

# City Council Meeting MINUTES

Monday, October 23, 2023, 6:30 PM

Work Session 6:00 P.M. Council Chambers Conference Room, City Hall, 114  
North Broad Street, Salem, Virginia 24153

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## WORK SESSION

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### AMENDED AGENDA

#### 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 October 23, 2023, at 6:00 p.m., there being present the following members of said Council to wit: Renée Ferris Turk, Mayor (participated remotely); James W. Wallace, III, Vice- Mayor; Council members: Byron Randolph Foley, William D. Jones, and H. Hunter Holliday; with James W. Wallace, III, Vice-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; Crystal Williams, Assistant to the City Manager; and Laura Lea Harris, Deputy Clerk of Council; and the following business was transacted;

Vice-Mayor Wallace 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

- 1) Report from Rotary Club on Olde Salem Days - Barney Horrell
- 2) Discussion of Citizen Comment requests.

Barney Horrell presented a report on this year's Olde Salem Days on behalf of the Salem Rotary Club. He expressed appreciation to all City Departments that assisted with this event. Mr. Horrell reported that approximately 1.5 million dollars had been raised from Olde Salem Days since the Rotary Club took over this event and donated to a number of causes throughout the Valley. He commended how well the Salem Parks and Recreation Department does large events. He thanked the City for making this a successful event and asked if Council had any questions or feedback to offer.

Discussion was held on conflicts with Virginia Tech ballgames and Olde Salem Days. Mr. Horrell said that historically Olde Salem Days has been held on the second Saturday in September, but this was something that could possibly be negotiated at some point. Mayor Turk suggested that the shuttle could be more strongly advertised. Council thanked Mr. Horrell and the Rotary Club for

all of their work to put on Olde Salem Days each year.

Council discussed the Citizen requests from the September 11 through October 9, 2023, meetings of City Council. In regard to potential development of the Hope Tree property, Council felt that there was not anything that could be done at this point as a formal request for rezoning has not been submitted.

Discussion was also held about the requests from the September 25, 2023, meeting regarding the Residential Group Home on Missouri Avenue. Several members of Council had reached out to the citizens and the Group Home and no further incidents had been reported. Mr. Holliday noted that he had reached out to the Director of the Group Home and that the individual in question had been assigned a one-on-one. It was also noted that Social Services is working on this as well.

Next, Council discussed request for an ordinance to abate cars parking in front lawns from the September 25, 2023, meeting of Council. Discussion was held. Council requested to attain further feedback from Community Development and the Police Department.

In response to the request that citizen reports of Code violations be posted on the City's website, Community Development is in the early stages of implementing software system with Civic Plus. They discussed this specific item with the vendor and the Technology Department. They were advised that such a module should be viable and that they would work on this subsequent to the core implementation scheduled for completion by the end of the first quarter of 2024. Mr. Light indicated that the City Attorney would be consulted at the appropriate time for input.

Council felt that Code Enforcement should be sufficient in addition to citizen ability to report problems and that the creation of a special committee was not needed at this time to address eyesore, blight, building maintenance, and Code enforcement. The last citizen request that was addressed was that Council address City Code Section 78-508. Mr. Light noted that he felt this needed to be explored. He stated that he had a meeting set up with Community Development later this week and that this was on the agenda.

Mayor Turk asked about the status of the Comprehensive Plan and Mr. Light noted that Community Development was holding a kick-off this Friday.

### 3. Adjournment

There being no further business, Vice-Mayor Wallace adjourned the meeting at 6:22 p.m.

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## REGULAR SESSION

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### 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 (participated remotely); James W. Wallace, III, Vice-Mayor; Councilmembers: Byron Randolph Foley, William D. Jones, and H. Hunter Holliday; with Vice-Mayor Wallace 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

Vice-Mayor Wallace requested that Mr. Light read a request from Mayor Turk to participate remotely in this Council meeting.

The request from Mayor Turk stated: "In accordance with Section 2.2-3708.3

B.4 of the Code of the Commonwealth of Virginia and the Remote Participation Policy of the City of Salem, I hereby request to participate remotely for a personal matter, specifically that I am out of town."

