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## ROANOKE CITY COUNCIL-REGULAR SESSION

April 17, 2017

2:00 p.m.

The Council of the City of Roanoke met in regular session on Monday, April 17, 2017, 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. 40579-070516 adopted by the Council on Tuesday, July 5, 2016.

PRESENT: Council Members Michelle L. Dykstra, Raphael E. Ferris, John A. Garland, Anita J. Price, William D. Bestpitch and Mayor Sherman P. Lea, Sr.-6.

ABSENT: Council Member David B. Trinkle-1.

The Mayor declared the existence of a quorum.

OFFICERS PRESENT: R. Brian Townsend, Acting City Manager; Daniel J. Callaghan, City Attorney; Barbara A. Dameron, Director of Finance; and Stephanie M. Moon Reynolds, City Clerk.

The Invocation was delivered by Minister Emanuel Doss, Grace Covenant Church.

The Pledge of Allegiance to the Flag of the United States of America was led by the students of Noah Christian Academy.

PRESENTATIONS AND ACKNOWLEDGEMENTS: NONE.

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that City Council sets this time as a priority for citizens to be heard. All matters would be referred to the City Manager for response, recommendation or report to Council, as he may deem appropriate.

RECYCLING: Joseph Elligson, 4615 Norwood Street, S. W., appeared before Council in opposition of a proposed recycling fee.

MISCELLANEOUS: Robert Gravely, 3360 Hershberger Road, N. W., appeared before Council to request that Council create change that will make a difference for the people.

GREENWAYS: Barbara Duerk, 2607 Rosalind Avenue, S. W., appeared before Council to ask for public input on Greenways by completing an on-line survey located at [www.greenways.org](http://www.greenways.org) by the April 21, 2017 deadline.

CITY GOVERNMENT: Tom Cain, 1826 Langdon Road, S. W. appeared before Council regarding a request for active partnership and support of the City Administration for community concerns.

HOMELESSNESS: Scott Terry Cabbler, 1109 Rugby Boulevard, N. W., appeared before Council expressing concern regarding the location of a proposed homeless shelter at the intersection of Rugby Boulevard and 11<sup>th</sup> Street, N. W., in the Melrose-Rugby neighborhood.

HOMELESSNESS: Estelle McCadden, 2128 Mercer Avenue, N. W., appeared before Council regarding concern regarding the location of a proposed homeless shelter at the intersection of Rugby Boulevard and 11<sup>th</sup> Street, N. W., in the Melrose-Rugby neighborhood.

Following discussion by the Council regarding concerns expressed by Ms. McCadden and Mr. Cabbler, the Acting City Manager was instructed to investigate the matter and report his findings to the Council.

#### CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda are considered to be routine by the Members of Council and will be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion are desired, the item would be removed from the Consent Agenda and considered separately. He called attention to two requests of the Acting City Manager for public hearings on the property interests by eminent domain for the Cove Road/Dansbury Drive Stormwater Drainage Improvements Projects, and a transient occupancy tax.

STORMWATER: A communication from the Acting City Manager requesting that Council schedule a public hearing for Monday, May 15, 2017, at 7:00 p.m., or as soon thereafter as the matter may be heard, or at such later date and time as the Acting City Manager shall determine, to consider whether acquisition of real property interests by eminent domain for the Cove Road/Dansbury Drive Stormwater Drainage Improvements Project constitutes a public use with the meaning of Section 1- 219.1, Code of Virginia (1950), as amended; and whether eminent domain may be used by the City to acquire the real estate interests needed for the Project, was before the body.

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

Council Member Ferris moved that the Council concur in the request of the Acting City Manager as abovementioned. The motion was seconded by Council Member Bestpitch and adopted by the following vote:

AYES: Council Members Dykstra, Ferris, Garland, Price, Bestpitch and Mayor Lea-6.

NAYS: None-0.

(Council Member Trinkle was absent.)

TAXES: A communication from the Acting City Manager requesting that Council schedule a public hearing for Monday, May 15, 2017, at 7:00 p.m., or as soon thereafter as the matter may be heard, or at such later date and time as the Acting City Manager shall determine, to consider an amendment to the transient occupancy tax to apply such tax to homestay establishments and all bed and breakfast establishments, was before the body.

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

Council Member Ferris moved that the Council concur in the request of the Acting City Manager as abovementioned. The motion was seconded by Council Member Bestpitch and adopted by the following vote:

AYES: Council Members Dykstra, Ferris, Garland, Price, Bestpitch and Mayor Lea-6.

NAYS: None-0.

(Council Member Trinkle was absent.)

CITY MANAGER-CITY COUNCIL: A communication from the Christopher P. Morrill tendering his resignation from various Council-Appointed authorities, boards, commissions and committees, effective immediately was before the body.

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

Council Member Ferris moved that the resignation be accepted and the communication be received and filed. The motion was seconded by Council Member Bestpitch and adopted by the following vote:

AYES: Council Members Dykstra, Ferris, Garland, Price, Bestpitch and Mayor Lea-6.

NAYS: None-0.

(Council Member Trinkle was absent.)

OATHS OF OFFICE-ROANOKE VALLEY-ALLEGHANY REGIONAL COMPREHENSIVE-ECONOMIC DEVELOPMENT STRATEGY COMMITTEE: Report of qualification of Brandon Turner as the City's Technical Advisor representative of the Roanoke Valley-Alleghany Regional Comprehensive Economic Development Strategy Committee for a three-year term of office, commencing April 1, 2017 and ending March 31, 2020, was before the Council.

(See Oath or Affirmation of Office on file in the City Clerk's Office.)

Council Member Ferris moved that the report of qualification be received and filed. The motion was seconded by Council Member Bestpitch and adopted by the following vote:

AYES: Council Members Dykstra, Ferris, Garland, Price, Bestpitch and Mayor Lea-6.

NAYS: None-0.

(Council Member Trinkle was absent.)

