to preserve the economic and physical values of locating in such areas and projects; to encourage flexibility and innovation in their design; to maintain both flexibility in location decisions and compatibility among potentially conflicting land uses; and to facilitate the adequate and economic provision of supporting facilities, utilities, and other improvements.

Section 32-72.2. Permitted principal uses.

In Business-Commerce Districts B-C, the following principal uses shall be permitted by right:

(1) Light industrial uses to include manufacture, fabricating, processing, producing, mixing, converting, altering, assembly, repair, rental, leasing, wholesaling, storage, distribution, or plant propagation where all activities and uses other than motor vehicle parking and loading and unloading are conducted within a wholly enclosed building.

(2) Offices to include management, corporate and regional headquarters, computer and data processing centers, communication centers, and other similar uses which are not listed as a special use in Section 32-72.4 (2).

(3) Business commercial, retail, and services uses which principally trade with other businesses, provide off-site services, or do not principally involve retail or service uses typically found in commercial districts, including manufacturers' representatives' offices, salesrooms, and service centers; business equipment supply and service; blueprinting; book binding; packaging; photoengraving; printing; publishing; photographic developing; catering; dry cleaning plants and dyeing; linen supply; uniform rental and diaper service; household and business cleaning services (excluding any on-site cleaning of motor vehicles other than those owned or leased by the establishment); medical, dental, and optical laboratories; sign shops; cabinet and carpentry shops; upholstering and custom furniture; lawn care; heating, plumbing and air conditioning shops; and other similar uses where all activities and uses other than motor vehicle parking and loading and unloading are conducted within a wholly enclosed building.

(4) Research, experimental, development, and testing laboratories and facilities where all activities and uses other than motor vehicle parking and loading and unloading are conducted within a wholly enclosed building.

(5) Public facilities and utilities, including offices; public buildings; public works service centers; police, fire, and rescue stations; water and sewer installations; transformers; substations; lines, towers, pipes, and meters; and other facilities for the provision of public services.

(6) Hotels, motels, and related facilities.

Section 32-72.3. Permitted accessory uses.

The following uses shall be permitted as accessories to permitted principal uses in Business-Commerce Districts B-C:

(1) Uses and structures customarily accessory, incidental, and related to the permitted principal uses including: salesrooms, retail outlets, and stores primarily selling commodities provided by such principal use provided no more than twenty (20) percent of the floor area is devoted to retail operations; offices; parking facilities for motor vehicles; loading docks and railroad sidings; garages, maintenance shops, and utility buildings for the storage and maintenance of company motor vehicles, facilities, and equipment; storage buildings and rooms; storage of petroleum and other fuel products for the operation of company vehicles and building plant; central heating/cooling and power plants; facilities for utilities, fire protection, educational and research purposes, communication, data processing, food service, recreation, medical purposes, and day care; residences for caretakers; and other similar uses and structures which are clearly accessory, incidental, and related to the permitted primary use.

(2) Temporary buildings and trailers for uses incidental to construction work, which buildings and trailers shall be removed upon completion or abandonment of the construction work.

Section 32-72.4. Special uses.

The following uses shall be special uses permitted in Business-Commerce Districts B-C after public hearings by the Planning Commission and the Council and approval by Council as provided in Section 32-87 and Section 32-87.1 and further provided that any conditions which may be prescribed by Council are complied with:

(1) Heliport and landing fields.

(2) Retail and service uses not permitted as principal uses in Section 32-72.2 (3) above, local service offices and uses and personal services such as real estate sales, banks, savings and loan institutions, insurance agencies, doctor's offices, professional offices, barbershops, beauty shops, tanning salons, and other similar uses generally found in commercial districts provided all such uses do not occupy more than twenty-five (25) percent of the land area within a) any park zoned Business-Commerce District B-C, b) any single development zoned Business-Commerce District B-C, or c) any group of adjacent parcels zoned Business-Commerce District B-C, including those separated by streets, alleys, or other physical separations; and further provided all activities and uses other than motor vehicle parking and loading and unloading are conducted within a wholly enclosed building.

(3) Any permitted use where all or a portion of the activities or uses other than motor vehicles parking and loading and unloading are conducted outside of a wholly enclosed building.

Section 32-72.5. Prohibited uses.

