

BE IT RESOLVED by the Board of Supervisors of the County of Botetourt, the Board of Supervisors for the County of Craig, the Board of Supervisors for the County of Roanoke, the City Council of the City of Roanoke, the City Council for the City of Salem, and the Town Council for the Town of Vinton, that the herein named honorees, in appreciation for their personal commitment and professional dedication, are hereby recognized for their contributions to the criminal justice system and the citizens of the Roanoke Valley.

-- the roll call vote being as follows: Harry T. Haskins, Jr. - absent; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider the request of the Hidden Valley Country Club for a fireworks display on Saturday, July 4, 1998, or in the event of rain, on Sunday, July 5, 1998; and

WHEREAS, it was noted that the proper insurance certificate has been furnished and approved;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, permission is hereby granted to Hidden Valley Country Club for a fireworks display on Saturday, July 4, 1998, or in the event of rain, on Sunday, July 5, 1998 -- the roll call vote being as follows: Harry T. Haskins, Jr. - absent; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider adopting Resolution 893 requesting the inclusion of Epps Drive in the Virginia Highway Program to allow Municipal Assistance Payments;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, Resolution 893 was duly passed and adopted:

RESOLUTION 893

A RESOLUTION REQUESTING THE COMMONWEALTH TRANSPORTATION COMMISSIONER AND THE COMMONWEALTH TRANSPORTATION BOARD TO APPROVE AND ACCEPT A CERTAIN NEW STREET FOR MAINTENANCE PAYMENTS.

WHEREAS, there has been constructed in the City a certain new street complying in all respects with the requirements of Section 33.1-41.1 of the 1950 Code of Virginia, as amended; and

WHEREAS, said new street is described in that certain Request for Street Additions or Deletions for Municipal Assistance Payments prepared by the City Engineer for submission to Urban Division, Virginia Department of Transportation; and

WHEREAS, said new street is known as Epps Drive; and

WHEREAS, said Request to Urban Division, Virginia Department of Transportation, requests municipal assistance payments for said new street from the Commonwealth Transportation Commissioner and the Commonwealth Transportation Board; and

WHEREAS, it is in the best interests of the City to request said assistance payments for utilization in maintaining streets in the City; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that the Request for Municipal Assistance Payments be immediately submitted to the Commonwealth Transportation Commissioner, the Commonwealth Transportation Board, and any other appropriate entity, requesting approval and acceptance of the foregoing street for the purpose of receiving maintenance payments in accordance with the provisions of Section 33.1-41.1 of the 1950 Code of Virginia, as amended.

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

Harry T. Haskins, Jr. - Absent
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Mayor Tarpley requested that Council request the Salem Planning Commission to hold a public hearing regarding the City's Zoning Ordinance as it relates to Section 15.2-2292 of the Code of Virginia dealing with small family child care homes;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the Salem Planning Commission is hereby requested to hold a public hearing regarding the City's Zoning Ordinance as it relates to Section 15.2-2292 of the Code of Virginia dealing with small family child care homes -- the roll call vote being as follows: Harry T. Haskins, Jr. - absent; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

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Mayor Tarpley reported that the Executive Session item will be considered in regular session; and

WHEREAS, Mayor Tarpley reported that the City has been requested to sell a portion of property that has a restriction in the deed that, if the City does not use the property for City purposes, the property ownership reverts to Koppers Company, its original owner;

THEREUPON, the City Manager is authorized to write to the individual interested in purchasing the property that the City of Salem is not interested in selling at the present time.

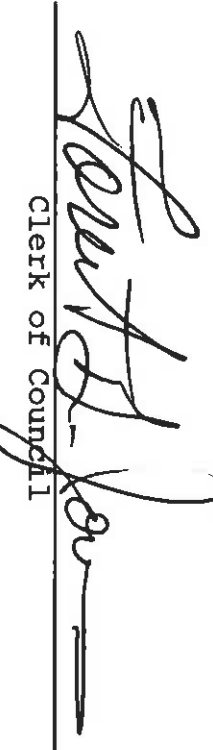
Mayor Tarpley requested that Council consider nominations of individuals to the 1998 Virginia Municipal League Policy Board Committees;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, the following individuals are hereby nominated to the 1998 Virginia Municipal League Policy Board Committees;

- Environmental Quality James M. Fender, Jr.
- Finance Frank P. Turk
- General Laws Alexander M. Brown
- General Laws Randolph M. Smith
- Human Development & Education Howard C. Packett
- Human Development & Education Forest G. Jones
- Public Safety Harry T. Haskins, Jr.
- Transportation John C. Givens

-- the roll call vote being as follows: Harry T. Haskins, Jr. - absent; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

There being no further business to come before the Council, the same on motion adjourned at 9:48 p.m.


Clerk of Council


Mayor

May 11, 1998

A regular meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on May 11, 1998, at 7:30 p.m., there being present all the members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, Howard C. Packett, John C. Givens, and Harry T. Haskins, Jr.; with Carl E. Tarpley, Jr., Mayor, presiding; together with Randolph M. Smith, City Manager; Forest G. Jones, Assistant City Manager and Clerk of Council; Frank P. Turk, Director of Finance; and Stephen M. Yost, City Attorney; and the following business was transacted:

The minutes of the regular meeting of April 27, 1998, were approved as written.

The report by the Director of Finance of the City's financial status for the month of March, 1998, was received and ordered filed.

Mayor Tarpley requested that Council receive the yearly discussion regarding federal matters and other issues of interest from Robert W. "Bob" Goodlatte, United States Representative for the Sixth District; and

WHEREAS, it was noted that Congressman Goodlatte is the only Congressman ever to take his time to visit Council on a regular basis; and

WHEREAS, Congressman Goodlatte appeared before the Council discussing matters of mutual interest for Salem and the Congress which included the following: transportation matters, percentage of gasoline monies returned to the state from the federal government, use of gasoline monies to help upgrade Interstate Route 81 and to build Interstate Route 73, support of the Hanging Rock Battlefield, funding for acquiring the remaining parcels of land needed for the Appalachian Trail, local zoning authority issues pertaining to location of cellular telephone towers with this authority not being taken over from local governments by the Federal Communications Commission, unfunded mandates, etc.; and

WHEREAS, Mayor Tarpley thanked Congressman Goodlatte for the work he has performed pertaining to the telecommunications bill; and further, the citizens in Salem are very interested in the telecommunications structures, and approval of the location of the these towers should not be removed from the localities;

THEREUPON, Council thanked Congressman Goodlatte for appearing before Council and discussing matters of mutual concern.

Mayor Tarpley reported that Council at its regular meeting held on April 27, 1998, passed an ordinance on first reading rezoning the property of Warren C. and Opal D. Boothe, property owners, located at 111 Poplar Avenue from Residential District R-2 to Residential Business District R-B with a voluntarily proffered condition;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, the following ordinance was duly passed and adopted on second reading with a voluntarily proffered condition:

AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA.

WHEREAS, Warren C. and Opal D. Boothe, property owners, have heretofore petitioned to have property located at 111 Poplar Avenue from Residential District R-2 to Residential Business District R-B; and

WHEREAS, in said petition, Warren C. and Opal D. Boothe, property owners, did voluntarily proffer a written condition in addition to the regulations provided for in Residential Business District R-B into which this property is requested to be rezoned; and

WHEREAS, Council has reviewed the proposed condition and is of the opinion that the requested rezoning without the proposed condition would not be in the best interests of the City and that the condition proffered will more closely comply with the intent of the Land Use Plan heretofore adopted; and

WHEREAS, Council has adopted the provisions of Chapter 320 of the 1978 Acts of the General Assembly of Virginia, Sections 15.2-2296 through 15.2-2302, relating to conditional zoning; and

WHEREAS, the Planning Commission at its regular meeting held on April 15, 1998, did recommend to Council after holding a public hearing that such rezoning be approved with the voluntarily proffered condition; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Section 106-7, Article I, Chapter 106, of The Code of the City of Salem, be amended, revised, and reordained to read as follows and the map referred to shall be changed in this respect and no other:

Section 1.

That the following described property, presently zoned Residential District R-2 in the City of Salem, be and the same is hereby changed from Residential District R-2 to Residential Business District R-B and the map referred to shall be changed in this respect and no other. However, in addition to the regulations for such zoning district as contained in Chapter 106 of The Code of the City of Salem, Virginia, there is hereby incorporated the condition set forth in Section 2 of this ordinance to the same extent and purpose as though such condition were herein fully set out at length:

PARCEL I:

All of Lots 41, 42, and 43, in Section 1, according to the Map of Dixie Heights recorded in Plat Book 2, page 48, of the records of the Clerk's Office of the Circuit Court for the County of Roanoke, Virginia.

PARCEL II

BEGINNING at a point on the west line of Poplar Drive at the southeast corner of New Lot 40-A of A. L. Baker Map showing resubdivision of Lots 38, 39, and 40, Section 1, Map of Dixie Heights, recorded in Plat Book 3, page 276, of the Clerk's Office of the Circuit Court of Roanoke County, Virginia; thence with the line between said New Lot 40-A and Lot 41, Section 1, Dixie Heights, S. 82° 44' W. 146.2 feet to an iron; thence with the line of Lot 37, Section 1, Dixie Heights (Plat Book 2, page 48) N. 7° 16' W. 37.5 feet to an iron; thence with a new division line through and across said New Lot 40-A, N. 82° 33' E. 147.87 feet to an iron on the west line of Poplar Drive; thence with the west line of Poplar Drive, S. 4° 45' E. 38.01 feet to the place of BEGINNING, and being the southerly portion of New Lot 40-A of A. L. Baker Map showing resubdivision of Lots 38, 39, and 40, Section 1, Map of Dixie Heights, recorded in Plat Book 3, page 276, of the aforesaid Clerk's Office. The description above being in accordance to a survey showing division of New Lot 40-A of A. L. Baker and Pauline H. Baker made by T. P. Parker, S.C.E., dated November 30, 1964, a copy of which is of record in the aforesaid Clerk's Office in Deed Book 776, page 537.