Randy Foley motioned to accept the remote participation of Mayor Turk. William Jones seconded the motion.

Ayes: Foley, Holliday, Jones, Wallace  
Abstain: Turk

3. Bid Openings, Awards,  
Recognitions

4. Consent Agenda

Randy Foley requested to add Item 6E to the agenda for this evening regarding the appointment of an Interim City Manager. There were no objections to this request.

A. **Citizen Comments**

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

Ronald Thompson, 1000 W. Riverside Drive, addressed Council along with his son, Matthew Thompson. Matthew distributed photographs and documentation for Council's review. Mr. Thompson requested assistance from Council in developing a plan for the City to restore Department of Environmental Quality required water retention plans that were removed from City Easement by a neighbor. He noted numerous issues that he has faced on his property due to issues from drainage and erosion. He noted that he had attempted working with legal Counsel, Morgan Griffith, and Lynn Ann Snyder from Soil and Erosion and had not been able to solve the issues. He gave details of the process and the history of the issues he has experienced. He stated that the Fire Department had notified him that he no longer had fire service due to the road being washed out. He invited Council to review the original documents that he has in his possession regarding this issue.

Matthew Thompson, on behalf of his mother, 1000 W. Riverside Drive, noted for Council that the documents he had shared with them this evening was only a small portion of the documentation that they had and they also had photographs, recordings, etc. to back up their request and attempts to resolve the issues.

Mr. Jones asked for Mr. Thompson's phone number and received this information.

Vice-Mayor Wallace asked if Community Development could engage with the Thompson's to help resolve the issue.

Mr. Foley asked if Community Development could communicate the status to Council members individually or in 2X2 meetings.

Mr. Van Allman confirmed that he would check into the status of this matter. He did remember that this had been discussed in Community Development on a couple of

occasions.

## B. **Minutes**

Consider acceptance of the October 2, 2023, Special Meeting/Joint Meeting with the Economic Development Authority, the October 9, 2023, Work Session/Joint Meeting with the Salem City School Board and Regular Meeting minutes, the October 16, 2023, Special Meeting/Closed Session to discuss candidates for the position of City Manager, and the October 16 and 17, 2023, Special Meeting/Closed Sessions to interview School Board candidates meetings.

The minutes were approved as written.

## C. **Financial Reports**

Consider acceptance of the Statement of Revenues and Expenditures for the three months ending September 30, 2023.

The financial reports were received.

## 5. Old Business

There was no Old Business this evening.

## 6. New Business

### A. **Special Exception Permit**

Hold public hearing to consider the request of Bruce Maxey, property owner, for the issuance of a Special Exception permit to allow a 1,200 square foot detached garage on the property located at 1862 Murrell Avenue (Tax Map # 128-1-4). (Advertised in the October 12 and 19, 2023, issues of the *Salem Times-Register*.) (Recommend approval with condition; see page 2 of Planning Commission minutes). **STAFF REPORT**

Mr. Van Allman clarified that this is the last property on Murrell on the north side and is the last property before you get to Harrogate. The owner wants an exception for two hundred more square feet. Part of the proffered conditions that they submitted were that they would take down the old garage within 180 days of the new one being put up. The new building sits behind the current building and would be very difficult to see this from the road.

Vice-Mayor Wallace opened the public hearing.

No one came forward to speak.

Vice-Mayor Wallace closed the public hearing.

Mr. Foley noted that what differentiates this request from a previous request that

was considered is the neighborhood and the location of the property.

Vice- Mayor Wallace agreed that this was a good point and that this was true.

Mr. Jones added that another consideration was that the existing building was being torn down in this case.

William Jones motioned to approve the request of Bruce Maxey, property owner, for the issuance of a Special Exception permit to allow a 1,200 square foot detached garage on the property located at 1862 Murrell Avenue (Tax Map # 128-1-4). Randy Foley seconded the motion.