The following uses are specifically prohibited in Business-Commerce Districts B-C:

- (1) Stockyard or slaughter of animals.
- (2) Manufacture of food and products from fish or meat; sauerkraut, vinegar, or yeast manufacture; fat or oil refining or rendering.
- (3) Manufacture of ammonia, acids, or other corrosives; asphalt; bleach products; chlorine; coal, tar or tar distillation; creosote or creosote treatment; explosives or matches; fertilizer or nitrating processing; leather or leather tanning; lime, gypsum, or plaster; paint; or petroleum, gases, or related products.
- (4) Dumping or disposal of garbage, sewage, offal, or dead animals.
- (5) Junkyards, automobile graveyards, exterior storage of inoperative vehicles or parts thereof, wrecking yards, scrap materials storage, or recycling establishments.
- (6) Outdoor displays, any use where exterior storage is a primary use of the premises, or any exterior storage of commodities.
- (7) Mini warehouses as defined in Section 32-1.
- (8) Sawmills or stonework.
- (9) Moving and storage establishments and motor freight terminals where building storage or warehousing is not a principal use; or use of tractor trailers and other similar uses for permanent storage.

Section 32-72.6. Requirements for all uses.

In Business-Commerce Districts B-C, all uses and structures shall meet the following requirements:

- (1) Required plans. Before a building permit shall be issued or construction commenced on any use or structure or a use permit issued, the plans in sufficient detail to show the operations and processes shall be submitted to the zoning administrator for study. The administrator may refer these plans to the Planning Commission for their recommendation. Public utilities requiring natural air circulation or other technical consideration necessary for proper operation may be exempt from this provision. This exemption does not include storing of any materials.
- (2) No use, excluding reasonable construction activity, shall be permitted that:
 - (a) Produces electromagnetic, microwave, ultrasonic, laser, or other radiation which interferes with normal radio or television reception:
 - (b) Produces any noises, ground vibration, glare, steam, moist air, heat, humidity, vapors, gas fumes, smoke, cinders, dust, dirt, or odors which is perceptible without instruments beyond the Business-Commerce District B-C boundary in which it is located.
 - (c) Causes a menace by reason of fire, explosion, radiation, or other physical hazard; and
 - (d) Creates unusual traffic hazards or congestion.

Section 32-72.7. Height regulations.

In Business-Commerce Districts B-C, the height regulations shall be as follows: Buildings may be erected up to a height of forty-five feet. Chimneys, flues, cooling towers, flag poles, radio or communication towers or their accessory facilities not normally occupied by workmen may exceed forty-five feet. Parapet walls are permitted up to four feet above the limited height of the building on which such walls are constructed.

Section 32-72.8. Parking, loading and unloading regulations.

Off-street parking, loading and unloading shall be provided in accordance with Section 32-90 or as determined by the Zoning Administrator where the provisions of Section 32-90 do not clearly apply.

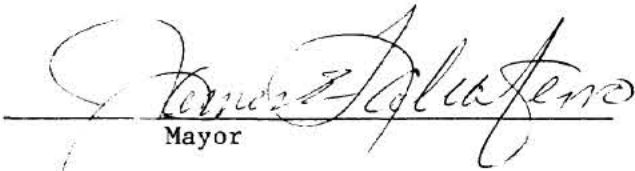
All ordinances or parts of ordinances in conflict with the provisions of this ordinance be and the same are hereby repealed.

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:

Howard C. Packett - Aye
Alexander M. Brown - Absent
Carl E. Tarpley, Jr. - Aye
W. Mac Green - Aye
James E. Taliaferro - Aye

Passed: August 10, 1987
Effective: August 20, 1987


Mayor

AN ORDINANCE TO AMEND CERTAIN SECTIONS OF THE CODE OF THE CITY OF SALEM, VIRGINIA, PERTAINING TO COMMERCIAL AND INDUSTRIAL DISTRICTS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that the following sections of The Code of the City of Salem, Virginia, be and the same is hereby amended to read as follows:

ARTICLE II. DISTRICTS GENERALLY

Section 32-9. Division of city into districts; zoning map.

For the purpose of this chapter, the city is hereby divided into districts as follows:

Agricultural District	A-1
Residential (Single-Family)	R-1
Residential (Single-Family)	R-2
Residential (Multiple-Family)	R-3
Residential (Multiple-Family)	R-4
Mobile Home Courts	R-M
Residential Business	R-B
Business District	B-1
Business District	B-2
Business District	B-3
Business Commercial District	B-C
Industrial District	M-1
Industrial District	M-2

The location of the boundaries of these districts are shown on the "Zoning Map" of the City.

ARTICLE XIV. INDUSTRIAL DISTRICT M-1 REGULATIONS.

