

ROANOKE CITY COUNCIL-REGULAR SESSION

September 20, 2021

2:00 p.m.

The Council of the City of Roanoke met in regular session on Monday, September 20, 2021 at 2:00 p.m., in the Council Chamber, Room 450, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Mayor Sherman P. Lea, Sr., presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended, and pursuant to Resolution No. 41964-010421 adopted by the Council on Monday, January 4, 2021.

PRESENT: Council Members William D. Bestpitch, Joseph L. Cobb, Robert L. Jeffrey, Jr., Stephanie Moon Reynolds, Vivian Sanchez-Jones, Patricia White-Boyd, and Mayor Sherman P. Lea, Sr.-7.

ABSENT: None-0.

The Mayor declared the existence of a quorum.

OFFICERS PRESENT: Robert S. Cowell, Jr., City Manager; Timothy R. Spencer, City Attorney; and Cecelia F. McCoy, City Clerk.

The Invocation was delivered by The Reverend Elizabeth Link, Pastor, Second Presbyterian Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Lea.

PRESENTATIONS AND ACKNOWLEDGEMENTS: NONE.

HEARING OF CITIZENS UPON PUBLIC MATTERS:

City Council sets this time as a priority for citizens to be heard. If deemed appropriate, matters will be referred to the City Manager for response, recommendation or report to the Council.

AMERICAN RESCUE PLAN ACT FUNDING: Cam Terry, 1905 Wise Avenue, S. E., appeared before the Council to seek American Rescue Plan Act funding for Local Environmental Agriculture Project (LEAP) for Local Food.

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion were desired, the item would be removed from the Consent Agenda and considered separately. He called attention to two requests by the City Manager to convene in Closed Meeting.

DISPOSITION OF CITY-OWNED PROPERTY: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss the disposition of City-owned property located at 29 Campbell Avenue, S. W., where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended, was before the body.

(See communication on file in the City Clerk's Office.)

Council Member Moon Reynolds moved that Council concur in the request of the City Manager as abovementioned. The motion seconded by Council Member Jeffrey and adopted by the following vote:

AYES: Council Members Bestpitch, Cobb, Jeffrey, Moon Reynolds, Sanchez-Jones, White-Boyd, and Mayor Lea-7.

NAYS: None-0.

ACQUISITION OF REAL PROPERTY: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss the acquisition of real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended, was before the body.

(See communication on file in the City Clerk's Office.)

Council Member Moon Reynolds moved that Council concur in the request of the City Manager as abovementioned. The motion seconded by Council Member Jeffrey and adopted by the following vote:

AYES: Council Members Bestpitch, Cobb, Jeffrey, Moon Reynolds, Sanchez-Jones, White-Boyd, and Mayor Lea-7.

NAYS: None-0.

ANNUAL REPORT OF THE AUDIT COMMITTEE: Annual Report of the Audit Committee for Fiscal Year ending June 30, 2021, was before the Council.

(See copy of Annual Report on file in the City Clerk's Office.)

Council Member Moon Reynolds moved that the Annual Report be received and filed. The motion seconded by Council Member Jeffrey and adopted by the following vote:

AYES: Council Members Bestpitch, Cobb, Jeffrey, Moon Reynolds, Sanchez-Jones, White-Boyd, and Mayor Lea-7.

NAYS: None-0.

OATHS OF OFFICE-VIRGINIA'S FIRST REGIONAL INDUSTRIAL FACILITY AUTHORITY-ROANOKE CIVIC CENTER COMMISSION-HUMAN SERVICES ADVISORY BOARD: Reports of qualification of the following individuals were before the Council:

Marc Nelson as a City representative of the Virginia's First Regional Industrial Facility Authority for a term of office ending June 30, 2022;

Robert Arrington as a member of the Roanoke Civic Center Commission for a three-year term of office, commencing October 1, 2021 and ending September 30, 2024; and

Erika J. Bergen as a member of the Human Services Advisory Board for a four-year term of office, commencing December 1, 2021 and November 30, 2025.

(See Oaths or Affirmations of Office on file in the City Clerk's Office.)

Council Member Moon Reynolds moved that the reports of qualification be received and filed. The motion seconded by Council Member Jeffrey and adopted by the following vote:

AYES: Council Members Bestpitch, Cobb, Jeffrey, Moon Reynolds, Sanchez-Jones, White-Boyd, and Mayor Lea-7.