## REGULAR AGENDA

PUBLIC HEARINGS: NONE.

PETITIONS AND COMMUNICATIONS:

BUDGET: Daniel D. Miles, P. E., Chief Executive Officer of the Roanoke Valley Resource Authority, presented the 2017 - 2018 Annual Budget and related expenditures and revenues.

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

Council Member Ferris offered the following resolution:

(#40799-041717) A RESOLUTION approving the annual budget of the Roanoke Valley Resource Authority for Fiscal Year 2017 - 2018, upon certain terms and conditions.

(For full text of resolution, see Resolution Book No. 79, page 41.)

Council Member Ferris moved the adoption of Resolution No. 40799-041717. The motion was seconded by Council Member Dykstra and adopted by the following vote:

AYES: Council Members Dykstra, Ferris, Garland, Price, Bestpitch, and Mayor Lea-7.

NAYS: None-0.

(Council Member Trinkle was absent.)

REPORTS OF CITY OFFICERS AND COMMENTS OF ACTING CITY MANAGER:

ACTING CITY MANAGER:

BRIEFINGS:

## **Recommended Fiscal Year 2017 - 2018 Budget**

Amelia C. Merchant, Director of Management and Budget and Barbara A. Dameron, Director of Finance, summarized the following proposed Fiscal Year 2017 - 2018 Recommended Budget:

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

Ms. Merchant explained that budget process was unique beyond utilizing the budgeting for outcomes system, noting that City Council convened in a strategic planning retreat in September, department directors and staff indicated the budget offers and provided information, about 60 employees served on one of serve priority teams and the Management and Budget staff and others engaged the directors in a nine hour, two half day retreat sessions to help finalize the recommended budget. She also expressed appreciation to the staff, Budget Committee, Departments of Management and Budget and of Finance who helped.

She advised that the recommended budget was balanced, met the standards of the priorities established by City Council, reaffirmed in September, and totaled \$282.8 million. She highlighted that the budget was reduced by \$4.1 million, including 22 unfunded positions and one eliminated position, modified the levels of some services, limited funding for inflationary cost increases and strategic investments in Economy, Human Services, Infrastructure and compensation and included the implementation of a Solid Waste fee to protect against risk of revenue contraction during the fiscal year.

Council Member Bestpitch indicated that some of the information that was presented in earlier discussion about the budget was not included in the current presentation; and asked how the current proposed budget compared to inflation looking back at past budgets; whereupon, the Acting City Manager advised that referring to a baseline budget of \$160 million equating to resources of approximately \$140 million and buying power of \$280 million today going back to 2008 as a baseline would lend to a budget comparatively of \$240 million today when the budget back then was approximately \$260 million and approximately \$20 million was lost through inflation in terms of the value of that funding in 2008 compared to what it was currently.

Ms. Merchant continued with the presentation stating that the ability to develop an expenditure budget was driven by the available resources in terms of the categories of those resources, five major categories were depicted: property tax, other local tax, sales tax, intergovernmental and other revenue totaling \$282.8 million. She further stated that for fiscal year 2017 - 2018, the recommended budget reflected an increase of \$1.7 million or 6 percent of the adopted budget through restricted revenues from the Commonwealth, State funding for streets and infrastructure and to protect local tax revenue decline.

In terms of the budget reductions required to balance the budget, Ms. Merchant added that approximately \$4 million had been reduced from the budget and pointed out several reductions noting that it was not a comprehensive list, but a reflective sample of reductions made, such as, in the fire department one peak-time unit, one firefighter EMT position and two crime analysts were removed and under the education priority, funding for youth services activities in the libraries as well as a partial decrease in the funding available for the youth services initiative and lastly under reserved allocations, capital replacement and technology capital were all decreased.

She noted that approximately \$3.2 million of reductions were restored within the budget and again pointed out a reflective sample of restorations which included-- one peak-time unit in Fire-EMS, six police positions, small brush pile collection, partial restoration of fleet replacement capital funding and technology capital funding along with the funding for the Roanoke Emergency Medical Services; and several new items were added to the budget which include, funding for supporting the operation of the Registrar's Office, increase in medical related increases, a 1.75 percent compensation increase; and in terms of one-time funding, fiscal year 2018 would be the fifth and final

year of capital contributions of \$100,000.00 for the Jefferson Center and Virginia Museum of Transportation, \$125,000.00 for the Arts Endowment, \$50,400.00 for Percent for Art appropriation, \$100,000.00 for the grant matches and remaining funding of the \$519,482.00 for capital project contingency for the next fiscal year.

Discussion ensued with regard to the Arts Endowment funding; whereupon, Council Member Ferris commented that the way the arts endowment was previously presented was to show a commitment by the municipality to the arts in an effort to encourage independent donors to contribute to the endowment in order to eliminate individual requests from specific art organizations.

Vice-Mayor Price questioned if there were other alternatives or options as far as the amount allocated for the arts endowment, since there was not a policy or formula in place; whereupon, the Assistant City Manager for Operations advised that the City did not have an obligation to provide funding each year and the obligation was of the Arts Endowment to match the initial installment of \$125,000.00, after that the allocation of funding for any subsequent year was at the discretion of City Council.

Ms. Merchant continued with the briefing, stating that the recommendation of the Solid Waste fee was to be instituted at \$8.00 per month for single family, \$16.00 per month for multifamily and \$12.00 for institutional and non-residential sites, with a rate reduction of \$3.00 per month for all who qualify for the elderly and disabled credit, effective date would be January 1, 2018, with a semiannual billing frequency.

She further stated that the approximate \$3.1 million in revenue the fee would generate from January 1 through June 1 was not allocated for any program, but would be housed in a single location to mitigate any further revenue decline experienced during the next fiscal year.