ARTICLE XV. INDUSTRIAL DISTRICT M-2 REGULATIONS.

ARTICLE XVI. NONCONFORMING USES, ETC.

ARTICLE XVII. SPECIAL PROVISIONS.

ARTICLE XVIII. PLANNED UNIT DEVELOPMENT.

ARTICLE XIX. TOWNHOUSES.

ARTICLE XX. SITE PLAN REVIEW PROVISIONS.

Section 32-120. General requirements.

In order to maintain the character and integrity of neighborhoods by promoting excellence, preventing undue traffic hazards, and encouraging the most appropriate development and use of land in harmony with the neighborhood, a site plan is required and shall be submitted to the zoning administrator for all developments in R-3, R-4, R-M, R-B, B-1, B-2, B-3, B-C, M-1, and M-2 districts.

ARTICLE XXI. SIGN REGULATIONS.

Subdivision VIII. Permitted Signs in Business District B-3, Business-Commerce District B-C, and Industrial Districts M-1 and M-2

Section 32-192. Permitted Signs.

- (1) Business Signs as provided for in Section 32-190 (1a-1i).
- (2) Directional signs as provided in Section 32-190 (2).

- (3) Portable signs as provided in Section 32-190 (3a-3e).
- (4) Location signs as provided in Section 32-191 (4).
- (5) General advertising signs subject to the following:
 - (a) No general advertising sign shall be erected the total height which is greater than thirty-five feet above the center line of the street which it faces.
 - (b) No general advertising sign shall be located closer than one thousand (1,000) feet to any other such sign facing in any direction. For the purpose of this restriction, each side of the street shall be treated separately except that a double faced (back-to-back) sign shall not be closer than one thousand (1,000) feet to any other general advertising sign on either side of the street.
 - (c) No general advertising sign shall exceed four hundred (400) square feet in "surface" area, as defined in Section 32-129, with an additional allowance for embellishments of not more than ten (10) percent of the sign surface.
 - (d) The following types of general advertising signs shall be prohibited: double-decker, multi-decker, stacked, or side-by-side signs and sign structures with more than two signs per facing.
 - (e) No general advertising sign shall be located within two hundred fifty (250) feet to any residential district, church, or public school, library or park which is located on the same side of the street which the sign would be located.

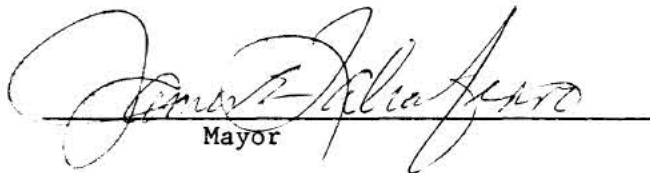
All ordinances or parts of ordinances in conflict with the provisions of this ordinance be and the same are hereby repealed.

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:

Howard C. Packett - Aye
 Alexander M. Brown - Absent
 Carl E. Tarpley, Jr. - Aye
 W. Mac Green - Aye
 James E. Taliaferro - Aye

Passed: August 10, 1987
 Effective: August 20, 1987


 Mayor

ZONING AND
 USE PERMIT
 GRANTED TO
 EUGENE F.
 BANE TO ALLOW
 APARTMENTS
 ABOVE THE
 FIRST FLOOR
 AT 115
 BOULEVARD-
 ROANOKE

Mayor Taliaferro reported that Council at its regular meeting held on July 27, 1987, continued consideration of the request of Eugene F. Bane, Jr., and Rebecca F. Bane for a Zoning and Use Permit to allow construction of two apartment units on the second floor of a business located at 115 Boulevard-Roanoke in a Business District B-1 zone; and

WHEREAS, it was noted that The Code of the City of Salem has been amended at this meeting of Council by passage of an ordinance on second reading to become effective August 20, 1987, to allow residential apartments above the first floor in Business District B-1 zoning districts;

ON MOTION MADE BY COUNCILMAN PACKETT, SECONDED BY COUNCILMAN TARPLEY, AND DULY CARRIED, a Zoning and Use Permit is hereby granted to Eugene F. Bane, Jr., and Rebecca F. Bane to allow construction of two apartment units on the second floor of the business located in a Business District B-1 zoning district at 115 Boulevard-Roanoke to become effective August 20, 1987, after the effective date of the amendment to The Code of the City of Salem, Virginia, allowing residential apartments above the first floor in Business District B-1 zones and, also, subject to conformance with the submitted building and site plans -- the roll call vote being as follows: Howard C. Packett - aye; Alexander M. Brown - absent; Carl E. Tarpley, Jr. - aye; W. Mac Green - aye; and James E. Taliaferro - aye.