Section 2.

The following condition voluntarily proffered shall apply in addition to the regulations contained in Chapter 106 of The Code of the City of Salem:

1. The use of the property will be restricted to either a single-family dwelling, professional offices, and/or commercial uses as defined by Salem City Code Section 106-241.

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

This ordinance shall be in full force and effect ten (10) days after its final passage.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Passed: May 11, 1998
Effective: May 21, 1998


Mayor

Mayor Tarpley reported that Council at its regular meeting held on April 27, 1998, passed an ordinance on first reading rezoning the property of Keith A. and Dianne H. Bradshaw, property owners, located at 425/427 South Colorado Street from Residential District R-2 to Business District B-1;

ON MOTION MADE BY COUNCILMAN GIVENS, SECONDED BY VICE MAYOR BROWN, AND DULY CARRIED, the following ordinance was duly passed and adopted on second reading:

AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Section 106-7, Article I, Chapter 106 of The Code of the City of Salem, Virginia, relating to building district boundary lines be amended in the following particular and no other, viz:

That the following described property in the City of Salem, being property of Keith A. and Dianne H. Bradshaw, property owners, located at 425/427 South Colorado Street, be and the same is hereby changed from Residential District R-2 to Business District B-1 and the map referred to shall be changed in this respect and no other, said property being described as follows:

BEGINNING at an iron pin on the westerly right of way line of South Colorado Street; said point being the northeasterly corner of original Lot 20, Section 2, Salem Improvement Company, map recorded in the Clerk's Office of the Circuit Court of Roanoke County in Plat Book 1, page 22-1/2; an old pipe found bears N. 11° 45' 00" W. a distance of 150 feet; thence with the westerly right of way line of South Colorado Street, S. 11° 45' 00" E. a distance of 100 feet to a point, being the southeasterly corner of original Lot 17, passing on line an iron pin 1.00 foot from the corner; thence with the northerly right of way line of 3rd Street, S. 78° 15' 00" W. a distance of 125.00 feet to the southwesterly corner of original Lot 17, an iron pin; thence with the easterly line of a 16 foot alley, N. 11° 45' 00" W., a distance of 100.00 feet to the northwesterly corner of original Lot 20, an iron pin; thence with the northerly line of original Lot 20, Section 2, N. 78° 15' 00" E. a distance of 125.00 feet to the place of BEGINNING and being New Lot 18-A, consisting of original Lots 17 through 20, Section 2, Salem Improvement Company as shown on rezoning and vacation plat for Keith A. Bradshaw & Diane H. Bradshaw by T. P. Parker & Son dated March 30, 1998.

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

This ordinance shall be in full force and effect ten (10) days after its final passage.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Passed: May 11, 1998
Effective: May 21, 1998


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Mayor Tarpley requested that Council present a Proclamation to the Roanoke Valley Preservation Foundation celebrating Virginia Heritage Tourism Weeks and receive a presentation from the Roanoke Valley Preservation Foundation pertaining to Council's support; and

WHEREAS, Ann Beckett, Architectural Historian of the Roanoke Regional Preservation Office and the Department of Historic Resources, and Dr. Warren Moorman, representing the Roanoke Regional Preservation Foundation, appeared before Council presenting the City the Historic Preservation Certificate for 1998 for the work done at the G. W. Carver Elementary School;

THEREUPON, said presentation was received.

Mayor Tarpley requested that Council consider adopting Resolution 894 endorsing the Virginia Juvenile Community Crime Control Act local plan for the 1998-2000 biennium;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, Resolution 894 was duly passed and adopted:

RESOLUTION 894

WHEREAS, the City of Salem agrees to participate in the Virginia Juvenile Community Crime Control Act; and

WHEREAS, participation in the Virginia Juvenile Community Crime Control Act requires a local plan be drawn showing how funds will be expended; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that the plan attached to this resolution is the Virginia Juvenile Community Crime Control Act local plan for the City of Salem for the 1998-2000 biennium and this Council endorses this plan.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Mayor Tarpley requested that Council consider adopting Resolution 895 publicly recognizing businesses for their contributions in the community;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, Resolution 895 was duly passed and adopted:

RESOLUTION 895

WHEREAS, the City of Salem is pleased to have a thriving base of business and industry to support the local economy; and

WHEREAS, these businesses provide essential employment opportunities for the citizens of Salem; and

WHEREAS, these businesses provide local revenues from which the entire local citizenry benefit; and

WHEREAS, these businesses also make significant contributions in our communities to promote educational opportunities for our children and promote a variety of activities which increase the quality of life of the area; and

WHEREAS, the City recognizes and appreciates these businesses; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, the Council hereby recognizes the existing businesses and by virtue of this Resolution gives notice to the citizens of Salem that the Council desires to Salute Those Businesses Who Make Virginia Work; and

BE IT FURTHER RESOLVED that the week of May 17 through 23, 1998, is Business Appreciation Week in the City of Salem.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Mayor Tarpley reported that Council at its continued meeting held on April 24, 1998, set this date, place, and time as a Budget Work Session for the proposed 1998-1999 budget, after completion of the regular agenda items for this meeting; and

WHEREAS, this date, place, and time was set as a public hearing for citizens to present written or verbal comments on how said funds should be spent and for community and human service agencies to present requests for funds to Council; and

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WHEREAS, the Clerk of Council reported that notice of such public hearing and work sessions had been published in the May 7, 1998, issue of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, the following requests were received from the respective agencies for appropriations in the budget for fiscal year 1998-1999:

AGENCY	REQUESTED APPROPRIATION
Roanoke Symphony Orchestra -- James A. Ford appeared in support of said request	\$ 7,000
Blue Ridge Regional Education & Training Council -- Sylvia Bailey appeared in support of said request	975
League of Older Americans Area Agency on Aging -- Susan Williams appeared in support of said request . . .	8,228
Salem Rotary Club (Woolridge Scholarship Foundation) -- Steve Smeltzer appeared in support of said request	10,000
Clean Valley Council -- Ann Masters appeared in support of said request	1,500
Habitat for Humanity -- Amy Moore appeared in support of said request	22,000
Roanoke Valley Crime Line, Inc.	NSR
Center in the Square -- George Logan and James Sears appeared in support of said request	10,000
Center in the Square (Capital)	8,000
Council of Community Services -- Pam Kestner-Chappellear appeared in support of said request	2,237
Blue Ridge Zoological Society of VA, Inc. -- Beth off appeared in support of said request	4,000
Blue Ridge Zoological Society of VA, Inc. (Capital) . .	5,000
Adult Care Center of Roanoke Valley, Inc. -- Dawn Field appeared in support of said request	5,300
Science Museum of Western Virginia -- Carolyn Schwanhauser appeared in support of said request	22,500
Science Museum of Western Virginia (Capital)	25,000
Roanoke Area Ministries (RAM) -- Wendy Moore appeared in support of said request	1,000
Child Abuse Prevention Council of Roanoke Valley -- Shannon Brabham appeared in support of said request	2,150
Roanoke Valley Convention and Visitors Bureau -- David Kjolhede appeared in support of said request . . .	55,000
Virginia Museum of Transportation, Inc. -- Cynthia Dillon appeared in support of said request	5,000
Virginia Museum of Transportation, Inc. (Capital) . . .	5,000
Salvation Army	2,500
Virginia Western Community College -- George Daniels appeared in support of said request	1,690
Total Action Against Poverty in the Roanoke Valley -- Jody Zabo appeared in support of said request .	17,853
Total Action Against Poverty in the Roanoke Valley - Transitional Living Center -- Ellen Brown appeared in support of said request	15,180
Arts Council of the Blue Ridge -- Kathleen Lunsford appeared in support of said request	1,500
Blue Ridge Community Services -- Pam Cox appeared in support of said request	89,467
Mill Mountain Theatre -- Evie Brown and Mary Knapp appeared in support of said request	3,300
Roanoke Valley Greenway Commission -- Elizabeth Belcher appeared in support of said request	3,600
Big Brothers/Big Sisters -- June House appeared in support of said request	2,500
Literacy Volunteers of America - Roanoke Valley -- Nancy Chapin appeared in support of said request .	1,000
Family Service of Roanoke Valley -- John Pendarvis appeared in support of said request	2,000
Julian Stanley Wise Foundation -- Rob Logan appeared in support of said request	10,000
Roanoke Valley CASA -- Ellen Wyman and Karl Miller appeared in support of said request	5,000
Roanoke Valley Drug and Alcohol Abuse Council -- Philip Trompeter appeared in support of said request	2,000
Southwest Virginia Ballet -- Gene Post appeared in support of said request	NSR
Goodwill Industries - Tinker Mountain, Inc.	7,000
Art Museum of Western Virginia	2,700
National Multiple Sclerosis Society -- Kathy Garvin appeared in support of said request	500
Salem-Roanoke County Community Food Bank -- Bonnie Waybright appeared in support of said request . .	8,000
The ARC Roanoke	25,000
Roanoke Valley Speech and Hearing Center, Inc. -- Gregory Adams appeared in support of said request	1,400
Virginia's Explore Park -- Roger Elmore appeared in support of said request	10,000
On Our Own -- Mark Moorman appeared in support of said request	250
Harrison Museum of African American Culture -- Aletha Bolden appeared in support of said request	3,000
Opera Roanoke -- Bill Krause appeared in support of said request	2,000

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AGENCY	<u>REQUESTED APPROPRIATION</u>
Western Virginia Land Trust -- Rupert Cutler appeared in support of said request	5,000
Virginia Amateur Sports, Inc. -- Peter Lampman appeared in support of said request	20,000
Conflict Resolution Center -- Rose Marie Dudley appeared in support of said request	750
TRUST - Roanoke Valley Trouble Center	4,500
Neighborhood Directories	4,500
Total	<u>\$ 452,080</u>
NSR -- No Specific Request	

Council recessed at 9:46 p.m. and reconvened at 9:53 p.m.