NAYS: None-0.

REGULAR AGENDA

PUBLIC HEARINGS: NONE.

PETITIONS AND COMMUNICATIONS: NONE.

REPORTS OF CITY OFFICERS AND COMMENTS OF CITY MANAGER:

CITY MANAGER:

BRIEFING:

American Rescue Plan Act Recommendations

The City Manager briefed the Council on the recommendations from the Star City Strong and Resiliency Plan Committee with regard to the American Rescue Plan Act funding and highlighted the following information:

- Introduction
- Star City Strong Recovery Fund
- The Process
- Recommendations
- Other Considerations
- Next Steps

(See copy of presentation on file in the City Clerk's Office.)

Mr. Cowell explained the process and concluded by reviewing other considerations and the next steps.

Following in-depth discussion by the Council Members, the City Manager introduced members of the Advisory Panel in attendance.

Mayor Lea thanked the City Manager for the informative presentation and received and filed the briefing.

ITEMS RECOMMENDED FOR ACTION:

2022 DEPARTMENT OF MOTOR VEHICLES HIGHWAY SAFETY-CITY OF ROANOKE PEDESTRIAN SAFETY CAMPAIGN GRANT: The City Manager submitted a written communication recommending the acceptance of the 2022 Department of Motor Vehicles Highway Safety — City of Roanoke Pedestrian Safety Campaign Grant.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Cobb offered the following resolution:

(#42147-092021) A RESOLUTION authorizing the acceptance of the Department of Motor Vehicles Traffic Safety (Selective Enforcement – Pedestrian/Bicycle) Grant and authorizing the execution, and filing of appropriate documents to obtain such funds.

(For full text of resolution, see Resolution Book No. 82, page 32.)

Council Member Cobb moved the adoption of Resolution No. 42147-092021. The motion seconded by Vice-Mayor White-Boyd.

Andrea Garland, Traffic Engineer I, explained the annual grant was to be used for a safety campaign, and emphasizing the message of safety in crosswalks, neighborhood streets and in school zones.

There being no questions and/or comments from the Council Members, Resolution No. 42147-092021 was adopted by the following vote:

AYES: Council Members Bestpitch, Cobb, Jeffrey, Moon Reynolds, Sanchez-Jones, White-Boyd, and Mayor Lea-7.

NAYS: None-0.

Council Member Moon Reynolds offered the following budget ordinance:

(#42148-092021) AN ORDINANCE to appropriate funding from the Virginia Department of Transportation for Pedestrian Safety Campaign, amending and reordaining certain sections of the 2020 - 2021 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 82, page 33.)

Council Member Moon Reynolds moved the adoption of Budget Ordinance No. 42148-092021. The motion seconded by Council Member Jeffrey and adopted by the following vote:

AYES: Council Members Bestpitch, Cobb, Jeffrey, Moon Reynolds, Sanchez-Jones, White-Boyd, and Mayor Lea-7.

NAYS: None-0.

2022 VIRGINIA DEPARTMENT OF MOTOR VEHICLES TRAFFIC SAFETY - SELECTIVE ENFORCEMENT - ALCOHOL GRANT: The City Manager submitted a written communication recommending acceptance of the Virginia Department of Motor Vehicles 2022 Traffic Safety (Selective Enforcement - Alcohol) Grant.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Sanchez-Jones offered the following resolution:

(#42149-092021) A RESOLUTION authorizing the acceptance of the Department of Motor Vehicles Traffic Safety (Selective Enforcement – Alcohol) Grant and authorizing the execution, and filing of appropriate documents to obtain such funds.

(For full text of resolution, see Resolution Book No. 82, page 33.)

Council Member Sanchez-Jones moved the adoption of Resolution No. 42149-092021. The motion seconded by Council Member Moon Reynolds and adopted by the following vote:

AYES: Council Members Bestpitch, Cobb, Jeffrey, Moon Reynolds, Sanchez-Jones, White-Boyd, and Mayor Lea-7.

NAYS: None-0.