Mayor Taliaferro reported that Council had received a request from Lee B. Eddy for a discussion of special concerns of Salem; and

WHEREAS, Lee B. Eddy, Candidate for the State Senate, 22nd District, appeared before the Council expressing his opinion relative to the importance of the relationship between the local and state levels of government especially since the Commission on Local Government is considering recommendations that may limit the size of towns that can become a city, change in the annexation laws, and modification of Virginia's system of separate cities and counties; and further, Mr. Eddy stated his concerns about the new highway construction program of the state and, if elected, he would make sure this part of the state receives its share of the funds to improve economic development; and

DISCUSSION
 WITH LEE B.
 EDDY,
 CANDIDATE FOR
 SENATE OF
 VIRGINIA,
 RELATIVE TO
 CONCERNS OF
 SALEM

WHEREAS, Mr. Eddy stated he will work toward a better public system of public education in the State, better conflict of interest laws and freedom of information laws, and requested information from Council as to the concerns of Salem if he is elected; and

WHEREAS, Mayor Taliaferro stated his concerns for the entire Valley relative to water resources, inadequate funding for state mandated programs in the school system, state funding for highway projects especially for Salem on East Main Street and West Main Street, funding formula for Salem and Roanoke County for schools, etc.; and

WHEREAS, Councilman Tarpley stated his opinion that no state mandate should be made for any item without funding for said mandate;

THEREUPON, Council thanked Mr. Eddy for stating his concerns.

Mayor Taliaferro requested that Council consider the request of the Great American Circus for two shows on September 19, 1987, at 4:30 p.m. and 7:30 p.m. to 10:00 p.m. at the American Legion Post No. 3 property on Apperson Drive; and

WHEREAS, the City Manager noted that a similar event was held previously at this location and, due to the residential character of this neighborhood, numerous complaints were received relative to noise, traffic, etc., and it is his recommendation that this request be denied; and

WHEREAS, a full discussion was held concerning his request;

ON MOTION MADE BY COUNCILMAN PACKETT, SECONDED BY VICE MAYOR GREEN, AND DULY CARRIED, the request of the Great American Circus to have two shows at the American Legion Post No. 3 property on Apperson Drive on September 19, 1987, is hereby denied -- the roll call vote being as follows: Howard C. Packett - aye; Alexander M. Brown - absent; Carl E. Tarpley, Jr. - aye; W. Mac Green - aye; and James E. Taliaferro - aye.

Mayor Taliaferro requested that Council consider an amendment to Section 2-44 of The Code of the City of Salem, Virginia, designating depositories for City funds; and

WHEREAS, the City Manager stated the amendment is requested due to the fact that Central Fidelity Bank is constructing a branch in Salem and Bank of Virginia changed its name to Signet Bank, which is reflected in this ordinance;

ON MOTION MADE BY COUNCILMAN PACKETT, SECONDED BY COUNCILMAN TARPLEY, AND DULY CARRIED, an ordinance entitled "AN ORDINANCE TO AMEND, REVISE, AND REORDAIN SECTION 2-44, ARTICLE VI, CHAPTER 2, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, PERTAINING TO THE DEPOSIT OF MONIES, ETC.; DEPOSITORIES" was passed on first reading -- the roll call vote being as follows: Howard C. Packett - aye; Alexander M. Brown - absent; Carl E. Tarpley, Jr. - aye; W. Mac Green - aye; and James E. Taliaferro - aye.

Mayor Taliaferro requested that Council consider quotations for installation of lighting equipment at the soccer-football field; and

WHEREAS, Vice Mayor Green, Chairman of Council's Audit-Finance Committee, reported that the Committee had received the following quotations for installation only of lighting equipment at the soccer-football field at Salem High School:

COMPANY	BID
Newcomb Electric Co.	\$ 87,700.00
Davis H. Elliott & Company	115,982.00
J. M. Blair Company, Inc.	63,116.00

and the Committee recommends the low quotation of J. M. Blair Company, Inc., in the amount of \$63,116.00 be accepted for installation only of the lighting equipment and it was noted that the City has previously approved the purchase of lighting equipment for this field in the amount of \$72,625.00; and further, the Committee recommends the transfer of \$140,000 from the 1986 Undesignated Fund Balance for funding for the entire project;

ON MOTION MADE BY VICE MAYOR GREEN, SECONDED BY COUNCILMAN TARPLEY, AND DULY CARRIED, the low quotation of J. M. Blair Company, Inc., in the amount of \$63,116.00 is hereby accepted for installation only of the lighting equipment at the soccer-football field at Salem High School and the amount of \$140,000 is hereby transferred from the Unappropriated Fund Balance for funding for the entire project -- the roll call vote being as follows: Howard C. Packett - aye; Alexander M. Brown - absent; Carl E. Tarpley, Jr. - aye; W. Mac Green - aye; and James E. Taliaferro - aye.