Council Member Ferris inquired with regard to the definition of the term "utility contribution to GF equivalent"; whereupon, the Director of Finance explained that the Cities of Richmond and Salem operated their own utility and made contributions to the general fund from the enterprise services, so if they did not have those funds coming in from the utilities, the equivalent of what it would take to make-up that stream of revenue in the general fund through the real estate tax.

There being no further discussion on the solid waste fee; Ms. Merchant recommended an amendment to the transient occupancy tax and explained that currently the tax only applied to establishments that offer lodging for five or more persons at any one time and the amendment would apply to all homestay and bed and breakfast establishments as well.

In response to Council Member Garland's inquiry as to a plan to bring bed and breakfast establishments under compliance with licensing from the City, the Acting City Manager advised that in order to establish a bed and breakfast or homestay, the first step was to get approval of special exception from the Board of Zoning Appeals; and furthermore Code Enforcement monitors activity of Air B & B postings and websites offering services for bed and breakfast and homestays to track locations because many would post information without indicating a street address.

Ms. Merchant advised that the 5-year operating forecast assumed the implementation of the solid waste fee after year in 2018 and full year going forward to 2022, with growth of 1.5 percent up to 2 percent in that fiscal year including a salary increase and in terms of revenue projections, growth of 1.2 percent in the real estate tax, two percent property tax growth, one percent growth in food and beverage tax and all other revenue growth at 2 two percent; which was a very conservative approach to the projections.

Council Member Ferris inquired if the \$282.8 million budget for fiscal year 2018 included the first 6 months of the implementation of the solid waste fee; whereupon, Ms. Merchant replied in the affirmative and explained that it also assumed that \$1.3 million of revenue was not appropriated to any particular expenditure item.

Mr. Townsend advised that in September the Council Retreat was to discuss the traditional revenue streams, possible new resources and how to re-center the services supplied over the next five years.

Council Member Ferris added that the two issues before the Council were cuts or where to find more money and in reviewing the information all that was happening was assuming how to maintain services not extending services.

Council Member Bestpitch commented that the reality was every penny spent could have theoretically be spent on another item and expressed that if somehow If people could come to the public hearing and provide solid feedback as to identifying waste and efficiency, it would be extremely helpful to the Council because the hardest thing to do was make the decision to cut services and raise taxes.

Ms. Merchant reminded the Council that adjustments to the parking fees were previously discussed and the rate increase was recommended to align the charges more appropriately and to ensure that revenue streams were supportive of the maintenance requirements in the garages as well as the potential future need of additional facilities to be constructed and debt to be serviced.



She referenced the debt issuance plan for 2018 – 2022, stating that \$32.2 million for planned debt issuance assumed the \$40.4 million for Roanoke City Public Schools including \$12.7 million for 2018 and 2019, returning to \$5 million in the final three years of the Capital Improvement Plan. She pointed out the ten percent cap on the self-imposed debt policy and how it remained below that level going forward.

Lastly, Ms. Merchant advised that the budget public hearing would be held on Thursday April 27, at 7:00 p.m., to hear citizen comments on the proposed solid waste fee and the real estate tax rate; the Council's budget study briefing was scheduled for May 1, at 9:00 a.m.; and the adoption of the Fiscal Year 2017 – 2018 budget at the regular session to be held on May 15, at 2:00 p.m.

Mayor Lea advised that the budget public hearing to be held on April 27 was solely to receive citizen input and the Council was not to provide comments at that time.

Council Member Garland asked about typical citizen representation at the budget public hearings; whereupon, the Acting City Manager advised that representation was not typical and could vary from none to one to one hundred citizens in attendance and it allowed people to speak on specific parts of the budget depending on their interest.

Council Member Garland commented that the current state of the budget was depressing because of increases in expenses and decreases in revenue for the foreseeable future with continuing rising needs, such as stormwater, curb, gutter and sidewalk that cannot be addressed in the future with the current funding.

Council Member Dykstra commented that the Council was in a position to be leaders to find new innovative solutions to solve the problems all within an increasing population.

Ms. Merchant reminded the Council that an e-mail would be sent transmitting the recommended budget document; a copy would be available in the main library, the City Clerk's Office and the Department of Management and Budget for viewing; and that management and budget staff was available to answer questions.

Mayor Lea thanked Ms. Merchant for the informative presentation and advised that the briefing would be received and filed.

ITEMS RECOMMENDED FOR ACTION: NONE.

## COMMENTS OF ACTING CITY MANAGER.

The Acting City Manager offered the following comments:

### **City Council Public Hearing on the Recommended Budget:**

- Thursday, April 27, 2017
- Council Chambers
- 7:00 p.m.

### **Neighborhood Month Conference:**

- Saturday, April 29, 8:30 a.m. to 1:30 p.m.
- First Christian Church, Community Room, 344 Church Ave. SW
- Includes a continental breakfast and lunch.
- This is the “kick off” for Neighborhood Month activities taking place around the city during May.
- Participants will choose between four different workshops, with topics determined based on responses to the surveys collected at the conclusion of the 2016 “City Neighborhoods Harvesting of the Fruits Potluck Dinner & Awards Celebration.”
- The conference is free, but registration is required in order to get an accurate headcount for the meals.
- Registration forms are available online at [roanokeva.gov](http://roanokeva.gov) or contact the Office of Neighborhood Services at 853-1286 to receive a form.

### **Neighborhood Month:**

- Begins on May 1
- This is Roanoke’s annual month-long celebration of community and neighborhood pride
- Events are hosted by Roanoke neighborhood organizations
- Schedule of events is available on the city’s website at [roanokeva.gov/Neighborhood-Month](http://roanokeva.gov/Neighborhood-Month)

### **Local Colors Festival:**

- Saturday, May 20, 2017
- 11:00 a.m. to 5:00 p.m.
- Elmwood Park
- This is a multicultural event that started in 1991, and serves to raise awareness of the cultures represented in our community through music, arts, crafts, food, attire, language, and goodwill.
- Featured Country this year will be the Philippines
- Event will held rain or shine

## DIRECTOR OF FINANCE:

**BONDS-BUDGET:** The Director of Finance submitted a written report recommending appropriation of proceeds from the sale of Series 2017 General Obligation Public Improvement Bonds.