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the City of Salem School Budget for 1998-1999 is hereby approved as presented and included in the City of Salem's Budget for the fiscal year 1998-1999 -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

WHEREAS, the following appropriations were made to human and community service agencies:

AGENCY	<u>APPROPRIATION</u>
	\$
Roanoke Symphony Orchestra	5,000
Blue Ridge Regional Education & Training Council	975
League of Older Americans Area Agency on Aging	8,228
Salem Rotary Club (Wooldridge Scholarship Foundation)	0
Clean Valley Council	1,500
Habitat for Humanity	10,000
Roanoke Valley Crime Line, Inc.	0
Center in the Square	10,000
Center in the Square (Capital)	0
Council of Community Services	2,034
Blue Ridge Zoological Society of VA, Inc.	3,000
Blue Ridge Zoological Society of VA, Inc. (Capital)	0
Adult Care Center of Roanoke Valley, Inc.	5,300
Science Museum of Western Virginia	6,000
Science Museum of Western Virginia(Capital)	0
Roanoke Area Ministries (RAM)	1,000
Child Abuse Prevention Council of Roanoke Valley	2,150
Roanoke Valley Convention and Visitors Bureau	5,000
Virginia Museum of Transportation, Inc.	2,000
Virginia Museum of Transportation, Inc. (Capital)	0
Salvation Army	2,500
Virginia Western Community College	2,000
Total Action Against Poverty in the Roanoke Valley	16,230
Total Action Against Poverty in the Roanoke Valley	
- Transitional Living Center	12,650
Arts Council of the Blue Ridge	1,000
Blue Ridge Community Services	78,000
Mill Mountain Theatre	3,000
Roanoke Valley Greenway Commission	3,600
Big Brothers/Big Sisters	2,000
Literacy Volunteers of America - Roanoke Valley	0
Family Service of Roanoke Valley	1,750
Julian Stanley Wise Foundation	3,000
Roanoke Valley CASA	2,500
Roanoke Valley Drug and Alcohol Abuse Council	2,000
Southwest Virginia Ballet	0
Goodwill Industries - Tinker Mountain, Inc.	4,000
Art Museum of Western Virginia	1,000
National Multiple Sclerosis Society	500
Salem-Roanoke County Community Food Bank	8,000
The ARC Roanoke	23,000
Roanoke Valley Speech and Hearing Center, Inc.	1,400
Virginia's Explore Park	10,000
On Our Own	250
Harrison Museum of African American Culture	2,500
Opera Roanoke	1,000
Western Virginia Land Trust	0
Virginia Amateur Sports, Inc.	15,000
Conflict Resolution Center	0
TRUST - Roanoke Valley Trouble Center	3,500
Neighborhood Directories	0
Total	<u>\$ 262,567</u>

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, in accordance with Section 2.1-344 (A) of the Code of Virginia, 1950 as amended to date, Council convened to Executive Session at 10:09 p.m. for the purpose of discussing the following specific matters:

- (1) Discussion of personnel matters, which is authorized by Section 2.1-344 (A) (1) of the Code of Virginia, 1950 as amended to date;

-- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Upon reconvening at 10:25 p.m.;

CITY OF SALEM SCH BUDGET FO 1998-1999 APPROVED, PRESENTED AND INCLUI IN THE CI OF SALEM' BUDGET FO THE FISCA YEAR 1998-1999

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EXECUTIVE SESSION F PERSONNEL MATTERS

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ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, in accordance with Section 2.1-344.1 (D) of the Code of Virginia, 1950 as amended to date, Council hereby certifies that in Executive Session only items lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such items identified in the motion by which the Executive Session was convened were heard, discussed, or considered by the Council -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

WHEREAS, Council discussed the line items in the 1998-1999 budget, revenues for both the General Fund and Enterprise Fund, increases and decreases in accounts, capital purchases, new ammonia system for the Salem Civic Center, personnel, etc.

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, in accordance with Section 2.1-344 (A) of the Code of Virginia, 1950 as amended to date, Council convened to Executive Session at 10:46 p.m. for the purpose of discussing the following specific matters:

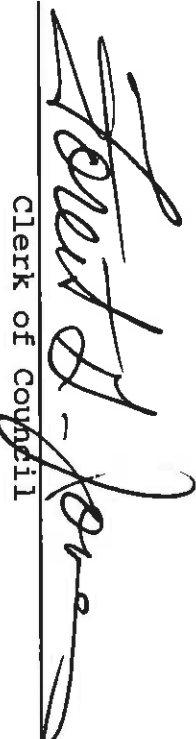
- (1) Discussion of personnel matters, which is authorized by Section 2.1-344 (A) (1) of the Code of Virginia, 1950 as amended to date;


-- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Upon reconvening at 10:53 p.m.;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, in accordance with section 2.1-344.1 (D) of the Code of Virginia, 1950 as amended to date, Council hereby certifies that in Executive Session only items lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such items identified in the motion by which the Executive Session was convened were heard, discussed, or considered by the Council -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

There being no further business to come before the Council, the same on motion adjourned at 10:55 p.m.


Howard C. Packett
Clerk of Council


Carl E. Tarpley
Mayor

May 26, 1998

A regular meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on May 26, 1998, at 7:30 p.m., there being present all the members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, Howard C. Packett, John C. Givens, and Harry T. Haskins, Jr.; with Carl E. Tarpley, Jr., Mayor, presiding; together with Randolph M. Smith, City Manager; Forest G. Jones, Assistant City Manager and Clerk of Council; Frank P. Turk, Director of Finance; James E. Taliaferro, II, City Engineer; Joseph E. Yates, Jr., Director of Planning and Development; and Stephen M. Yost, City Attorney; and the following business was transacted:

The minutes of the regular meeting of May 11, 1998, were approved as written.

The reports by the City Manager of the City's activities for the months of March and April, 1998, were received and ordered filed.

Vice Mayor Brown recognized the following students from Salem High School Government Class that are present at this meeting of Council: Jennifer Stone, Amanda Willis, Charlie Kennedy, and Brook Ashcraft.

Mayor Tarpley reported that this date and time had been set to hold a public hearing to consider amending Chapter 106, Article I, Section 106-1, of The Code of the City of Salem, Virginia, pertaining to child care; and

WHEREAS, the Clerk of Council reported that notice of such public hearing had been published in the May 7 and 14, 1998, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, the Planning Commission at its regular meeting held on May 13, 1998, recommended that the City Code be amended pertaining to child care regulations; and

WHEREAS, the staff noted the following: during the recent discussion and research for the latest amendment to the Zoning Ordinance relating to the elimination of large family child care homes, it was pointed out that the City's policy on small family child care homes is in conflict with the State Code; the City's definition of a small family child care home limits the homeowner to the keeping of five children including those belonging to the homeowner; the State Code does not include the resident's own children in the definition of the a small family child care home; this amendment to the City Code substitutes "exclusive" for "inclusive" in the City's definition; this means that the resident who has approval to operate a small family child care home may keep up to five nonresident children in addition to those already residing in the home; further, it was noted that a letter from the City Attorney explaining the proposed amendment has been forwarded to the Council; and

WHEREAS, a discussion was held concerning said amendment, and no one appeared in support of or in opposition to said amendment;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, an ordinance entitled "AN ORDINANCE TO AMEND, REVISE, AND REORDAIN CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, PERTAINING TO CHILD CARE," was duly passed and adopted on first reading -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council receive a presentation from the Roanoke County/Salem Health Department concerning Public Health Week; and

WHEREAS, Anna Kennedy, Public Health Nursing Supervisor for the Roanoke County/Salem Health Department, appeared before the Council sharing with Council and citizens present an informative video released by the American Public Health Association entitled "The Public's Health--American Public Health Association 125 Years and Beyond";

THEREUPON, said presentation was received.

Mayor Tarpley requested that Council consider the request of Child Abuse Prevention Council of Roanoke Valley requesting a donation in the amount of \$293.40, which is equal to the amount of the admissions tax paid in connection with the April 24, 1998, "Salem After Five" Concert;

ON MOTION MADE BY COUNCILMAN GIVENS, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, a donation in the amount of \$293.40 is hereby made to the Child Abuse Prevention Council of Roanoke Valley, which is equal to the amount of the admissions tax paid in connection with the April 24, 1998, "Salem After Five" Concert -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council receive the Abstract of Votes cast in the City Council Election held on May 5, 1998;

THEREUPON, said Abstract of Votes was received.

ABSTRACT OF VOTES cast in the City of Salem, Virginia, at the May 5, 1998, General Election for:

MEMBER
CITY COUNCIL
AT LARGE

Names of Candidates on Ballot	Total Votes
John C. Givens	Received
Carl E. "Sonny" Tarpley, Jr.	(In Figures)
	567
	644

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on May 5, 1998, do hereby certify that the above is a true and correct Abstract of Votes cast at said election and do, therefore, determine and declare that the following person(s) has (have) received the greatest number of votes cast for the above office in said election:

John C. Givens
Carl E. "Sonny" Tarpley, Jr.

Given under our hands this 6th day of May, 1998.

A copy teste:
Electoral
Board
(SEAL)

/s/ Charles B. Phillips Chairman
/s/ Geoffrey G. Davidson Vice Chairman
/s/ Kenneth D. McCauley Secretary

/s/ Kenneth D. McCauley Secretary, Electoral Board

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Write-Ins	
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We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on May 5, 1998, do hereby certify that, with the continuation pages indicated, the above is a true and correct certification of the write-in votes cast at said election for the office indicated above.

Given under our hands this 6th day of May, 1998.