Council Member Cobb offered the following budget ordinance:

(#42150-092021) AN ORDINANCE to appropriate funding from the U.S. Department of Transportation through the Commonwealth of Virginia Department of Motor Vehicles for an alcohol enforcement traffic safety grant, amending and reordaining certain sections of the 2021 - 2022 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 82, page 34.)

Council Member Cobb moved the adoption of Budget Ordinance No. 42150-092021. The motion seconded by Council Member Jeffrey and adopted by the following vote:

AYES: Council Members Bestpitch, Cobb, Jeffrey, Moon Reynolds, Sanchez-Jones, White Boyd, and Mayor Lea-7.

NAYS: None-0.

2022 VIRGINIA DEPARTMENT OF MOTOR VEHICLES TRAFFIC SAFETY - SELECTIVE ENFORCEMENT – OCCUPANT PROTECTION GRANT: The City Manager submitted a written communication recommending acceptance of the Virginia Department of Motor Vehicles 2022 Traffic Safety (Selective Enforcement - Occupant Protection) Grant.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Moon Reynolds offered the following resolution:

(#42151-092021) A RESOLUTION authorizing the acceptance of the Department of Motor Vehicles Traffic Safety (Selective Enforcement – Occupant Protection) Grant and authorizing the execution, and filing of appropriate documents to obtain such funds.

(For full text of resolution, see Resolution Book No. 82, page 35.)

Council Member Moon Reynolds moved the adoption of Resolution No. 42149-092021. The motion seconded by Council Member Jeffrey and adopted by the following vote:

AYES: Council Members Bestpitch, Cobb, Jeffrey, Moon Reynolds, Sanchez-Jones, White-Boyd, and Mayor Lea-7.

NAYS: None-0.

Vice-Mayor White-Boyd offered the following budget ordinance:

(#42152-092021) AN ORDINANCE to appropriate funding from the U.S. Department of Transportation through the Commonwealth of Virginia Department of Motor Vehicles for an occupant protection traffic safety grant, amending and reordaining certain sections of the 2021 - 2022 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 82, page 36.)

Vice-Mayor White-Boyd moved the adoption of Budget Ordinance No. 42152-092021. The motion seconded by Council Member Jeffrey and adopted by the following vote:

AYES: Council Members Bestpitch, Cobb, Jeffrey, Moon Reynolds, Sanchez-Jones, White Boyd, and Mayor Lea-7.

NAYS: None-0.

2022 VIRGINIA DEPARTMENT OF MOTOR VEHICLES TRAFFIC SAFETY - SELECTIVE ENFORCEMENT – SPEED GRANT: The City Manager submitted a written communication recommending acceptance of the Virginia Department of Motor Vehicles 2022 Traffic Safety (Selective Enforcement - Speed) Grant.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Moon Reynolds offered the following resolution:

(#42153-092021) A RESOLUTION authorizing the acceptance of the Department of Motor Vehicles Traffic Safety (Selective Enforcement – Speed) Grant and authorizing the execution, and filing of appropriate documents to obtain such funds.

(For full text of resolution, see Resolution Book No. 82, page 37.)

Council Member Moon Reynolds moved the adoption of Resolution No. 42153-092021. The motion seconded by Vice-Mayor White-Boyd and adopted by the following vote:

AYES: Council Members Bestpitch, Cobb, Jeffrey, Moon Reynolds, Sanchez-Jones, White-Boyd, and Mayor Lea-7.

NAYS: None-0.

Vice-Mayor White-Boyd offered the following budget ordinance:

(#42154-092021) AN ORDINANCE to appropriate funding from the U.S. Department of Transportation through the Commonwealth of Virginia Department of Motor Vehicles for a speed enforcement traffic safety grant, amending and reordaining certain sections of the 2021 - 2022 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 82, page 38.)

Vice-Mayor White-Boyd moved the adoption of Budget Ordinance No. 42154-092021. The motion seconded by Council Member Moon Reynolds and adopted by the following vote:

AYES: Council Members Bestpitch, Cobb, Jeffrey, Moon Reynolds, Sanchez-Jones, White Boyd, and Mayor Lea-7.

NAYS: None-0.