Mayor Taliaferro requested that Council consider quotations for the purchase of a new copy machine for the main office; and

WHEREAS, Vice Mayor Green, Chairman of Council's Audit-Finance Committee, requested that this item be continued to the next regular meeting of Council in order for the staff to view a demonstration of the machine quoted by the low bidder;

THEREUPON, said matter was continued to the next regular meeting of Council.

REQUEST OF
GREAT
AMERICAN
CIRCUS FOR
TWO SHOWS AT
AMERICAN
LEGION POST
NO. 3 DENIED

ORDINANCE
PASSED ON
FIRST READING
AMENDING
SECTION 2-44
OF CITY CODE
PERTAINING TO
DEPOSITORIES
OF CITY FUNDS

QUOTATION
ACCEPTED OF
J. M. BLAIR
COMPANY, INC.
FOR
INSTALLATION
OF LIGHTING
EQUIPMENT AT
SOCCER-
FOOTBALL
FIELD AT
SALEM HIGH
SCHOOL

QUOTATIONS
CONTINUED FOR
PURCHASE OF
COPY MACHINE
FOR MAIN
OFFICE

RESOLUTION
602 PASSED
APPROVING THE
ISSUANCE OF
BONDS BY THE
INDUSTRIAL
DEVELOPMENT
AUTHORITY FOR
THE BENEFIT
OF INTERVALE
INVESTORS,
INC.
(VIRGINIA
PLASTICS
COMPANY)

Mayor Taliaferro requested that Council consider a Resolution approving the action of the Industrial Development Authority of the City of Salem for the issuance of bonds for the benefit of Intervale Investors, Inc. (Virginia Plastics Company); and

WHEREAS, the City Attorney explained the action of the Industrial Development Authority of the City of Salem relative to said bonds;

ON MOTION MADE BY COUNCILMAN TARPLEY, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, Resolution 602 is hereby passed and adopted approving action of the Industrial Development Authority of the City of Salem in approving the issuance of bonds for the benefit of Intervale Investors, Inc. (Virginia Plastics Company):

RESOLUTION 602

WHEREAS, the Industrial Development Authority of the City of Salem, Virginia, (the Authority) has considered the application of Intervale Investors, Inc. (the Purchaser) requesting the issuance of one or more of the Authority's revenue bonds or notes in an amount not to exceed \$2,000,000 (the Bonds) to assist in the financing of the acquisition, construction and equipping of a manufacturing facility (the Project), which will be located at the southwestern corner of the intersection of Midland and Easton Road in the City of Salem, Virginia, and will be owned by the Purchaser and leased to Virginia Plastics Company, and has held a public hearing thereon; and

WHEREAS, it has been requested that the City Council of the City of Salem, Virginia (the Council) approve the financing of the Project and the issuance of the Bonds, and such approval is required for compliance with Section 147 (f) of the Internal Revenue Code of 1986;

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA:

1. The Council approves the financing of the Project and the issuance of the Bonds by the Authority for the benefit of the Purchaser, as required by said Section 147 (f), to permit the Authority to assist in the financing of the Project.

2. The approval of the issuance of the Bonds, as required by said Section 147 (f), does not constitute an endorsement of the Bonds, the creditworthiness of the Purchaser or the economic viability of the Project. The Bonds shall provide that neither the Commonwealth of Virginia (the Commonwealth) nor any political subdivision thereof, including the City of Salem (the City) and the Authority, shall be obligated to pay the principal of or interest on the Bonds or other costs incident thereto except from the revenues and receipts pledged therefor and that neither the faith or credit nor the taxing power of the Commonwealth or any political subdivision thereof, including the City and the Authority shall be pledged thereto.