A copy teste:
Electoral Board
(SEAL)

/s/ Charles B. Phillips	Chairman
/s/ Geoffrey G. Davidson	Vice Chairman
/s/ Kenneth D. McCauley	Secretary

/s/ Kenneth D. McCauley Secretary, Electoral Board

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, in accordance with Section 2.1-344 (A) of the Code of Virginia, 1950 as amended to date, Council convened to Executive Session at 7:47 p.m. for the purpose of discussing the following specific matters:

- (1) Discussion of a real estate matter pertaining to property the City may desire to sell and property the City may desire to acquire, which is authorized by Section 2.1-344 (A) (3) of the Code of Virginia, 1950 as amended to date; and
- (2) Discussion of a legal or contractual matter to receive briefing from legal counsel regarding possible litigation, which is authorized by Section 2.1-344 (A) (7) of the Code of Virginia, 1950 as amended to date;

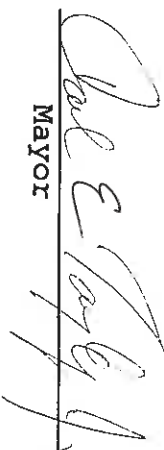
-- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

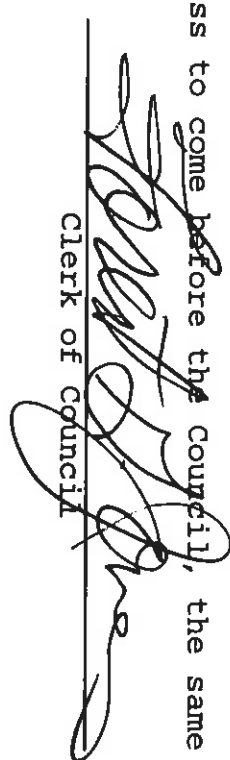
Upon reconvening at 8:54 p.m.;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, in accordance with Section 2.1-344.1 (D) of the Code of Virginia, 1950 as amended to date, Council hereby certifies that in Executive Session only items lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such items identified in the motion by which the Executive Session was convened were heard, discussed, or considered by the Council -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, E. B. Petersen is hereby reappointed to the City of Salem Personnel Board for a two-year term, said term will expire on July 31, 2000; Joseph Kyle, III, is hereby reappointed to the Fair Housing Board for a three-year term, said term will expire on July 1, 2001; George Logan is hereby appointed to the Virginia Western Community College Board of Directors for a four-year term, said term will expire on June 30, 2002; Carl E. Tarpley, Jr., is hereby reappointed to the Total Action Against Poverty in the Roanoke Valley Board of Directors for a two-year term, said term will expire on June 30, 2000, and Kathy Elam is hereby designated as Mr. Tarpley's full-time alternate; Alexander M. Brown is hereby reappointed to the Total Action Against Poverty in the Roanoke Valley Board of Directors for a two-year term, said term will expire on June 30, 2000, and Howard C. Packett is hereby designated as Mr. Brown's full-time alternate; Gardner W. Smith, City of Salem Planning Commission Chairman, is hereby appointed to the Roanoke Valley Greenway Commission for a three-year term, said term will expire on May 26, 2001; Kim Varela, 1724 Glendon Road, is hereby appointed to the City of Salem Fine Arts Commission as a Student Representative for a one-year term, said term will expire on June 30, 1999; and J. Chris Conner, 134 Lewis Avenue, is hereby appointed to the City of Salem Personnel Board to fill the unexpired term of Edgar A. Thurman who passed away on April 16, 1998, said term will expire on August 12, 1999 -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

There being no further business to come before the Council, the same on motion adjourned at 8:58 p.m.


Mayor


Clerk of Council

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June 8, 1998

A regular meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on June 8, 1998, at 7:30 p.m., there being present the following members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, John C. Givens, and Harry T. Haskins, Jr. (Howard C. Packett - absent); with Carl E. Tarpley, Jr., Mayor, presiding; together with Randolph M. Smith, City Manager; Forest G. Jones, Assistant City Manager and Clerk of Council; Frank P. Turk, Director of Finance; James E. Taliaferro, II, City Engineer; Joseph E. Yates, Jr., Director of Planning and Development; and William C. Maxwell, Assistant City Attorney; and the following business was transacted:

The minutes of the regular meeting of May 26, 1998, were approved as written.

The report by the Director of Finance of the City's financial status for the month of April, 1998, was received and ordered filed.

Mayor Tarpley reported that Council at its regular meeting held on May 26, 1998, passed an ordinance on first reading amending Chapter 106, Article 1, Section 106-1, of The Code of the City of Salem, Virginia, pertaining to child care; and

WHEREAS, a discussion was held concerning said amendment;

ON MOTION MADE BY COUNCILMAN HASKINS, SECONDED BY VICE MAYOR BROWN, AND DULY CARRIED, the following ordinance was duly passed and adopted:

AN ORDINANCE TO AMEND, REVISE, AND REORDAIN CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, PERTAINING TO CHILD CARE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Chapter 106 of The Code of the City of Salem, Virginia, be amended, revised, and reordained to read as follows:

CHAPTER 106

Article I. In General.

Section 106-1. Definitions.

Small family child care home means a dwelling unit of the provider that offers child care to five or fewer children, exclusive of the provider's own children and any children who reside in the home, and does not require the services of nonresident employees.

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

This ordinance shall be in full force and effect ten (10) days after its final passage.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Absent
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Passed: June 8, 1998
Effective: June 18, 1998


Mayor

Mayor Tarpley reported that this date and time had been set as a public hearing to consider the application of Michael O. Garst to permanently vacate a certain portion of a 50-foot right of way in the City of Salem; and

WHEREAS, the Clerk of Council reported that notice of such public hearing had been published in the May 21 and 28, 1998, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, I. Ray Byrd, Jr., Attorney representing the petitioners, appeared before the Council explaining the proposed request for closing the 50 foot right of way in order for Mr. Garst to develop his property; and

WHEREAS, Gertrude W. Harris, 239 Braxton Avenue, appeared before the Council stating she owns property that borders North Stonewall Street; Lee Street is the only access to her property from Thompson Memorial Drive; the closing of the 50 foot right of way located off of Lee Street will restrict vehicular traffic onto Lee Street and North Stonewall Street; if this right of way is closed, there would be no access to her property; and she is requesting the right of way not be vacated; and

WHEREAS, it was noted that Council at this meeting must appoint viewers to view the requested vacation, and the viewers will meet and make a recommendation pertaining to the vacation; and

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106-1 OF T
CITY CODE

RESOLUTION
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APPOINTING
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APPLICATION
OF MICHAEL
O. GARST
PERMANENTLY
VACATE A
CERTAIN
PORTION OF
50-FOOT
RIGHT OF
WAY IN THE CITY
OF SALEM

WHEREAS, Vice Mayor Brown stated it is his opinion that the viewers should contact Gertrude W. Harris, Leroy Johnson, and Jeff Martin for their input pertaining to the requested vacation; and

WHEREAS, Leroy Johnson, 704 Stonewall Street, appeared before the Council stating that at the present time North Stonewall Street is approximately ten feet wide, the roadway is actually constructed on private property, and the property owners in the neighborhood are requesting the City to develop a wider roadway for the properties on North Stonewall Street; and

WHEREAS, Jeff Martin, 709 North Stonewall Street, appeared pertaining to widening North Stonewall Street, etc.; and

WHEREAS, a discussion was held concerning said matter;

ON MOTION MADE BY COUNCILMAN HASKINS, SECONDED BY COUNCILMAN BROWN, AND DULY CARRIED, Resolution 896 was duly passed and adopted:

RESOLUTION 896

A RESOLUTION providing for the appointment of not less than three nor more than five freeholders, any three of whom may act, as viewers, in connection with the application of Michael O. Garst, to permanently vacate a certain portion of a 50-foot right of way in the City of Salem; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that James E. Taliaferro, William J. Paxton, Jr., Terrance D. Murphy, W. Shelby Klein, III, and Emerson Gilmer, any three of whom may act, be and they are hereby, appointed as viewers to view the portion of the 50-foot right of way consisting of 0.156 acres, located off Lee Street, bounded on the north by the lands of Michael O. Garst, on the south by the lands of Gertrude Shrader, and on the west by a 20 foot alley, as is more fully described in the Application in this matter, as required by Section 15.2-2006 of the Code of Virginia, as amended to date, and to report in writing, whether or not in their opinion any, and if any, what inconvenience would result from permanently vacating a portion of said 50-foot right of way.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Absent
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

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Mayor Tarpley reported that this date and time had been set to hold a public hearing to receive citizen input for the 1998-1999 budget; and

WHEREAS, the Clerk of Council reported that notice of such public hearing had been published in the June 4, 1998, issue of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, Leisa Thompson, 16 North Bruffey Street and owner of property at 1000 West Riverside Drive, appeared before the Council requesting that the 1998-1999 City budget reflect the growing needs of the City of Salem's sewer system; Ms. Thompson stated her concerns relative to several sewer manholes in the City she had witnessed overflowing, the concerns she has heard from other citizens pertaining to sewer overflows, the diseases from untreated human waste, etc.; it is her opinion that the sewer from sewer overflows due to overdevelopment is never treated and can cause disease; she discussed overflows of sewage on her property; she stated her concerns about the health of the citizens of Salem due to sewage overflows; she noted there has been no tax increase for the baseball stadium or skateboard park, but there will be a tax increase for sewer and water improvements; and

WHEREAS, Mayor Tarpley noted that the City has spent a great amount of money two times to alleviate the overflow problems on the property of Mrs. Thompson, and the Department of Environmental Quality has sent a letter to the City commending the City on its quick action to rectify the sewer overflow problems at the property on West Riverside Drive; and

WHEREAS, Mrs. Thompson stated there are still problems with sewer overflowing onto her property; and

WHEREAS, Vice Mayor Brown noted that the City of Salem will be spending \$33,000,000 on upgrading, not only the sewage treatment plant, but also the lines transporting the sewage to the treatment plant; and further, it was noted that the City has a problem at the present time because the City has a 60-inch pipe running into a 30-inch pipe at the Roanoke City line, which creates a backup into Salem lines; and

WHEREAS, it was noted that the City at the present time has a crew that replaces antiquated sewer lines in the City of Salem; and

WHEREAS, Everett B. Obenshain, City Sheriff, appeared before the Council requesting that Council consider a supplement for the deputies in the City Sheriff's Department, etc.;

THEREUPON, the citizen input for the 1998-1999 budget was received.