2022 VIRGINIA DEPARTMENT OF MOTOR VEHICLES TRAFFIC SAFETY - SELECTIVE ENFORCEMENT – PEDESTRIAN BICYCLE SAFETY GRANT: The City Manager submitted a written communication recommending acceptance of the Virginia Department of Motor Vehicles 2022 Traffic Safety (Selective Enforcement — Pedestrian Bicycle Safety) Grant.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Jeffrey offered the following resolution:

(#42155-092021) A RESOLUTION authorizing the acceptance of the Department of Motor Vehicles Traffic Safety (Selective Enforcement – Pedestrian/Bicycle) Grant and authorizing the execution, and filing of appropriate documents to obtain such funds.

(For full text of resolution, see Resolution Book No. 82, page 39.)

Council Member Jeffrey moved the adoption of Resolution No. 42155-092021. The motion seconded by Council Member Cobb and adopted by the following vote:

AYES: Council Members Bestpitch, Cobb, Jeffrey, Moon Reynolds, Sanchez-Jones, White-Boyd, and Mayor Lea-7.

NAYS: None-0.

Council Member Cobb offered the following budget ordinance:

(#42156-092021) AN ORDINANCE to appropriate funding from the U.S. Department of Transportation through the Commonwealth of Virginia Department of Motor Vehicles for a pedestrian and bicycle traffic safety grant, amending and reordaining certain sections of the 2021 - 2022 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 82, page 40.)

Council Member Cobb moved the adoption of Budget Ordinance No. 42154-092021. The motion seconded by Vice-Mayor White-Boyd and adopted by the following vote:

AYES: Council Members Bestpitch, Cobb, Jeffrey, Moon Reynolds, Sanchez-Jones, White-Boyd, and Mayor Lea-7.

NAYS: None-0.

SHUTTERED VENUES OPERATORS GRANT: The City Manager submitted a written communication recommending acceptance of the Shuttered Venues Operators Grant from the Small Business Administration Office of Disaster Assistance to provide support to live venue operators in response to the impacts of COVID-19.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Bestpitch offered the following resolution:

(#42157-092021) A RESOLUTION authorizing the acceptance of the Shuttered Venue Operators Grant from the United States Small Business Administration Office of Disaster Assistance and authorizing the execution, and filing of appropriate documents to obtain such funds.

(For full text of resolution, see Resolution Book No. 82, page 41.)

Council Member Bestpitch moved the adoption of Resolution No. 42157-092021. The motion seconded by Council Member Cobb.

The City Manager advised that it was unusual for the City to be awarded funding from the Small Business Administration Office, but it was the result of a program out of the Federal Aid Programs for COVID-19 response for any live entertainment, public or private that was closed as a result of COVID-19 and the City qualified for funding of approximately \$1.2 million.

In response to inquiry by Council Member Jeffrey with regard to the increase in shows at the Berglund Center, the City Manager replied that the shows were slowly increasing, but limited mainly by entertainers feeling comfortable coming to Roanoke.

There being no questions and/or comments from the Council Members, Resolution No. 42157-092021 was adopted by the following vote:

AYES: Council Members Bestpitch, Cobb, Jeffrey, Moon Reynolds, Sanchez-Jones, White Boyd, and Mayor Lea-7.

NAYS: None-0.

Council Member Bestpitch offered the following budget ordinance:

(#42158-092021) AN ORDINANCE to appropriate funding from the Economic Aid to Hard-Hit Business, Nonprofits, and Venues Act amended by the American Rescue Plan Act, amending and reordaining certain sections of the 2021 - 2022 Grant Fund - Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 82, page 42.)

Council Member Bestpitch moved the adoption of Budget Ordinance No. 42158-092021. The motion seconded by Council Member Jeffrey and adopted by the following vote:

AYES: Council Members Bestpitch, Cobb, Jeffrey, Moon Reynolds, Sanchez-Jones, White-Boyd, and Mayor Lea-7.

NAYS: None-0.

FY27 AND FY28 VIRGINIA DEPARTMENT OF TRANSPORTATION REVENUE SHARING PROGRAM APPLICATION: The City Manager submitted a written communication recommending authorization to submit an application to the Virginia Department of Transportation for funding of the FY 2027 and FY 2028 Revenue Sharing Programs for construction or improvement of the City's infrastructure systems.

(For full text, see communication on file in the City Clerk's Office.)