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

Council Member Bestpitch offered the following budget ordinance:

(#40800-041717) AN ORDINANCE to appropriate and de-appropriate funding from the Series 2017 Bonds to various capital projects, amending and reordaining certain sections of the 2016 - 2017 Stormwater Utility, Capital Projects, and School Capital Projects Funds, and dispensing with the second reading by title of this ordinance

(For full text of ordinance, see Ordinance Book No. 79, page 41.)

Council Member Bestpitch moved the adoption of Budget Ordinance No. 40800-041717. The motion was seconded by Council Member Ferris and adopted by the following vote:

**AYES:** Council Members Dykstra, Ferris, Garland, Price, Bestpitch and Mayor Lea-6.

**NAYS:** None-0.

(Council Member Trinkle was absent.)

## REPORTS OF COMMITTEES:

**BUDGET-SCHOOLS:** The Roanoke City School Board submitted a written report requesting appropriation of funds for various educational programs; and the Director of Finance 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 Bestpitch offered the following budget ordinance:

(#40801-041717) AN ORDINANCE to appropriate funding from the Federal, Commonwealth and local grants for various educational programs, amending and reordaining certain sections of the 2016 - 2017 School Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of ordinance, see Ordinance Book No. 79, page 43.)

Council Member Bestpitch moved the adoption of Budget Ordinance No. 40801-041717. The motion was seconded by Council Member Dykstra and adopted by the following vote:

AYES: Council Members Dykstra, Ferris, Garland, Price, Bestpitch and Mayor Lea-6.

NAYS: None-0.

(Council Member Trinkle was absent.)

UNFINISHED BUSINESS: NONE.

MOTION AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

NEIGHBORHOODS: Council Member Garland announced that he will be speaking at the 2nd Annual Neighborhood Month Conference on Saturday, April 29 at the First Christian Church, 344 Church Avenue, S. W., from 8:30 a.m. until 1:30 p.m., which will include a continental breakfast and lunch.

RECREATION: Council Member Dykstra announced the Foot Levelers Blue Ridge Marathon to be held on Saturday, April 22 in Elmwood Park at 7:35 a.m., adding packets may be pick-up on Friday, April 21 from 3:00 p.m. - 8:00 p.m., and Saturday, April 22 from 5:30 a.m. - 7:00 a.m. She emphasized that various streets in the City would be closed.

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

At 4:44 p.m., Mayor Lea declared the Council meeting in recess 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 Lea presiding.

PRESENT: Council Members Michelle L. Dykstra, Raphael E. Ferris, John A. Garland, Vice-Mayor Anita J. Price, William D. Bestpitch and Mayor Sherman P. Lea, Sr.-6.

ABSENT: Council Member David B. Trinkle-1.

The Mayor declared the existence of a quorum.

The Invocation was delivered by Vice-Mayor Anita J. Price.

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

## PUBLIC HEARINGS:

SCHOOL BOARD: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, May 16, 2017 at 7:00 p.m., or as soon thereafter as the matter may be heard, to receive the views of citizens regarding appointment of two Roanoke City School Board Trustees for three-year terms, each, commencing July 1, 2017. The candidates being Caren Pauline Coker-Jones, Anne-Paige Thomas Darby, Ruth Elizabeth (Beth) Deel, Jeanne Puckett Fishwick, William B. Hopkins, Jr., Elizabeth Cori Shields Jamison, Keysha Guthrie McNeil, and Joyce Watson Watkins, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, April 7, 2017; and *The Roanoke Tribune* on Thursday, April 13, 2017.

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

The Mayor inquired if there were persons present who wished to speak in support of the applicants.

The following citizens appeared before Council in support of certain candidates:

Jason Bingham, 2515 Stanley Avenue, S. E. spoke in support of Elizabeth Cori Shields Jamison.

Lorena Wilson, 4758 West Vale Road, N. E., spoke in support of Joyce Watson Watkins.

The Reverend Johnny Stone, 1801 Lynn Street, N. W., spoke in support of Joyce Watson Watkins.

Dr. Jennifer Alston, 5252 Dresden Circle, Roanoke, County, spoke in support of Joyce Watson Watkins.

Kay Dunkley, 1971 Mill Bridge Road, Salem, spoke in support of Elizabeth Cori Shields Jamison.

Christina Hatch, 2239 Grandin Road, spoke in support of Jeanne Puckett Fishwick.

Amy Anguiano, 3237 Avenham Avenue, spoke in support of Elizabeth Cori Shields Jamison.

Virgie Craighead, 1625 Orange Avenue, N. W., spoke in support of Jeanne Puckett Fishwick.

Doug Waters, 204 South Jefferson Street, S. W., spoke in support of Ruth Elizabeth (Beth) Deel.

There being no additional speakers, Mayor Lea declared the public hearing closed, and remarked that all comments would be received and filed.

He further announced that the City Council will be conducting public interviews with the abovenamed applicants on May 1 and May 15, respectively, commencing at 4:00 p.m., in the Council Chamber.

**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, April 17, 2017, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of Roanoke City Schools to rezone a portion of property at 502 19th Street, S. E., bearing Official Tax Map No. 4310101, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, March 28, 2017, and Tuesday, April 4, 2017.

(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 Amended Application No. 1 is consistent with the City's Comprehensive Plan, *Belmont-Fallon Neighborhood Plan*, and Zoning Ordinance as an existing elementary school will be able to be replaced in a manner appropriate to the surrounding neighborhood.

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

Council Member Ferris offered the following ordinance:

(#40802-041717) AN ORDINANCE to rezone certain property on 502 19<sup>th</sup> Street, S. E., from IN, Institutional District, and ROS, Recreation and Open Space 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. 79, page 44.)