Mayor Tarpley requested that Council consider adopting Resolution 897 amending the City's pay plan for the ensuring fiscal year to become effective July 1, 1998;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS AND DULY CARRIED, Resolution 897 was duly passed and adopted to become effective July 1, 1998:

RESOLUTION 897

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that the following schematic list of job classes and pay ranges and steps shall be a part of the 1998-1999 fiscal year budget; and the effective date of the implementation of this pay plan shall be July 1, 1998:

CITY OF SALEM, VIRGINIA
SCHEMATIC LIST OF CLASSES ASSIGNED TO SALARY GRADES
Effective 07/01/98

	<u>CODE</u>	<u>SALARY GRADE</u>
<u>Clerical, Fiscal, Administrative and Related</u>		
Mailroom Clerk/Office Assistant	103	11
Office Assistant	105	10
Secretary	107	12
Administrative Secretary	109	15
Executive Secretary	110	17
Secretary to the City Manager	115	19
Deputy City Clerk	119	22
Personnel Technician	121	18
Safety and Training Coordinator	125	23
Director of Human Resources	129	33
Customer Service Clerk	131	14
Account Clerk I	133	12
Account Clerk II	134	14
Accounts Payable Clerk	137	14
Payroll Technician	139	16
Accounting Technician/Secretary	141	18
Payroll Supervisor	143	20
Billing Supervisor	145	20
Collections Supervisor	147	20
Accountant	151	22
Senior Accountant	153	24
Computer Operator	154	16
Computer Programmer	155	19
Programmer/Analyst	157	22
Information Systems Manager	159	32
Buyer	160	16
Purchasing Officer	161	20
Assistant Director of Finance	165	29
Director of Finance	169	36
Assistant City Manager	180	*
City Manager	190	*
Assistant Registrar	205	14
General Registrar	209	*
Deputy Comm. of the Revenue I	211	*
Deputy Comm. of the Revenue II	212	*
Deputy Comm. of the Revenue III	213	*
Deputy Comm. of the Revenue IV	214	*
Commissioner of the Revenue	219	*
Deputy Treasurer I	221	*
Deputy Treasurer II	222	*
Deputy Treasurer III	223	*
Deputy Treasurer IV	224	*
City Treasurer	229	*
Real Estate Clerk	231	13
Real Estate Transfer Clerk	233	15
Real Estate Appraiser I	235	20
Real Estate Appraiser II	236	24
Sr. Real Estate Appraiser	237	26
City Assessor	239	33
Administrative Assistant	245	*
Assistant Commonwealth's Attorney	247	*
Commonwealth's Attorney	249	*
Deputy Court Clerk I	251	*
Deputy Court Clerk II	252	*
Deputy Court Clerk III	253	*
Deputy Court Clerk IV	254	*
Clerk of the Circuit Court	259	*
Deputy Sheriff	261	*
Chief Deputy Sheriff	265	*
Sheriff	269	*
<u>Registrar, Constitutional and Related</u>		

Engineering and Planning and Related

Permit Clerk	301	15
Codes Enforcement Officer	305	20
Building Official/Zoning Admin.	309	31
Traffic Paint & Sign Worker	311	15
Traffic Paint & Sign Supervisor	315	22
Traffic Engineer	319	28
Surveyor	323	20
Drafting Technician	324	18
Construction Inspector (Part-time)	325	20
Engineering Technician	326	21
Civil Engineer I	327	25
Civil Engineer II	328	29
Assistant City Engineer	329	30
City Engineer	330	34
Director of Plg & Development	339	31

Streets and General Maintenance

Custodian	401	9
Sanitation Worker	405	11
Sanitation Superintendent	409	25
Laborer	410	7
Maintenance/Construction Worker I	411	10
Maintenance/Construction Worker II	412	12
Motor Equipment Operator I	415	12
Motor Equipment Operator II	416	14
Motor Equipment Operator III	417	17
Crew Supervisor	421	19
General Supervisor	425	22
Streets Superintendent	429	26
Craftsworker Helper	431	11
Craftsworker	433	16
Craftsworker Technician	435	19
Building Maintenance Superintendent	439	26

Automotive Service Worker	441	11
Automotive Tire Changer	442	13
Small Engine Mechanic	443	14
Automotive Mechanic	445	17
Automotive Parts Clerk	447	12
Automotive Parts Specialist	451	15
City Garage Supervisor	455	21
City Garage Superintendent	459	25

Farmer's Market Manager	461	15
Tree Trimmer	463	15
City Horticulturist	465	24
Asst. Dir. of Streets & Gen. Maint.	468	28
Dir. of Streets and General Maint.	469	33

Solid Waste/Energy Recovery

Weighmaster	471	14
Transfer Station Supervisor	473	19
Solid Waste Superintendent	475	23
Director of Solid Waste	479	31

Public Utilities

Meter Service Worker	501	14
Water Meter Mechanic	503	16
Meter Service Supervisor	507	20
WTP Operator Trainee	511	13
WTP Operator I	512	15
WTP Operator II	513	17
WTP Operator III	514	19
Chief WTP Operator	515	23

Public Utilities (Continued)

Senior Water Treatment Plant Operator	516	21
Laboratory Technician	521	19
Chemist	523	23
Utility Inventory Supervisor	525	19
Water and Sewer Supervisor	527	22
Asst. Dir.-Water & Sewer Systems	533	26
Asst. Dir.-Water Production	535	26
Director of Water & Sewer Department	539	33

Electric Department

Service Technician I	601	19
Service Technician II	602	23
Meter & Signal Technician	603	21
Service Crew Leader	607	25
General Service Supervisor	609	27
Ground Technician	611	15
Line Technician I	613	21
Line Technician II	615	23
Line Construction Crew Leader	617	25
Elec. Inventory & Maint. Techn.	618	25
General Line Supervisor	619	19
Electrical Engineering Aide	621	27
Electrical Engineering Technician I	623	18
Electrical Engineering Technician II	624	21
Electrical Engineer	625	25
Asst. Director of Electric Department	628	30
Director of Electric Department	629	31
Director of Electric Department	629	35

Leisure Services and Related

Library Page	701	7
Library Clerk	702	11
Library Technician	703	15
Library Assistant	705	18
Librarian I	706	20
Librarian II	707	23
Library Director	709	32

Recreation Maintenance Worker	711	12
Asst. Recreation Program Supervisor	715	17
Recreation Program Supervisor	719	21
Special Events Coordinator	721	22
Director of Parks and Recreation	729	32

Civic Center

Box Office Cashier	801	12
Box Office Supervisor	805	19
Facilities Maintenance Worker	809	12
Equipment Mechanic I	811	17
Equipment Mechanic II	812	19
Food Service Worker	814	4
Assistant Food Services Supervisor	816	23
Chef	817	21
Food Services Supervisor	818	25
Building Superintendent	819	23
Civic Facilities Supervisor	821	25
Civic Facilities Sales Representative	825	17
Asst. Dir. of Civic Facilities	828	29
Director of Civic Facilities	829	33

Public Safety

School Crossing Guard	901	12
Police Records Clerk	903	13
Telecommunicator	905	17
Telecommunications Supervisor	907	23
911 Coord./Police Support Technician	909	18
Animal Shelter Worker	911	11
Animal Shelter Manager	913	15
Animal Control Officer	915	18
Senior Animal Control Officer	917	20
Animal Control Sergeant	919	24
Police Officer	921	20
Senior Police Officer	922	22
Police Sergeant	925	24
Police Lieutenant	927	26
Deputy Chief of Police	935	30
Chief of Police	939	35

Firefighter	951	19
Firefighter Cardiac Tech	951A	19
Firefighter Paramedic	951B	19
Senior Firefighter	952	21
Senior Firefighter Cardiac Tech	952A	21
Senior Firefighter Paramedic	952B	21
Fire Apparatus Technician	955	22
Fire Sergeant	957	23
Fire Lieutenant	961	24
EMS Coordinator (Captain)	962	26
Fire Captain	963	26
Fire Training Captain	965	26
Assistant Fire Chief	968	29
Fire Chief	969	34

*Unclassified positions

CITY OF SALEM
SALARY SCHEDULE
98-99

Table with columns labeled A through Q representing different salary levels and rows for various job classes (e.g., 28 ANNUAL, 29 ANNUAL, 30 ANNUAL, etc.) and their corresponding monthly, bi-weekly, weekly, and hourly rates.