Vice-Mayor White-Boyd offered the following resolution:

(#42159-092021) A RESOLUTION supporting an application and authorizing the City Manager to submit such application to the Virginia Department of Transportation (VDOT) Revenue Sharing Program in the amount of \$5,000,000 for FY2027 and \$5,000,000 for FY2028 for certain projects; and authorizing the City Manager to take certain actions in connection with such projects.

(For full text of resolution, see Resolution Book No. 82, page 43.)

Vice-Mayor White-Boyd moved the adoption of Resolution No. 42159-092021. The motion seconded by Council Member Cobb.

The City Manager explained that through revenue sharing the City could receive 50 percent of the cost of a project from VDOT funding, but the City would not have access to the dollars until that time-frame and would not be able to participate in the same level of revenue sharing as in the past due in part to reduction in revenues.

There being no questions and/or comments from the Council Members, Resolution No. 42159-092021 was adopted by the following vote:

AYES: Council Members Bestpitch, Cobb, Jeffrey, Moon Reynolds, Sanchez-Jones, White Boyd, and Mayor Lea-7.

NAYS: None-0.

FY23 VIRGINIA DEPARTMENT OF TRANSPORTATION TRANSPORTATION ALTERNATIVES PROGRAM FUNDING APPLICATION: The City Manager submitted a written communication recommending authorization to submit an application to the Virginia Department of Transportation for FY 2023 Transportation Alternatives Program funding for pedestrian improvements between Hawthorne Avenue and Woodbury Street, N. W.

(For full text, see communication on file in the City Clerk's Office.)

Vice-Mayor White-Boyd offered the following resolution:

(#42160-092021) A RESOLUTION supporting an application and authorizing the City Manager to submit an application to the Virginia Department of Transportation (VDOT) for FY23 Transportation Alternatives Program Funds for pedestrian improvements along the west side of Williamson Road, N.W., between Hawthorne Avenue, N.W., and Woodbury Street, N.W., Roanoke, Virginia; and authorizing the City Manager to take certain actions in connection with such Project.

(For full text of resolution, see Resolution Book No. 82, page 44.)

Vice-Mayor White-Boyd moved the adoption of Resolution No. 42159-092021. The motion seconded by Council Member Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Cobb, Jeffrey, Moon Reynolds, Sanchez-Jones, White Boyd, and Mayor Lea-7.

NAYS: None-0.

COMMENTS OF CITY MANAGER. NONE.

CITY ATTORNEY:

MEMORANDUM OF UNDERSTANDING-IRONMAN 70.3 TRIATHLON EVENT:
The City Attorney submitted a written communication recommending approval of a Memorandum of Understanding in connection with the FY 2022 AND FY 2023 Ironman 70.3 Triathlon event.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Bestpitch offered the following resolution:

(#42161-092021) A RESOLUTION authorizing the City Manager to execute a Memorandum of Understanding ("MOU") among the City of Roanoke, World Triathlon Corporation ("WTC"), Roanoke Valley Convention and Visitor's Bureau d/b/a Visit Virginia's Blue Ridge ("VVBR"), the Counties of Roanoke and Botetourt, and the Town of Vinton, governing the terms, conditions, and obligations among such parties for the Carilion Clinic Ironman 70.3 Triathlon to be held throughout the Roanoke Valley on June 5, 2022, and June 4, 2023 , in cooperation with Carilion Clinic, the main sponsor of the event.

(For full text of resolution, see Resolution Book No. 82, page 45.)

Vice-Mayor White-Boyd moved the adoption of Resolution No. 42161-092021. The motion seconded by Council Member Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Cobb, Jeffrey, Moon Reynolds, Sanchez-Jones, White Boyd, and Mayor Lea-7.

NAYS: None-0.

REPORTS OF COMMITTEES:

VARIOUS EDUCATIONAL PROGRAMS: The Roanoke City School Board submitted a written report requesting appropriation of funds for various educational Programs; and the City Manager submitted a written report recommending that Council concur in the request.

(For full text, see reports on file in the City Clerk's Office.)

Council Member Cobb offered the following budget ordinance:

(#42162-092021) AN ORDINANCE to appropriate funding from the Commonwealth, federal and private grant for various educational programs, amending and re-ordaining certain sections of the 2021 - 2022 School Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 82, page 46.)