3. This Resolution shall take effect immediately upon its adoption.

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

Howard C. Packett - Aye
Alexander M. Brown - Absent
Carl E. Tarpley, Jr. - Aye
W. Mac Green - Aye
James E. Taliaferro - Aye

CLYDE C.
DICKENS
REAPPOINTED
TO CITY OF
SALEM
PLANNING
COMMISSION

Mayor Taliaferro requested that Council consider appointments to fill vacancies on various boards and commissions;

ON MOTION MADE BY VICE MAYOR GREEN, SECONDED BY COUNCILMAN TARPLEY, AND DULY CARRIED, Clyde C. Dickens is hereby reappointed to the Planning Commission of the City of Salem for a four-year term, said term will expire on July 26, 1991 -- the roll call vote being as follows: Howard C. Packett - aye; Alexander M. Brown - absent; Carl E. Tarpley, Jr. - aye; W. Mac Green - aye; and James E. Taliaferro - aye.

EDGAR A.
THURMAN
REAPPOINTED
TO PERSONNEL
BOARD

ON MOTION MADE BY COUNCILMAN TARPLEY, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, Edgar A. Thurman is hereby reappointed to the Personnel Board for a two-year term, said term will expire on August 12, 1989 -- the roll call vote being as follows: Howard C. Packett - aye; Alexander M. Brown - absent; Carl E. Tarpley, Jr. - aye; W. Mac Green - aye; and James E. Taliaferro - aye.

The City Manager recommended that an extension for a period of three years be granted to the existing lease, which expires in two years, to Krisch Hotels, Inc., for concessions at the Salem Civic Center in exchange for Krisch Hotels, Inc., spending between \$10,000 and \$15,000 upgrading the concession stands at the Civic Center, with a 1.5% increase on catering and concessions to be received from Krisch Hotels, Inc.; and

WHEREAS, the City Attorney stated that, if it is Council's desire to extend the lease for an additional three years, the motion should state that the lease is extended subject to the City Attorney approving that the extension of the lease is in compliance with the Virginia Procurement Act;

ON MOTION MADE BY VICE MAYOR GREEN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, the proper City officials are hereby authorized to execute an amended lease for Krisch Hotels, Inc., for concessions at the Salem Civic Center extending the contract for a period of three additional years in exchange for Krisch Hotels, Inc., upgrading the concession stands at the

LEASE FOR
KRISCH
HOTELS, INC.,
FOR
CONCESSIONS
AT SALEM
CIVIC CENTER
EXTENDED FOR
THREE-YEAR
PERIOD

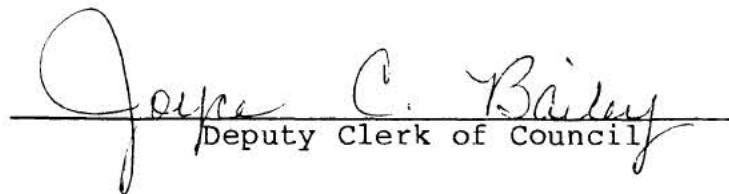
Civic Center subject to approval of the City Attorney that such action is in compliance with the Virginia Procurement Act -- the roll call vote being as follows: Howard C. Packett - aye; Alexander M. Brown - absent; Carl E. Tarpley, Jr. - aye; W. Mac Green - aye; and James E. Taliaferro - aye.


Mayor Taliaferro reported that the City is proposing to lease the field of approximately 3 acres on the north side of East Main Street at Oakey Field to Stuart McGuire Company, Inc., trading as Home Shopping Network, for \$48,000 per year for a period of two years, with the option to purchase the field for \$400,000, and the yearly leasing fee being applied to the purchase price should Home Shopping Network desire to purchase said area;

ON MOTION MADE BY COUNCILMAN TARPLEY, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, the proper City officials are hereby authorized to execute the lease agreement with Stuart McGuire Company, Inc., trading as Home Shopping Network, for approximately 3 acres of Oakey Field on the north side of East Main Street in the amount of \$48,000 per year for a period of two years with the option to purchase said field for \$400,000 and the leasing fee to be applied towards said purchase price -- the roll call vote being as follows: Howard C. Packett - aye; Alexander M. Brown - absent; Carl E. Tarpley, Jr. - aye; W. Mac Green - aye; and James E. Taliaferro - aye.

There being no further business before the Council, the same on motion adjourned at 8:05 p.m.

LEASE
AUTHORIZED
WITH STUART
McGUIRE
COMPANY,
INC., TRADING
AS HOME
SHOPPING
NETWORK, FOR
APPROXIMATELY
3-ACRE FIELD
AT OAKEY
FIELD


Deputy Clerk of Council


Mayor