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

- Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Absent
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Mayor Tarpley requested that Council consider an ordinance with emergency provisions adopting the budget for the ensuing fiscal year and appropriating funds to various accounts;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the following ordinance was duly passed and adopted with emergency provisions to become effective July 1, 1998:

AN ORDINANCE APPROPRIATING FUNDS FOR THE OPERATION OF THE CITY OF SALEM, VIRGINIA, FOR THE FISCAL YEAR BEGINNING JULY 1, 1998.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that the following amounts are appropriated for the various accounts for the operation of the City of Salem for the fiscal year beginning on July 1, 1998, as follows:

ORDINANCE PASSED WITH EMERGENCY PROVISION ADOPTING BUDGET FOR THE ENSUING FISCAL YEAR 1998-1999 AND APPROPRIATING FUNDS TO VARIOUS ACCOUNTS

ESTIMATED REVENUES FOR THE YEAR JULY 1, 1998 - JUNE 30, 1999

DESIGNATED BEGINNING BALANCE - 7-1-97	\$	0
REAL ESTATE TAXES		12,060,100
PUBLIC SERVICE CORPORATION TAXES		380,000
PERSONAL PROPERTY TAXES		6,779,100
MACHINERY & TOOLS TAXES		2,790,000
PENALTIES & INTEREST		175,000
OTHER LOCAL TAXES		11,511,768
PERMITS, FEES & LICENSES		225,500
FINES & FORFEITURES		97,000
REVENUE - USE OF MONEY		258,000
REVENUE - USE OF MONEY & PROPERTY		221,500
COURT COSTS		21,500
PUBLIC WORKS CHARGES		2,032,000
PARKS & RECREATION CHARGES		18,000
CHARGES FOR LIBRARY		26,000
PLANNING & COMMUNITY DEVELOPMENT CHARGES		800
OTHER CHARGES AND FEES		157,600
MISCELLANEOUS		7,000
PAYMENT IN LIEU OF TAXES		774,000
NON-CATEGORICAL AID - STATE		177,183
SHARED COSTS - STATE		1,284,446
CATEGORICAL AID - STATE		3,046,941
STATE AID - EDUCATION		10,624,561
FEDERAL AID - EDUCATION		866,518
OTHER INCOME - EDUCATION		925,926
NON-REVENUE RECEIPTS		7,000
TRANSFERS FROM OTHER FUNDS		0
TOTAL REVENUE	\$	54,467,443

ESTIMATED EXPENDITURES FOR THE YEAR JULY 1, 1998 - JUNE 30, 1999

	<u>CITY COUNCIL</u>	
MAINTENANCE AND OPERATIONS		
SALARIES OF PERSONNEL	\$	55,092
FRINGE BENEFITS		14,447
LEGAL SERVICES		43,000
PRINTING & BINDING		700
ADVERTISING		500
OFFICE SUPPLIES		200
TRAVEL & TRAINING		4,000
CONTRIBUTION VML		14,000
MISCELLANEOUS		10,000
TOTAL - CITY COUNCIL	\$	141,939

		<u>CLERK OF COUNCIL</u>	
MAINTENANCE AND OPERATIONS			
SALARIES OF PERSONNEL	\$	40,706	
FRINGE BENEFITS		11,654	
MAINTENANCE OF EQUIPMENT		250	
PRINTING & BINDING		3,000	
ADVERTISING		5,000	
CODIFICATION OF ORDINANCES		3,000	
TELEPHONE SERVICE		800	
POSTAGE		500	
OFFICE SUPPLIES		1,000	
BOOKS AND SUBSCRIPTIONS		250	
TRAVEL & TRAINING		300	
DUES & MEMBERSHIPS		300	
MISCELLANEOUS		100	
TOTAL - CLERK OF COUNCIL	\$	66,660	

		<u>CITY MANAGER</u>	
MAINTENANCE AND OPERATIONS			
SALARIES OF PERSONNEL	\$	225,663	
FRINGE BENEFITS		56,260	
LEGAL SERVICES		10,000	
MAINTENANCE OF EQUIPMENT		500	
PRINTING & BINDING		5,000	
ADVERTISING		500	
MAINTENANCE OF AUTOMOTIVE EQUIPMENT		2,500	
TELEPHONE SERVICES		3,100	
POSTAGE		500	
OFFICE SUPPLIES		1,000	
BOOKS & SUBSCRIPTIONS		750	
TRAVEL & TRAINING		4,000	
MANAGEMENT TRAINING		1,000	
YOUTH ACTIVITIES		95,000	
DUES & MEMBERSHIPS		3,000	
MISCELLANEOUS		1,000	
ADMINISTRATIVE CREDITS		66,000)	

CAPITAL OUTLAY		1,000
OTHER EQUIPMENT		344,773
TOTAL - CITY MANAGER	\$	344,773

PERSONNEL

<u>MAINTENANCE AND OPERATIONS</u>	
SALARIES OF PERSONNEL	\$ 175,098
FRINGE BENEFITS	46,693
LEGAL SERVICES	700
MAINTENANCE OF EQUIPMENT	500
PRINTING & BINDING	5,000
EMPLOYEE SAFETY PROGRAMS	4,000
ADVERTISING	200
EMPLOYEE ASSISTANCE PROGRAM	7,500
MAINTENANCE AUTOMOTIVE EQUIPMENT	3,700
TELEPHONE SERVICES	1,525
POSTAGE	800
OFFICE SUPPLIES	2,500
BOOKS & SUBSCRIPTIONS	3,500
TRAVEL & TRAINING	5,000
EMPLOYEE TRAINING PROGRAMS	10,000
EMPLOYEE DRUG TESTING PROGRAM	7,500
DUES & MEMBERSHIPS	1,000
MISCELLANEOUS	100
PERSONNEL CREDITS	(56,300)
CAPITAL OUTLAY	
OTHER EQUIPMENT	24,254
TOTAL - PERSONNEL	\$ 243,270

CITY ATTORNEY

<u>MAINTENANCE AND OPERATIONS</u>	
OFFICE SUPPLIES	\$ 100
BOOKS & SUBSCRIPTIONS	1,500
TRAVEL & TRAINING	600
DUES & MEMBERSHIPS	400
TOTAL - CITY ATTORNEY	\$ 2,600

REAL ESTATE ASSESSOR

<u>MAINTENANCE AND OPERATIONS</u>	
SALARIES OF PERSONNEL	\$ 194,970
FRINGE BENEFITS	55,899
LEGAL SERVICES	500
MAINTENANCE OF EQUIPMENT	400
PRINTING AND BINDING	3,500
MAINTENANCE OF AUTOMOTIVE EQUIPMENT	2,000
DATA PROCESSING SERVICES	6,500
TELEPHONE SERVICES	900
POSTAGE	4,000
OFFICE SUPPLIES	850
BOOKS & SUBSCRIPTIONS	750
TRAVEL & TRAINING	2,700
DUES & MEMBERSHIPS	1,500
MISCELLANEOUS	100

CAPITAL OUTLAY

<u>OTHER EQUIPMENT</u>	3,025
TOTAL - REAL ESTATE ASSESSOR	\$ 277,594

BOARD OF EQUALIZATION

<u>MAINTENANCE AND OPERATIONS</u>	
SALARIES OF PERSONNEL	\$ 3,500
ADVERTISING	225
TOTAL - BOARD OF EQUALIZATION	\$ 3,725

FINANCE DEPARTMENT

<u>MAINTENANCE AND OPERATIONS</u>	
SALARIES OF PERSONNEL	\$ 369,548
FRINGE BENEFITS	106,655
LEGAL SERVICES	1,000
MAINTENANCE OF EQUIPMENT	5,000
PRINTING & BINDING	10,000
ADVERTISING	300
MAINTENANCE OF AUTOMOTIVE EQUIPMENT	1,750
DATA PROCESSING SERVICES	18,000
TELEPHONE SERVICES	2,600
POSTAGE	10,500
OFFICE SUPPLIES	3,100
BOOKS & SUBSCRIPTIONS	2,500
TRAVEL & TRAINING	5,000
DUES & MEMBERSHIPS	1,000
MISCELLANEOUS	100
ACCOUNTING CREDITS	(139,250)
CAPITAL OUTLAY	
AUTOMOTIVE EQUIPMENT	15,000
OTHER EQUIPMENT	15,000
TOTAL - FINANCE DEPARTMENT	\$ 427,803

INDEPENDENT AUDITOR

<u>MAINTENANCE AND OPERATIONS</u>	
INDEPENDENT AUDITING	\$ 50,000
TOTAL - INDEPENDENT AUDITING	\$ 50,000

	<u>PURCHASING</u>
<u>MAINTENANCE AND OPERATIONS</u>	
SALARIES OF PERSONNEL	\$ 52,042
FRINGE BENEFIT	14,253
MAINTENANCE OF EQUIPMENT	350
PRINTING & BINDING	6,500
ADVERTISING	200
TELEPHONE SERVICES	400
POSTAGE	700
OFFICE SUPPLIES	550
BOOKS & SUBSCRIPTION	400
TRAVEL & TRAINING	1,000
DUES & MEMBERSHIPS	400
MISCELLANEOUS	400
PURCHASING CREDITS	100
	(11,000)

<u>CAPITAL OUTLAY</u>	
OTHER EQUIPMENT	2,500
TOTAL - PURCHASING	<u>\$ 68,395</u>

	<u>DATA PROCESSING</u>
<u>MAINTENANCE AND OPERATIONS</u>	
SALARIES OF PERSONNEL	\$ 193,167
FRINGE BENEFIT	55,758
MAINTENANCE OF EQUIPMENT	35,000
CONTRACTUAL SERVICES	500
TELEPHONE SERVICE	2,500
SUPPLIES	12,400
TRAVEL & TRAINING	3,000
DUES & MEMBERSHIPS	400
MISCELLANEOUS	100
DATA PROCESSING CREDITS	(80,000)

<u>CAPITAL OUTLAY</u>	
OTHER EQUIPMENT	19,000
TOTAL - DATA PROCESSING	<u>\$ 241,825</u>

	<u>CITY GARAGE</u>
<u>MAINTENANCE AND OPERATIONS</u>	
SALARIES OF PERSONNEL	\$ 500,434
FRINGE BENEFITS	158,063
MAINTENANCE OF EQUIPMENT	11,880
MAINTENANCE OF RADIO EQUIPMENT	500
MAINTENANCE OF AUTOMOTIVE EQUIPMENT	275,000
ELECTRIC, WATER & SEWER SERVICES	0
INVENTORY MATERIALS AND SUPPLIES	33,000
UNIFORMS	5,000
SMALL TOOLS	6,000
SAFETY EQUIPMENT	1,500
GAS & OIL	6,500
TRAINING	2,000
MISCELLANEOUS	100
LEASE OF EQUIPMENT	2,000
EQUIPMENT RENTAL CREDITS	(460,000)
LABOR CREDITS	(300,000)