Council Member Cobb moved the adoption of Budget Ordinance No. 42162-092021. The motion seconded by Council Member Moon Reynolds and adopted by the following vote:

AYES: Council Members Bestpitch, Cobb, Jeffrey, Moon Reynolds, Sanchez-Jones, White Boyd, and Mayor Lea-7.

NAYS: None-0.

A REPORT OF CERTAIN AUTHORITIES, BOARDS, COMMITTEES AND COMMISSIONS IN WHICH CITY COUNCIL SERVE AS LIAISONS OR APPOINTEES:

GUN VIOLENCE PREVENTION COMMISSION: Council Member Cobb, Chairman, announced Christopher Roberts as the Youth and Gang Violence Prevention Coordinator who will coordinate activities and programs between City departments, community groups, stakeholders, and agencies in the awareness, suppression, intervention and prevention of youth and gang-related activity; adding a briefing regarding recipients of mini grants designated for prevention and intervention of gun violence will be presented at the October 18 Council meeting.

LEGISLATIVE COMMITTEE: Council Member Bestpitch, Chairman, advised that the last meeting of the Legislative Committee would be held in December 2021 and requested recommendations be submitted by the end of October.

UNFINISHED BUSINESS: NONE.

INTRODUCTION AND CONSIDERATION OR ORDINANCES AND RESOLUTIONS: NONE.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL: NONE.

VACANCIES ON CERTAIN AUTHORITIES, BOARDS, COMMISSIONS AND COMMITTEES APPOINTED BY COUNCIL: NONE.

At 4:00 p.m., the Mayor declared the Council meeting in recess for a Closed Meeting in the Council's Conference Room, Room 451, Noel C. Taylor Municipal Building; and thereafter to be reconvened at 7:00 p.m. in the Council Chamber.

At 7:00 p.m., the Council meeting reconvened in the Council Chamber, Room 450, fourth floor, Noel C. Taylor Municipal Building, with Mayor Sherman P.

Lea, Sr., presiding.

PRESENT: Council Members William D. Bestpitch, Joseph L. Cobb, Robert L. Jeffrey, Jr., Stephanie Moon Reynolds, Vivian Sanchez-Jones, Patricia White-Boyd, and Mayor Sherman P. Lea, Sr.-7.

ABSENT: None-0.

The Mayor declared the existence of a quorum.

OFFICERS PRESENT: Robert S. Cowell, Jr., City Manager; Timothy R. Spencer, City Attorney; and Cecelia F. McCoy, City Clerk.

The Invocation was delivered by The Reverend Gary Holland, Pastor, Trinity Missionary Baptist Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Lea.

CERTIFICATION OF CLOSED MEETING: With respect to the Closed Meeting just concluded, Council Member Jeffrey moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion seconded by Council Member Cobb and adopted by the following vote:

AYES: Council Members Bestpitch, Cobb, Jeffrey, Moon Reynolds, Sanchez-Jones and Vice-Mayor White Boyd-6.

NAYS: None-0.

(Mayor Lea abstained due to not being in attendance in the Closed Meeting.)

PUBLIC HEARINGS:

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, September 20, 2021, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of BrightView, LLC, to rezone property located at 1345 Plantation Road, N. E., from I-1, Light Industrial District, to INPUD, Institutional Planned Unit Development District, to be used as an outpatient mental health and substance abuse clinic, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, August 31, 2021 and Tuesday, September 7, 2021.

(See publisher's affidavit on file in the City Clerk's Office.)

The City Planning Commission submitted a written report recommending approval of the rezoning request, finding that the principal consideration was whether the proposed rezoning is consistent with City Plan 2040 and the Williamson Road Area Plan and the proposed change allows for a needed community resource while reducing its impact on the surrounding areas, the Planned Unit Development Plan will ensure any expansion of the use will require another public process and also limits uses to only those in keeping with the surrounding area, overall, the proposed change is in keeping with the goals of the Plans.

(For full text, see report on file in the City Clerk's Office.)

Council Member Bestpitch offered the following ordinance:

(#42163-092021) AN ORDINANCE to rezone certain properties located at 1345 Plantation Road, N.E., from I-1, Light Industrial District to INPUD, Institutional Planned Unit Development District; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 82, page 49.)

Council Member Bestpitch moved the adoption of Ordinance No. 42163-092021. The motion seconded by Vice-Mayor White-Boyd.