Council Member Ferris moved the adoption of Ordinance No. 40802-041717. The motion was seconded by Council Member Bestpitch.

Michael Woolwine, representing Roanoke City Public Schools, appeared in support of the rezoning.

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. 40802-041717 was adopted by the following vote:

AYES: Council Members Dykstra, Ferris, Garland, Price, Bestpitch and Mayor Lea-6.

NAYS: None-0.

(Council Member Trinkle was absent.)

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, April 17, 2017, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of Fralin Companies, Inc., to rezone property located at 0 (zero) Brandon Avenue, S. W., bearing Tax No. 1250801, from R-7, Residential Single-Family District, to MXPUD, Mixed Use Planned Unit Development District, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, March 28, 2017, and Tuesday, April 4, 2017.

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

The Planning Commission submitted a written report recommending approval of the rezoning request, finding that the Amended Application No. 2, as amended at the hearing; and subsequently submitted as Amended Application No. 3, is consistent with the City's Comprehensive Plan, applicable neighborhood plans, and Zoning Ordinance as the rezoning redevelops and underused site, balances the development potential of the site with the environment and is sensitive to its relationship with the adjoining neighborhoods.

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

Council Member Bestpitch offered the following ordinance:

"AN ORDINANCE to rezone certain property located at 0 (zero) Brandon Avenue, S. W., from R-7, Residential Single-Family District, to MXPUD, Mixed Use Planned Unit Development District, subject to certain conditions; and dispensing with the second reading of this ordinance by title."

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

Council Member Bestpitch moved the adoption of the Ordinance. The motion was seconded by Council Member Dykstra.

Council Member Dykstra advised of a conflict of interest due to a personal interest in the abovementioned property, and read the following statement:

**"STATEMENT OF CONFLICT OF INTEREST"**

I, Michelle L. Dykstra, state that I may have a personal interest in Agenda Item A.3. of the April 17, 2017 City Council Session commencing at 7:00 p.m., regarding the request of Fralin Companies, Inc., to rezone property located at 0 Brandon Avenue, S. W., Roanoke, Virginia, bearing Official Tax Map No. 1250801 (Property) from R-7, Residential Single-Family District to MXPUD District, because the owner of the Property, VB Land, LLC (Owner), has retained the services of Hall and Associates, a real estate brokerage firm in Roanoke, Virginia. I hold an active real estate broker's license that is affiliated with Hall and Associates. I do not represent the Owner in this transaction, or any other transactions, and I have no interest in any fees or commissions in the transaction between the Owner and Hall and Associates.

As required pursuant to Sections 2.2-3112 A.3 and 2.2-3114 G, Code of Virginia, I have disclosed (i) the transaction involved, (ii) that the Owner, as a party to this transaction, is a client of Hall and Associates, and (iii) that I do not personally represent or provide services to the Owner. I further state that I am able to participate in the transaction fairly, objectively, and in the public interest. Therefore, I will participate in the Agenda A.3.

I ask that the City Clerk accept this statement and ask that it be made a part of the minutes of this meeting.

Witness the following signature made this 17<sup>th</sup> day of April 2017.

"S/Michelle L. Dykstra  
Michelle L. Dykstra, Member of Council"

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



Robert Fralin appeared in support of the petitioner, and requested approval of the application for rezoning. He pointed out that the project would allow a previously vacant and undeveloped site to be improved with a compatible and site-sensitive design, while providing the community with needed and desired housing options.

The Mayor inquired if there were persons present who wished to speak on the matter; whereupon, the following individuals appeared before the Council in support or opposition of the rezoning:

Joyce Waugh, President, Roanoke Regional Chamber of Commerce, spoke about the Chamber's mission to support and stimulate businesses with public policy, while making connections and referrals and helping small businesses grow rather than support or oppose a project. She mentioned the importance of a continued strong business climate which the Roanoke region generally enjoys.

Jim McClung, 28 Cardinal Road, S. W., spoke in support of the rezoning application.

Anne Stuart Beckett, 1024 Hamilton Avenue, S. W., spoke in opposition of the rezoning request.

Jacqueline Hamilton Stanley, 1826 Mount Vernon Road, S. W., spoke in opposition of the rezoning request.

John Hagmanier, 324 Salem Avenue, S. W., Apartment 303, spoke in support of the rezoning request.

Lorraine Fleck, 1836 Warrington Road, S. W., spoke in opposition of the rezoning request.

Crystal Kasey, 3739 New Spring Branch Road, S. W., spoke in support of the rezoning request; and shared a communication from Barton J. Wilner, noting his support of the project.

Frank Martin, 301 Coventry Lane, S. W., spoke in support of the rezoning request.

Joe Blackstock, 3365 Southwood Village Court, S. W., spoke in support of the rezoning request.

Frank Cotter, 3112 Allendale Street, S. W., spoke in support of the rezoning request.

Nancy Trusell, 2037 Carter Road, S. W., spoke in support of the rezoning request.

Gina Pires, 7615 Terrapin Trail, S. W., spoke on behalf of Greg Feldmann and shared a communication in support of the rezoning request.

Virginia Bennett 415 Albemarle Avenue, S. W., spoke in support of the rezoning request.

Mary Kay Kahn, 733 Windsor Avenue, S. W., spoke in opposition of the rezoning request.

Thomas Fellers, 2611 Oregon Avenue, S. W., spoke in support of the rezoning request.

Robert Lynch, 2810 Floraland Drive, N. W., spoke in opposition of the rezoning request.

Freeda Cathcart, President, Grandin Court Council, 2516 Sweetbriar Avenue, S. W., spoke in opposition of the rezoning request.

Charles Elston, 2432 Lofton Road, S. W., spoke in support of the rezoning request.

Jared Hayes, 2315 Yeager Avenue, N. E., spoke in support of the rezoning request.

Robert Head, 1307 Hamilton Terrace, S. W., spoke about the rezoning request.