<u>CAPITAL OUTLAY</u>	
MOTOR VEHICLE & EQUIPMENT	31,435
OTHER EQUIPMENT	9,900
TOTAL - CITY GARAGE	<u>\$ 283,312</u>

	<u>COMMISSIONER OF REVENUE</u>
<u>MAINTENANCE AND OPERATIONS</u>	
SALARIES OF PERSONNEL	\$ 170,411
FRINGE BENEFITS	49,869
LEGAL SERVICES	3,000
MAINTENANCE OF EQUIPMENT	1,000
PRINTING AND BINDING	4,500
BINGO EXPENSES	1,000
DATA PROCESSING SERVICES	15,000
TELEPHONE SERVICES	1,200
POSTAGE	8,000
OFFICE SUPPLIES	1,000
BOOKS & SUBSCRIPTIONS	638
TRAVEL & TRAINING	2,000
DUES & MEMBERSHIPS	400
MISCELLANEOUS	300

<u>CAPITAL OUTLAY</u>	
OTHER EQUIPMENT	4,000
TOTAL - COMMISSIONER OF REVENUE	<u>\$ 262,318</u>

	<u>TREASURER</u>
<u>MAINTENANCE AND OPERATIONS</u>	
SALARIES OF PERSONNEL	\$ 160,159
FRINGE BENEFITS	47,277
LEGAL SERVICES	8,000
MAINTENANCE OF EQUIPMENT	1,500
PRINTING & BINDING	19,000
ADVERTISING	800
DATA PROCESSING SERVICES	8,000
TELEPHONE SERVICES	1,800
POSTAGE	17,880
PUBLIC OFFICIAL BOND	542
OFFICE SUPPLIES	2,000

TRAVEL & TRAINING 2,100
 DUES & MEMBERSHIPS 325
 MISCELLANEOUS 100

CAPITAL OUTLAY

EQUIPMENT 4,335
 TOTAL - TREASURER \$ 273,818

ELECTORAL BOARD

MAINTENANCE AND OPERATIONS

SALARIES OF PERSONNEL \$ 6,000
 TRAVEL & TRAINING 1,500
 MISCELLANEOUS 100
 TOTAL - ELECTORAL BOARD \$ 7,600

REGISTRAR

MAINTENANCE AND OPERATIONS

SALARIES OF PERSONNEL \$ 72,826
 FRINGE BENEFITS 17,216
 LEGAL SERVICE 750
 MAINTENANCE OF EQUIPMENT 4,000
 PRINTING & BINDING 1,525
 ADVERTISING 1,000
 TELEPHONE SERVICE 1,500
 POSTAGE 1,800
 OFFICE SUPPLIES 1,000
 TRAVEL & TRAINING 1,865
 DUES & MEMBERSHIPS 200
 MISCELLANEOUS 100
 TOTAL - REGISTRAR \$ 103,782

CIRCUIT COURT

MAINTENANCE AND OPERATIONS

23RD JUDICIAL CIRCUIT \$ 28,500
 JURY & WITNESS FEES 7,000
 TELEPHONE SERVICES 500
 POSTAGE 400
 OFFICE SUPPLIES 1,000
 LAW LIBRARY/BOOKS 1,275
 TRAVEL AND TRAINING 1,500
 DUES AND MEMBERSHIPS 600
 MISCELLANEOUS 100
 TOTAL CIRCUIT COURT \$ 40,875

COMBINED DISTRICT COURTS

MAINTENANCE AND OPERATIONS

MAINTENANCE OF EQUIPMENT \$ 2,000
 PRINTING & BINDING 1,100
 COURT APPOINTED ATTORNEY'S 350
 TELEPHONE SERVICES 2,200
 OFFICE SUPPLIES 1,000
 BOOKS & SUBSCRIPTIONS 515
 DUES & MEMBERSHIPS 75
 MISCELLANEOUS 100

CAPITAL OUTLAY

OTHER EQUIPMENT 1,794
 TOTAL - COMBINED DISTRICT COURTS \$ 9,134

GENERAL DISTRICT JUDGES

MAINTENANCE AND OPERATIONS

SALARIES OF PERSONNEL \$ 0
 FRINGE BENEFITS 0
 PRINTING & BINDING 220
 TELEPHONE SERVICES 1,200
 OFFICE SUPPLIES 300
 BOOKS & SUBSCRIPTIONS 1,015
 TRAVEL & TRAINING 3,800
 DUES & MEMBERSHIPS 350
 MISCELLANEOUS 100

CAPITAL OUTLAY

OTHER EQUIPMENT 3,596
 TOTAL - GENERAL DISTRICT JUDGES \$ 10,581

MAGISTRATE OFFICE

MAINTENANCE AND OPERATIONS

MAINTENANCE OF EQUIPMENT \$ 120
 OFFICE SUPPLIES 500
 BOOKS, SUBSCRIPTIONS & DUES 700
 TOTAL - MAGISTRATE OFFICE \$ 1,320

JUVENILE DISTRICT JUDGES

MAINTENANCE AND OPERATIONS

MAINTENANCE OF EQUIPMENT \$ 100
 PRINTING AND BINDING 200
 TELEPHONE SERVICES 1,200
 OFFICE SUPPLIES 250
 BOOKS AND SUBSCRIPTIONS 500
 TRAVEL AND TRAINING 1,500
 MISCELLANEOUS 100

CAPITAL OUTLAY

OTHER EQUIPMENT 1,898

	<u>CLERK OF CIRCUIT COURT</u>
<u>MAINTENANCE AND OPERATIONS</u>	
SALARIES OF PERSONNEL	\$ 172,661
FRINGE BENEFITS	47,946
MAINTENANCE OF EQUIPMENT	2,750
PRINTING & BINDING	4,500
INDEPENDENT AUDITING	4,000
MICROFILM DEVELOPING	16,500
TELEPHONE SERVICES	2,000
POSTAGE	1,500
OFFICE SUPPLIES	3,110
BOOKS AND SUBSCRIPTIONS	1,250
DUES & MEMBERSHIPS	1,500
MISCELLANEOUS	1,000

<u>CAPITAL OUTLAY</u>	
OTHER EQUIPMENT	8,800
TOTAL - CLERK OF CIRCUIT COURT	<u>\$ 267,517</u>

	<u>CITY SHERIFF</u>
<u>MAINTENANCE AND OPERATIONS</u>	
SALARIES OF PERSONNEL	\$ 286,692
FRINGE BENEFITS	86,563
MAINTENANCE OF EQUIPMENT	450
PRINTING & BINDING	350
MAINTENANCE OF AUTOMOTIVE EQUIPMENT	9,000
TELEPHONE SERVICES	2,400
POSTAGE	600
OFFICE SUPPLIES	625
UNIFORMS	4,000
BOOKS & SUBSCRIPTIONS	250
TRAVEL & TRAINING	4,000
TRAVEL-EXTRADITION OF PRISONER	2,000
DUES & MEMBERSHIPS	400
MISCELLANEOUS	100

<u>CAPITAL OUTLAY</u>	
OTHER EQUIPMENT	9,000
TOTAL - CITY SHERIFF	<u>\$ 406,430</u>

	<u>COMMONWEALTH ATTORNEY</u>
<u>MAINTENANCE AND OPERATIONS</u>	
SALARIES OF PERSONNEL	\$ 172,737
FRINGE BENEFITS	46,229
MAINTENANCE OF EQUIPMENT	1,000
PRINTING & BINDING	600
TELEPHONE SERVICES	1,100
POSTAGE	650
OFFICE SUPPLIES	800
BOOKS & SUBSCRIPTIONS	1,100
TRAVEL & TRAINING	2,100
DUES & MEMBERSHIPS	4,900
MISCELLANEOUS	8,000

<u>CAPITAL OUTLAY</u>	
OTHER EQUIPMENT	170
TOTAL - COMMONWEALTH ATTORNEY	<u>\$ 239,386</u>

	<u>VICTIM WITNESS ASSISTANCE PROGRAM</u>
<u>MAINTENANCE AND OPERATIONS</u>	
SALARIES OF PERSONNEL	\$ 29,039
FRINGE BENEFITS	8,984
TELEPHONE SERVICES	1,000
OFFICE SUPPLIES	2,960
TRAVEL AND TRAINING	550
OTHER EQUIPMENT	5,178
TOTAL - VICTIM WITNESS ASSISTANCE PROGRAM	<u>\$ 47,711</u>

	<u>POLICE DEPARTMENT</u>
<u>MAINTENANCE AND OPERATIONS</u>	
SALARIES OF PERSONNEL	\$ 2,265,996
CLOTHING ALLOWANCE	6,000
FRINGE BENEFITS	663,219
LEGAL SERVICES	2,000
REPAIR & MAINTENANCE BUILDINGS & GROUNDS	13,500
MAINTENANCE OF EQUIPMENT	10,300
PRINTING & BINDING	11,000
PHOTOGRAPHY PROCESSING	5,000
LAUNDRY & CLEANING	3,800
JANITORIAL SERVICES	2,500
PHYSICAL EXAMINATIONS AND TESTING	2,600
MAINTENANCE OF AUTOMOTIVE EQUIPMENT	68,300
MAINTENANCE OF ACADEMY	1,000
MAINTENANCE GUN RANGE	2,000
TELEPHONE SERVICES	13,500
ELECTRIC, WATER & SEWER	17,500
POSTAGE	1,550
OFFICE SUPPLIES	3,500
JANITORIAL SUPPLIES	1,600
POLICE SUPPLIES	14,000
UNIFORMS	20,000
NEIGHBORHOOD WATCH/CRIME PREVENTION	2,500
EMPLOYEE RECRUITMENT	4,000
TRAVEL & TRAINING	13,000
POLICE GRANT IN AID STATE	0