Mike DiMaggio, Vice-President, Brightview, LLC, appeared before the Council in support of the request.

The Mayor inquired if there were persons present who wished to speak on the matter. There being none, he declared the public hearing closed.

Following a comment by Council Member Moon Reynolds about similar clinics in the northwest area, Ordinance No. 42163-092021 was adopted by the following vote:

AYES: Council Members Bestpitch, Cobb, Jeffrey, and Vice-Mayor White-Boyd-5.

NAYS: Council Members Moon Reynolds and Sanchez-Jones-2.

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, September 20, 2021, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of CFT NV Developments, LLC, to rezone a portion of property located at 4807 Valley View Boulevard, N. W., from CLS, Commercial-Large Site District, to MXPUD, Mixed Use Planned Unit Development District, subject to the Development Plan that specifies location of the building, infrastructure, site access and building design, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, August 31, 2021 and Tuesday, September 7, 2021.

(See publisher's affidavit on file in the City Clerk's Office.)

The City Planning Commission submitted a written report recommending approval of the rezoning request, finding that the principal consideration was whether the proposed rezoning is consistent with City Plan 2040 and the Williamson Road Area Plan and the commercial center at Valley View Mall has been an important part of the community's development pattern for many years, the main purpose of the rezoning would provide a mechanism to subdivide a large commercial property in a manner to allow further development of the underutilized parcel, to MXPUD would allow the area to be subdivided into a lot with frontage provided on the Valley View Mall ring road and provide basic development principals to maintain the basic character of the area as the new parcel is further developed in the future, overall, the proposed change is in keeping with the goals of the plans.

(For full text, see report on file in the City Clerk's Office.)

Council Member Cobb offered the following ordinance:

(#42164-092021) AN ORDINANCE to rezone a portion of certain property located at 4807 Valley View Boulevard, N.W., from CLS, Commercial-Large Site District to MXPUD, Mixed Use Planned Unit Development District; and dispensing with the second reading of this ordinance by title.to rezone certain properties located at 1345 Plantation Road, N.E., from I-1, Light Industrial District to INPUD, Institutional Planned Unit Development District; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 82, page 51.)

Council Member Cobb moved the adoption of Ordinance No. 42164-092021. The motion seconded by Council Member Bestpitch.

Ray Flake, Civil Engineering Services, PC, representing the petitioner, appeared before the Council in support of the request.

The Mayor inquired if there were persons present who wished to speak on the matter. There being none, he declared the public hearing closed.

There being no comments and/or questions by the Council Members, Ordinance No. 42164-092021 was adopted by the following vote:

AYES: Council Members Bestpitch, Cobb, Jeffrey, Moon Reynolds, Sanchez-Jones, White Boyd, and Mayor Lea-7.

NAYS: None-0.

CITY'S PROPOSED 2020 - 2021 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER): Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, September 20, 2021, at 7:00 p.m., or as soon thereafter as the matter may be heard, for the City Council to review and receive public comments on the City's proposed 2020 - 2021 Consolidated Annual Performance and Evaluation Report (CAPER), the matter was before the body.

Legal advertisement of the public hearing was published once in The Roanoke Times on Friday, August 20, 2021.

(See publishers' affidavit on file in the City Clerk's Office.)

The City Manager submitted a written report recommending approval of the 2020-2021 HUD Consolidated Performance and Evaluation Report (CAPER), and execution and submittal of the CAPER to the Richmond Field Office of the U.S. Department of Housing and Urban Development prior to September 30, 2021, in a form approved by the City Attorney.

(For full text, see report on file in the City Clerk's Office.)

Council Member Cobb offered the following resolution:

(#42165-092021) A RESOLUTION approving the 2020 - 2021 HUD Consolidated Annual Performance and Evaluation Report (CAPER) regarding the United States Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) program; and authorizing the City Manager to submit the CAPER to HUD.

(For full text of resolution, see Resolution Book No. 82, page 53.)

Council Member Moon Reynolds moved the adoption of Resolution No. 42165-092021. The motion seconded by Council Member Bestpitch.

Mayor Lea inquired if there were persons present wishing to speak on the matter. There being none, he closed the public hearing.