Robert Lusk, 2073 Colonial Avenue, S. W., spoke in support of the rezoning request.

Brian McCahill, 2615 Stanley Avenue, S. W., spoke in support of the rezoning request.

Mark Hosetter, 544 Day Avenue, S. W., spoke in support of the rezoning request.

Rick and Adele Carliss, 1830 Arlington Road, S. W., spoke in opposition of the rezoning request.

John Harlow, 1024 Oakwood Drive, S. W., spoke in opposition of the rezoning request.

William Hopkins, 1102 Oakwood Drive, S. W., spoke in opposition of the rezoning request. (See copy of handout on file in the City Clerk's Office.)

Sharon Burnham, 901 Oakwood Drive, S. W., spoke in opposition of the rezoning request.

Martha Good, 936 Oakwood Drive, S. W., spoke in opposition of the rezoning request.

Walt Deey, 939 Oakwood Drive, S. W., spoke in opposition of the rezoning request.

Joshua Dietz, 1817 Canterbury Road, S. W., spoke in opposition of the rezoning request.

There being no further speakers, the Mayor declared the public hearing closed.

Council Member Garland commented on some of the major points as stated by the speakers and noted for the record the following points:

- What I heard as a primary justification for this apartment project was its compatibility with the neighborhood plans. As we have heard, the intersections of Brambleton and Brandon and Main and Brandon are zoned Commercial Neighborhood, also known as a Neighborhood Village. Being that CN property is immediately adjacent 0 Brandon and since multi-family is compatible with a neighborhood village, then this R-7 zoned property would be suitable for rezoning. It is my belief that a neighborhood village involves much more than a collection of commercial establishments, otherwise at any corner in Roanoke, where commercial has sprouted up would be considered a neighborhood Village. To me, a neighborhood village for Roanoke is predominately an area that in its history was a thriving neighborhood village and we have many examples, some that thrive today and some that want and need to thrive. Our 2 best examples are Grandin Court and Crystal Spring. Those that were and can be again someday, include 11<sup>th</sup> NW corridor and Williamson Road and 10<sup>th</sup> Street. What these neighborhood villages have in common are businesses that serve the immediate community, walkable neighborhoods, a good mix of community businesses, businesses that are adjacent to broad

pedestrian ways and parking to the side or rear of the businesses, are pedestrian friendly and active and punctuated by adequate landscaping. I see little resemblance of a community village at this location.

- The second justification for the rezoning was comparing a 54 apartment development to a 33 single family residential development and concluding that a single family development had the same net increase in traffic flow and more adversely affected traffic patterns on Brandon Avenue. That could be true, if 33 single family homes could actually fit on this property, and it might be true if a developer was reckless in their design approach. Having walked the site, I do not believe that this property cannot support 33 single family lots. Maximizing lots by using 7000 square foot lots is juxtaposed against a substantial waterway, flood zone, flood fringe, steep topography on each side of the creek, accessibility, riparian needs of the creek and unusually steep topography at the rear of the property. A responsible single family development of this property would be wide lots that went from Brandon to the rear yards of lots on Oakwood, with a single shared creek crossing and shared driveway regulated by a property owner's association and a single exit off of Brandon Lane, with improved intersection traffic controls. This would limit the number of lots from around 7 to 10. Houses would be on the south side of the creek and well buffered from Brandon Avenue and compatible with Oakwood.
- Regarding traffic, it is not disputed that this area is a difficult area at many times during the day and there is no formulated solution to alleviate an already congested traffic area. Although the left turning lane on Brandon provides a cue for stacking 3 vehicles entering the apartment project, it is interjecting an additional lane in an already very awkward and high traffic volume location. The difficulties of the traffic patterns for this project has resulted in only being able to exit east on to Brandon Avenue from the project, with no good solution to accommodate west bound traffic. The idea of using Little Caesar's parking lot or interior neighborhood streets is not an adequate solution. The traffic problems have not been addressed --About flooding and stormwater management of both quantity of water and water quality. Disturbing of at least 10000 square feet of land requires both, but neither has been discussed, other than saying that with the final design and review process, both would be addressed. This property and proposed development absolutely maximizes the area between Murry Run and Brandon Avenue, with parking lots jammed up against the apartments and parking lots taken as close to the creek as possible. It is not known at this time what may be needed to make the grading

work, but it is extremely tight and grades to Murry run are for the most part already very steep. When parking and building coverage is maximized, little land is left for rain gardens, detention areas, vegetative swales, etc., for control of water quality and quantity, relegating options to such things as below ground tanks and pipes or permeable pavement for quantity or green roofs for quality. Although a solution may be possible, it will be forced at best and not as effective as the current natural setting. The downstream conditions of Murry Run cannot be allowed to deteriorate further, where known flooding problems have persisted.

- Murry Run is an impaired stream as defined by DEQ. This site disturbs more than 1 acre, therefore stream and wetland areas will need to be protected per State requirements. One such protection is a riparian buffer. Currently the site plan shows that riparian buffer as the paved parking lot for the apartments. Obviously that is not a riparian buffer. This section of impaired Murry Run will deteriorate further with this project, both during and after construction. Options may exist that would allow the elimination of this natural riparian buffer, by improvements elsewhere, but at what cost to Murry Run?
- If there is not agreement with the design criteria discussed above, then we have the reality of a petition of 500 citizens that are asking that the rezoning not be allowed, along with the 4 surrounding Neighborhood Associations and the Neighborhood President's Council.
- There is a third solution, with precedent in many locations across the City. That is to maintain the site in its natural state for the most part, but added improvements for a better riparian buffer, flood protection measures, greenways, and stream protection. This has occurred on Garden City Blvd., 10<sup>th</sup> Street NW and Lick Run and all along the Roanoke River. There is a reason this site has remained undeveloped for decades. The difficulties of development are the same items that create a degradation of flooding and stream water quality and place pressure on current traffic flow and congestion. There are many acceptable sites for apartment development in the City, but this is not one of them. Single family is the correct zoning, but better to be developed for what it is, a setting for Murry Run.