Ayes: Foley, Holliday , Jones, Turk, Wallace

## B. Amendment to the Zoning Ordinance

Hold public hearing and consider adoption of ordinance on first reading for the request of Crystal Lowery, property owner, for rezoning the property located at 1000 Blk Ohio Ave (Tax Map # 197-1-15) from HM Heavy Manufacturing District to RSF Residential Single-Family District. (Advertised in the October 12 and 19, 2023, issues of the *Salem Times-Register*.) (Recommend approval; see page 4 of Planning Commission minutes). **STAFF REPORT**

Mr. Van Allman shared that this property is right across the street on Ohio from the Valleydale property that is currently being constructed. The property in question did go through a Board of Zoning Appeals review in September to waive the minimum requirements for a residential single-family lot. This BZA approval was required prior to going before the Planning Commission. This approval was received, and this item went before the Planning Commission. The main concern was a turn-around for emergency vehicles. This rendering was not available at the time of the Planning Commission, but a sketch was provided for Council this evening. This would allow buses and any type of ambulance to turn around and be able to go back down Ohio. The main concern was that City vehicles would be able to get in and out. Traffic was discussed, but it was felt that this was a good compromise that the Planning Commission accepted.

Vice-Mayor Wallace opened the public hearing.

Don Haddon, 1208 Corporate Circle, Roanoke, Balzer & Associates, agent for Crystal Lowery, came forward to speak. He noted that access is from the alley in the rear and that there is a fairly steep grade from Ohio up to where the house will be located. He shared that there are currently a couple of other houses up there that access from the alley and that there is no place to really turn around. That is the reason that this is being addressed. He noted that the other side of the alley is zoned as Residential Single-Family and is surrounded on both sides by existing residential uses but is still currently zoned as Heavy Manufacturing. This property is Future Land Use RSF Residential Single-Family Use on GIS. He shared that he had added a decent turn-around to the plan and it was verified that Council had received this rendering for review. He offered that this could be extended a little bit more and also commented that he did not believe that heavy duty paving would be required as this an emergency use and is not for public turnaround and would only be accessed for emergency use. He also noted that this was not in any floodplain and had minimal traffic with four to five vehicles a day at the most. He stated that this had been approved by the Board of Zoning Appeals for variance to the lot width and lot size requirement, this would be considered an existing nonconforming lot and that

the setback requirements for Residential Single-Family zoning would be honored.

Vice-Mayor Wallace closed the public hearing.

Mr. Foley noted that he's not opposed to this request and the information from the Planning Commission minutes; however, he foresees that this area has potential for future development and that this is setting a precedent for future homes to face the alley and is concerned that this would require that the alley become a road.

Mr. Van Allman responded that this was something discussed in the Planning Commission Work Session and Regular Meeting. He shared that one of the things that the City can do if it becomes necessary or conditions warrant is that the road could be continued on through rather than ending in a dead end. He also noted that they could possibly look at widening the road. He noted that there would still not be a lot of traffic for residential single-family use in this area but that the concern in regards to traffic at this point does not look as though it could happen under current conditions. However, this could always be opened up if needed. He further indicated that his feeling was that more traffic would be invited at this point by opening this up so that people could cut through to Valleydale. He said this would be addressed in the future if necessary.

Mr. Foley also stated that as the Board of Zoning Appeals had made their decision on the variance and Council could not affect that action; however, he wished to note his concern as to how many homes would be allowed through this area with reduced setbacks, etc.

Mr. Wallace asked whether it made sense to try to rezone that whole strip as it looked like there would be a mixture of zonings for a while.

Mr. Van Allman indicated that Community Development is looking at discussing this possibility through the Comprehensive Plan as after the Comprehensive Plan process is complete, they usually go in with a new zoning plan and that is one area they are looking at.

Mr. Jones asked if this was kept on an item-by-item basis, would this give the City more control over rezoning all of this area.

Mr. Van Allman responded affirmatively but noted that the feelings of the residents of the area would need to be considered as well as the feeling of that whole area. He added that those are lots of record and that if the owner wished to put it in industrial use even though it was a small lot, they could do so. He felt that as a City, it would be preferable to have a residential area.

Mr. Foley stated again that he did not disagree with this request, but that he was thinking long-term of repercussions of starting with this one request and how that might grow.