There being no questions and/or comments by the Council Members, Resolution No. 42165-092021 was adopted by the following vote:

AYES: Council Members Bestpitch, Cobb, Jeffrey, Moon Reynolds, Sanchez-Jones, White Boyd, and Mayor Lea-7.

NAYS: None-0.

SALE OF CITY-OWNED PROPERTY: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, September 20, 2021, at 7:00 p.m., or as soon thereafter as the matter may be heard, to consider the sale of property located at 0 Norfolk Avenue, S. W., to TLC Properties, local operator of Lamar Advertising, the matter was before the body.

Legal advertisement of the public hearing was published once in The Roanoke Times on Friday, September 10, 2021.

(See publishers' affidavit on file in the City Clerk's Office.)

Mayor Lea advised that the matter was withdrawn by the City Manager.

NEW BUSINESS:

AMENDMENT TO THE FIRST REINSTATED AGREEMENT FOR THE EXCHANGE OF REAL ESTATE: The City Manager submitted a written communication for execution of Amendment No. 4 to the First Reinstated Agreement for the Exchange of Real Estate between the City of Roanoke and Rutherford Partners, LLC, in connection with a new transportation Facility.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Bestpitch offered the following ordinance:

(#42166-092021) AN ORDINANCE authorizing the City Manager to execute Amendment No. 4 to the First Reinstated Agreement for the Exchange of Real Estate between the City of Roanoke, Virginia ("City") and Rutherford Partners, LLC, ("Developer") dated September 17, 2019 ("Agreement") to provide for (i) the sale and transfer of Campbell Court, as described below, from the City to Developer; and (ii) the acquisition of the Future Rail Station Parcels, as described below, by the City from Developer; and dispensing with the second reading of this ordinance by title.

(For full text of resolution, see Ordinance Book No. 82, page 54.)

Council Member Bestpitch moved the adoption of Ordinance No. 42166-092021. The motion seconded by Vice-Mayor White-Boyd and adopted by the following vote:

AYES: Council Members Bestpitch, Cobb, Jeffrey, Moon Reynolds, Sanchez-Jones, White Boyd, and Mayor Lea-7.

NAYS: None-0.

AMENDMENT TO THE FIRST REINSTATED AGREEMENT FOR THE EXCHANGE OF REAL ESTATE: The City Manager submitted a written communication for execution of Amendment No. 4 to the First Reinstated Agreement for the Exchange of Real Estate between the City of Roanoke and Greater Roanoke Transit Company, in connection with a new transportation facility.

(For full text, see communication on file in the City Clerk's Office.)

Council Member Bestpitch offered the following ordinance:

(#42167-092021) AN ORDINANCE authorizing the City Manager to execute Amendment No. 4 to the First Reinstated Agreement for the Exchange of Real Estate between the City of Roanoke, Virginia and Greater Roanoke Transit Company dated September 17, 2019 ("Agreement") to provide for (i) the sale and transfer of the GRTC Relocation Parcels, as described below, to Greater Roanoke Transit Company ("GRTC") from the City of Roanoke, Virginia ("City"), and (ii) the acquisition of Campbell Court, as described below, by the City from GRTC; and dispensing with the second reading of this ordinance by title.

(For full text of resolution, see Ordinance Book No. 82, page 56.)

Council Member Bestpitch moved the adoption of Ordinance No. 42167-092021. The motion seconded by Vice-Mayor White-Boyd and adopted by the following vote:

AYES: Council Members Bestpitch, Cobb, Jeffrey, Moon Reynolds, Sanchez-Jones, White Boyd, and Mayor Lea-7.

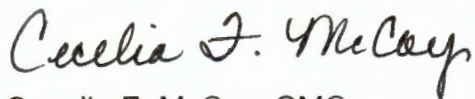
NAYS: None-0.

HEARING OF CITIZENS UPON PUBLIC MATTERS: NONE.

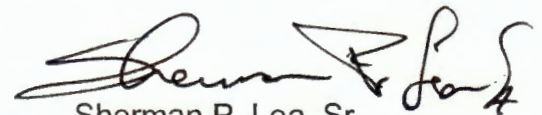
There being no further business to come before the Council, Mayor Lea declared the regular meeting adjourned at 7:47 p.m.

APPROVED

ATTEST:



Cecelia F. McCoy, CMC
City Clerk



Sherman P. Lea, Sr.
Mayor