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

Following extensive discussion regarding the traffic volume on Brandon Avenue, concern about the site location for additional housing, find areas where density can increase, no commitment to reserve green space, find appropriate places to construct single-family homes, challenges with a traffic circle, concerns pertaining to not being able to make a left turn out of development, alternatives not viable, project not feasible, etc., the ordinance having been offered by Council Member Bestpitch and second by Council Member Dykstra failed by the following vote:.

AYES: None-0.

NAYS: Council Members Dykstra, Ferris, Garland, Price, Bestpitch and Mayor Lea-6.

(Council Member Trinkle was absent.)

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, April 17, 2017, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of the City of Roanoke to amend the Official Zoning Map to rezone property located at 3660 Blue Hills Village Drive, N. E., and 3661 Blue Hills Village Drive, N. E., bearing Official Tax Maps Nos. 7160123 and 7160122, respectively, from R-12, Residential Single-Family District, to CG, Commercial-General District, for the public necessity, convenience, and general welfare, and to promote good zoning practice, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, March 28, 2017, and Tuesday, April 4, 2017.

(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 Original Application is consistent with the City's Comprehensive Plan, *Hollins/Wildwood Area Plan*, and Zoning Ordinance; that the zoning subject property, recently annexed from Roanoke County, will match that of the adjacent properties in the City and is consistent with how the property was zoned while situated in Roanoke County.

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

Council Member Ferris offered the following ordinance:

(#40803-041717) AN ORDINANCE to rezone certain property located at 3660 and 3661 Blue Hills Village Drive, N. E., from R-12, Residential Single-Family District, to CG, Commercial-General District; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 79, page 45.)

Council Member Ferris moved the adoption of Ordinance No. 40803-041717. The motion was seconded by Vice-Mayor Price.

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 initial comments by the Acting Manager regarding the rezoning of the abovementioned property, Ordinance No. 40803-041717 was adopted by the following vote:

AYES: Council Members Dykstra, Ferris, Garland, Price, Bestpitch and Mayor Lea-6.

NAYS: None-0.

(Council Member Trinkle was absent.)

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, April 17, 2017, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of the City of Roanoke to amend the Official Zoning Map to rezone property located at 5401 Williamson Road, N. E., bearing Official Tax Map No. 2200244, from R-12, Residential Single-Family District, to CLS, Commercial-Large Site District, for the public necessity, convenience, and general welfare, and to promote good zoning practice, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, March 28, 2017, and, Tuesday, April 4, 2017.

(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 Original Application is consistent with the City's Comprehensive Plan, *Williamson Road Area Plan*, and Zoning Ordinance; that the zoning of subject property, recently annexed from Roanoke County, will match that of the adjacent properties in the City and is consistent with how the property was zone while situated in Roanoke County.

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

Council Member Bestpitch offered the following ordinance:

(#40804-041717) AN ORDINANCE to rezone certain property located at 5401 Williamson Road, N. E., from R-12, Residential Single-Family District, to CLS, Commercial-Large Site District; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 79, page 46.)

Council Member Bestpitch moved the adoption of Ordinance No. 40804-041717. The motion was seconded by Council Member Ferris.

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 initial comments by the Acting Manager regarding the rezoning of the abovementioned property, Ordinance No. 40804-041717 was adopted by the following vote:

AYES: Council Members Dykstra, Ferris, Garland, Price, Bestpitch and Mayor Lea-6.

NAYS: None-0.

(Council Member Trinkle was absent.)

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, April 17, 2017, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of



the City of Roanoke to rezone property located at 5345 Williamson Road, N. E., bearing Official Tax Map No. 2200243, from R-12, Residential Single-Family District, to CLS, Commercial-Large Site District, for the public necessity, convenience, and general welfare, and to promote good zoning practice, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Tuesday, March 28, 2017, and, Tuesday, April 4, 2017.

(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 Original Application is consistent with the City's Comprehensive Plan, *Williamson Road Area Plan*, and Zoning Ordinance; that the zoning of subject property, recently annexed from Roanoke County, will match that of the adjacent properties in the City and is consistent with how the property was zoned while situated in Roanoke County.

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

Council Member Bestpitch offered the following ordinance:

(#40805-041717) AN ORDINANCE to rezone certain property located at 5345 Williamson Road, N. E., from R-12, Residential Single-Family District, to CLS, Commercial-Large Site District; and dispensing with the second reading of this ordinance by title.

(For full text of ordinance, see Ordinance Book No. 79, page 47.)

Council Member Bestpitch moved the adoption of Ordinance No. 40805-041717. The motion was seconded by Council Member Ferris.

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. 40805-041717 was adopted by the following vote:

AYES: Council Members Dykstra, Ferris, Garland, Price, Bestpitch and Mayor Lea-6.

NAYS: None-0.

(Council Member Trinkle was absent.)

HEARING OF CITIZEN UPON PUBLIC MATTER: NONE.

There being no further business, the Mayor declared the meeting in recess at 10:32 p.m., until Thursday, April 27, 2017, at 7:00 p.m., in the Council Chamber, Room 450, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke.

The recessed meeting of Roanoke City Council was called to order on Thursday, April 27, 2016 at 7:00 p.m., in the Council Chamber, Room 450, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., with Mayor Lea presiding.

PRESENT: Council Members Michelle L. Dykstra, Raphael E. Ferris, John A. Garland, Anita J. Price, David B. Trinkle, William D. Bestpitch and Mayor Sherman P. Lea, Sr.-7.

ABSENT: None-0.

The Mayor declared the existence of a quorum.

OFFICERS PRESENT: R. Brian Townsend, Acting City Manager; Daniel J. Callaghan, City Attorney; Barbara A. Dameron, Director of Finance; and Stephanie M. Moon Reynolds, City Clerk.