Mr. Van Allman indicated that in the past these concerns have been addressed and looked at. He noted a couple of instances in which a road had been extended and widened. He remarked that there were options that could be utilized in this area. He said that not all of this area was inaccessible from Ohio but that it was the section the further you go down from Valleydale that is inaccessible. He said

that he had spoken with the City Engineer and that currently Community Development does not have concerns as there is not a lot of traffic in this area and that this would be addressed if needed in an effort to be prudent with the City's funding.

Randy Foley motioned to adopt ordinance on first reading for the request of Crystal Lowery, property owner, for rezoning the property located at 1000 Blk Ohio Ave (Tax Map # 197-1-15) from HM Heavy Manufacturing District to RSF Residential Single-Family District. William Jones seconded the motion.

Ayes: Foley, Holliday , Jones, Turk, Wallace

#### **C. Administrative Calendar for 2024**

Consider adoption of the administrative calendar for 2024.

Mr. Light shared background information on this item. He noted that every year City Council adopts the Administrative Calendar which sets the City holidays. This calendar also sets the regular meeting dates for City Council, The Economic Development Authority, and the Planning Commission. Notice is posted for any additional meetings or cancellations, as required.

Mayor Turk commented for the record that she noticed that the Virginia Municipal League Annual Conference is held in October. She believes that the meeting dates will be okay for the next year, but if the meeting dates do conflict, she would like to make a note to move the regular Council meeting date so that those Councilmembers that wish to attend may do so if that is allowable.

William Jones motioned to adopt the Administrative Calendar for 2024. H Hunter Holliday seconded the motion.

Ayes: Foley, Holliday , Jones, Turk, Wallace

#### **D. Boards and Commissions**

Consider appointments to various boards and commissions.

Randy Foley motioned to appoint Rachel Thompson to serve on the Salem City School's School Board to fill the expiring term of David Preston on December 31, 2023. William Jones seconded the motion.

Mayor Turk shared that they had a very large group of 6 excellent applicants and that Council was very grateful for their consideration of serving the City. She urged them to apply again in the future to serve on the School Board or another Board as Council is grateful for their involvement. She thanked them for applying.

Mr. Wallace noted that he was going to support Ms. Thompson's nomination for the School Board, but that for the record he wished to correct some comments that were made a few weeks ago in the Council meeting. He noted that the last School Board member selected by Council was representative of a minority group and that with

Ms. Thompson's appointment, the School Board would have two minority representatives.

Ayes: Foley, Holliday, Jones, Turk, Wallace

Randy Foley motioned to appoint Rob Light to replace James Taliaferro for the remainder of a four-year term expiring December 31, 2023, to the Roanoke Valley Broadband Authority. Mayor Turk seconded the motion.

Ayes: Foley, Holliday, Jones, Turk, Wallace  
William Jones motioned to appoint Byron Randolph Foley for a two-year term ending November 13, 2025, to the Total Action for Progress (TAP) Board. H Hunter Holliday seconded the motion.

Ayes: Foley, Holliday , Jones, Turk, Wallace

#### E. **Interim City Manager**

Consider appointment of Interim City Manager.

Mayor Turk noted that it was great to have Mr. Light agree to do so. She continued that they needed to have someone on board that can sign legal paperwork that comes through the City and perform other duties until a new City Manager is hired. Randy Foley motioned to appoint Rob Light as interim city manager to perform all the duties of the office of city manager and to be invested with the powers and charged with the duties as are set forth in the Charter, the provisions of the Code and other ordinances of the city, and the laws of the Commonwealth. This appointment will be effective on November 1, 2023 and will continue until Council appoints a permanent city manager. William Jones seconded the motion.

Ayes: Foley, Holliday , Jones, Turk, Wallace

#### 7. **Adjournment**

Mr. Jones noted that this was Mr. Taliaferro's last meeting. He thanked Mr. Taliaferro for the service that he had given to the City and his love for the City. Each Council member expressed their appreciation to Mr. Taliaferro for his service.

The meeting was adjourned at 6:59 p.m.