The Invocation was delivered by Mayor Lea.

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

Mayor Lea announced that the purpose of the recessed meeting was to conduct four public hearings: (1) Recommended Budget for the City for Fiscal Year 2017 - 2018; (2) Proposed Real Estate Tax Rate Increase; (3) Recommended 2017 - 2018 HUD Funds Budget and Annual Update; and (4) Establishment and Collection of Fees for the Collection of Solid Waste.

He explained there would be no discussion or action taken by the Council during or at the conclusion of the public hearings; and that Recommended Budget for FY2017-2018 and other measures would be considered during the Council's regular meeting on Monday, May 15 at 2:00 p.m., in the Council Chamber.

**BUDGET:** Pursuant to the instructions of the Council, the City Clerk having advertised a public hearing for Thursday, April 27, 2017, at 7:00 p.m., or as soon thereafter as the matter may be heard, for the purpose of the Recommended Fiscal Year 2017 - 2018 City Budget, in the amount of \$282,785,000.00, to afford persons an opportunity to speak and state their views concerning all aspects of the budget, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Wednesday, April 19, 2017; and *The Roanoke Tribune* on Thursday, April 20, 2017.

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

The Mayor inquired if there were persons present who wished to speak on the proposed budget; whereupon, the following appeared before the Council:

Martin Jeffrey, 421 Fairfax Avenue, N.W.  
 Cerid Lugar, 435 Walnut Avenue, S. W.  
 Jordon Romeo, (address unknown)  
 Jason Lambert, 641 Yorkshire Street, Salem, Virginia  
 Sean Poff, 1624 Patterson Avenue, S. W.  
 David Robertson, P. O. Box 8159, Roanoke, Virginia  
 Sarah Karpanty, P. O. Box 8159, Roanoke, Virginia  
 William Baker, P. O. Box 8159, Roanoke, Virginia

There being no further speakers, Mayor Lea declared the public hearing closed.

**TAXES:** Pursuant to the instructions of the Council, the City Clerk having advertised a public hearing for Thursday, April 27, 2017, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the "effective tax rate increase", the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Monday, March 27, 2017; and *The Roanoke Tribune* on Thursday, April 6, 2017.

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

The Mayor inquired if there were persons present who wished to speak on the proposed Real Estate Effective Tax Rate Increase, whereupon the following appeared before the Council.

Martin Jeffrey, 421 Fairfax Avenue, N. W.  
 John Brill, 2702 Idlewild Boulevard, S. W.  
 Dan Cullather, 3002 Rosalind Avenue, S. W.

There being no further speakers, Mayor Lea declared the public hearing closed.

**BUDGET-HOUSING-GRANTS:** Pursuant to the instructions of the Council, the City Clerk having advertised a public hearing for Thursday, April 27, 2017, at 7:20 p.m., or as soon thereafter as the matter may be heard, for the purpose of holding a public hearing on the City's Proposed 2017-2018 HUD Funds Budget and 2017-2018 Annual Update to the 5-Year Consolidated Plan, with persons being afforded an opportunity to speak and state their views concerning all aspects of the proposed budget and annual update, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Wednesday, April 5, 2017; and the *Roanoke Tribune* on Thursday, April 6, 2017.

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

The Mayor inquired if there were persons present who wished to speak on the City's Proposed 2017-2018 HUD Funds Budget and 2017-2018 Annual Update to the 5-Year Consolidated Plan.

Martin Jeffrey, 421 Fairfax Avenue, N. W., appeared before the Council regarding CDBG funding and the Capital Improvements Program budget.

There being no further speakers, the Mayor declared the public hearing closed.

**FEES-SOLID WASTE:** Pursuant to the instructions of the Council, the City Clerk having advertised a public hearing for Thursday, April 27, 2017, at 7:25 p.m., or as soon thereafter as the matter may be heard, for the purpose of holding a public hearing on the City of Roanoke proposing to establish and collect fees for the collection of solid waste, as defined in Section 14.1-1, Code of the City of Roanoke (1979), as amended, in amounts not to exceed –

- \$96.00 per fiscal year, per parcel used as a single family dwelling unit;
- \$192.00 per fiscal year, per parcel used for multiple dwelling units on one parcel;
- \$144.00 per fiscal year, per parcel used for business, commercial establishment, institution, or other location uses, other than dwelling unit purposes;
- Contiguous parcels that are owned by the same parcel owner and are used for only one unified purpose shall pay only one fee for the one applicable use, per fiscal year; and

- Individuals who receive an exemption related to real property taxes pursuant to Section 32-84, Code of the City of Roanoke (1979), as amended, would be charged a fee not to exceed \$60.00 per fiscal year.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Wednesday, April 9, 2017; and *The Roanoke Tribune* on Thursday, April 20, 2017.

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

The Mayor inquired if there were persons present who wished to speak on the matter; whereupon, the following appeared before the Council in opposition to the proposed fee:

Karen Adams, 2701 Derwent Drive, S. W.  
Abraham Salles, 4008 Clearmont Street, S. W.  
Martin Jeffrey, 421 Fairfax Avenue, N. W.  
Estelle McCadden, 2128 Mercer Avenue, N. W.  
John Brill, 2702 Idlewild Boulevard, S. W.  
Dan Cullather, 3002 Rosalind Avenue, S. W.  
Roger Malouf, 4025 Mudlick Road, S. W.  
Barbara Duerk, 2607 Rosalind Avenue, S. W.  
Katherine Devine, 314 Mountain Avenue, S. W.

There being no further speakers, Mayor Lea declared the public hearing closed.

There being no further business to come before the Council, Mayor Lea declared the recessed meeting adjourned at 8:36 p.m.

A P P R O V E D

ATTEST:

Stephanie M. Moon Reynolds, MMC  
City Clerk

Sherman P. Lea, Sr.  
Mayor

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