TRAINING-ACADEMY 10,950
 DUES & MEMBERSHIPS 1,300
 SAFETY PATROL & DARE PROGRAM 5,000
 DARE PROGRAM--DONATIONS 0
 MISCELLANEOUS 100

CAPITAL OUTLAY
 FURNITURE & FIXTURES 0
 MOTOR VEHICLE & EQUIPMENT 116,500
 OTHER EQUIPMENT 13,290
 EQUIPMENT-DRUG SEIZURE FUND 0
 TOTAL - POLICE DEPARTMENT \$ 3,295,505

COMMUNICATION CENTER

MAINTENANCE AND OPERATIONS
 SALARIES OF PERSONNEL \$ 337,926
 FRINGE BENEFITS 107,407
 MAINTENANCE OF EQUIPMENT 25,000
 PRINTING & BINDING 1,200
 911 SYSTEMS COSTS 74,000
 OFFICE SUPPLIES 800
 TRAVEL & TRAINING 3,000
 MISCELLANEOUS 100
 LEASE OF EQUIPMENT 2,160

CAPITAL OUTLAY
 OTHER EQUIPMENT 10,800
 TOTAL - COMMUNICATION CENTER \$ 562,393

FIRE DEPARTMENT

MAINTENANCE AND OPERATIONS
 SALARIES OF PERSONNEL \$ 1,950,584
 CALL BACK TIME 30,000
 FRINGE BENEFITS 584,250
 LEGAL SERVICES 500
 REPAIR & MAINTENANCE OF BUILDINGS GROUNDS 29,000
 MAINTENANCE OF OFFICE EQUIPMENT 3,000
 LAUNDRY AND CLEANING 2,000
 EMS EQUIPMENT MAINTENANCE 1,000
 PHYSICAL EXAMS & TESTING 12,000
 MAINTENANCE OF AUTOMOTIVE EQUIPMENT 32,000
 TELEPHONE SERVICES 8,000
 UTILITY SERVICES (ALL) 24,000
 POSTAGE 600
 OFFICE SUPPLIES 4,000
 FIRE SUPPLIES 8,525
 UNIFORMS 20,000
 EMS SUPPLIES 8,000
 HAZ MAT TRAINING 3,500
 TRAVEL & TRAINING 11,000
 FIRE PREVENTION PROGRAM 2,400
 EMS TRAINING 4,000
 DUES & MEMBERSHIPS 2,000
 GRANT 0
 FIRE PROGRAM-STATE 26,500
 HAZARDOUS MATERIAL LEVEL III 15,500
 MISCELLANEOUS 100

CAPITAL OUTLAY
 MOTOR VEHICLE & EQUIPMENT 100,000
 OPTICOM SAFETY SYSTEM 40,000
 OTHER EQUIPMENT 30,000
 TOTAL - FIRE DEPARTMENT \$ 2,952,459

RESCUE SQUAD

MAINTENANCE AND OPERATIONS
 SALARIES OF PERSONNEL \$ 8,475
 FRINGE BENEFITS 795
 REPAIR & MAINTENANCE OF BUILDINGS & GROUNDS 10,100
 MAINTENANCE OF OFFICE EQUIPMENT 500
 HEALTH SCREENINGS/IMMUNIZATIONS 2,000
 MAINTENANCE OF RADIO EQUIPMENT 2,500
 MAINTENANCE OF AUTOMOTIVE EQUIPMENT 20,000
 TELEPHONE SERVICE 1,500
 ELECTRIC, WATER & SEWER 4,000
 INSURANCE 4,500
 OFFICE SUPPLIES 2,200
 TRAVEL AND TRAINING 4,310
 RADIO MAINTENANCE/REGIONAL SYSTEM 4,767
 TWO FOR LIFE PROGRAM 10,105
 MISCELLANEOUS 100

CAPITAL OUTLAY
 AUTO EQUIPMENT/TRANSFER TO DEBT SERVICE 21,634
 OTHER EQUIPMENT 0
 TOTAL - RESCUE SQUAD \$ 97,486

SALEM-ROANOKE COUNTY JAIL

MAINTENANCE AND OPERATIONS
 SALEM/ROANOKE COUNTY JAIL \$ 195,000
 TOTAL - SALEM-ROANOKE COUNTY JAIL \$ 195,000

<u>PROBATION OFFICER</u>	
<u>MAINTENANCE AND OPERATIONS</u>	
PRINTING & BINDING	\$ 50
TELEPHONE SERVICE	2,500
TRAVEL & TRAINING	700
MISCELLANEOUS	100
OTHER EQUIPMENT	0
TOTAL - PROBATION OFFICER	<u>\$ 3,350</u>

<u>JUVENILE PLACEMENT PROGRAM</u>	
<u>MAINTENANCE AND OPERATIONS</u>	
JUVENILE PLACEMENT PROGRAM	\$ 60,700
CRISIS INTERVENTION PLACEMENT	4,000
ELECTRONIC MONITORING	4,000
DETENTION OUTREACH	9,800
NON-SECURE RES./NON-RES. SVCS	35,000
A & E DETENTION CENTER	45,000
TOTAL - JUVENILE DETENTION HOME	<u>\$ 158,500</u>

<u>DEPARTMENT OF INSPECTIONS</u>	
<u>MAINTENANCE AND OPERATIONS</u>	
<u>SALARIES OF PERSONNEL</u>	\$ 220,747
FRINGE BENEFITS	63,726
LEGAL SERVICES	2,500
MAINTENANCE OF EQUIPMENT	700
PRINTING & BINDING	1,500
MAINTENANCE OF AUTOMOTIVE EQUIPMENT	4,800
TELEPHONE SERVICES	1,200
POSTAGE	1,000
OFFICE SUPPLIES	2,700
BOOKS & SUBSCRIPTIONS	4,191
SUPPLIES FOR SALE	0
TRAVEL & TRAINING	4,500
DUES & MEMBERSHIPS	500
TOWING VEHICLES	300
MISCELLANEOUS	1,000

<u>CAPITAL OUTLAY</u>	
MOTOR VEHICLE & EQUIPMENT	0
OTHER EQUIPMENT	4,800
TOTAL - DEPARTMENT OF INSPECTION	<u>\$ 314,164</u>

<u>ANIMAL CONTROL</u>	
<u>MAINTENANCE AND OPERATIONS</u>	
<u>SALARIES OF PERSONNEL</u>	\$ 167,951
FRINGE BENEFITS	48,019
REPAIR & MAINTENANCE OF BUILDINGS & GROUNDS	5,000
VETERINARY SERVICES	4,800
SPAYING/NEUTERING PROGRAM	1,750
SPAY/NEUTER DAY	1,500
ADOPT-A-TEACHER PROGRAM	2,140
MAINTENANCE OF AUTOMOTIVE EQUIPMENT	6,000
TELEPHONE SERVICES	1,000
ELECTRIC, WATER & SEWER	6,000
OFFICE SUPPLIES	700
MATERIALS	5,000
JANITOR SUPPLIES	2,000
UNIFORMS	2,000
TRAVEL & TRAINING	3,000
MISCELLANEOUS	100

<u>CAPITAL OUTLAY</u>	
AUTOMOTIVE EQUIPMENT	0
OTHER EQUIPMENT	1,250
SHELTER IMPROVEMENTS	0
TOTAL - ANIMAL CONTROL	<u>\$ 258,210</u>

<u>MEDICAL EXAMINER</u>	
<u>MAINTENANCE AND OPERATIONS</u>	
MEDICAL EXAMINERS FEES	\$ 600
TOTAL - MEDICAL EXAMINER	<u>\$ 600</u>

<u>CIVIL DEFENSE</u>	
<u>MAINTENANCE AND OPERATIONS</u>	
EMERGENCY PREP AND CLEANUP	\$ 15,000
TRAVEL & TRAINING	500
MISCELLANEOUS	100
OTHER EQUIPMENT	0
TOTAL - CIVIL DEFENSE	<u>\$ 15,600</u>

<u>PAVEMENTS-PRIMARY</u>	
<u>MAINTENANCE AND OPERATIONS</u>	
PATCHING	\$ 70,000
RESURFACING	100,000
SNOW REMOVAL	60,000
SNOW REMOVAL (EXPENDABLE EQUIPMENT)	10,000
TOTAL - PAVEMENTS	<u>\$ 240,000</u>

<u>SHOULDERS-PRIMARY</u>	
<u>MAINTENANCE AND OPERATIONS</u>	
STORM DRAINS/REPAIRS	\$ 25,000
DITCHING	10,000
OTHER SHOULDER MAINTENANCE	6,000
TOTAL - SHOULDERS	<u>\$ 41,000</u>

ROADSIDES-PRIMARY

MAINTENANCE AND OPERATIONS	
MAINTENANCE OF SIDEWALK CURB GUTTER	\$ 20,000
MAINTENANCE OF GUARD RAILS	6,000
MOWING GRASS & WEED CONTROL	130,000
STREET SWEEPING	50,000
REPLACEMENT OF TREES & SHRUBS	3,100
TOTAL - ROADSIDES	\$ 209,100

STRUCTURES-PRIMARY

MAINTENANCE AND OPERATIONS	
BRIDGE INSPECTIONS	\$ 5,000
REPAIRS & MAINTENANCE OF BRIDGES	425,000
TOTAL - STRUCTURES	\$ 430,000

TRAFFIC CONTROLS-PRIMARY

MAINTENANCE AND OPERATIONS	
HIGHWAY LIGHTING	\$ 120,000
STREET SIGNS-MAINTENANCE/REPLACEMENT	70,000
PAVEMENT MARKING	60,000
TRAFFIC SIGNALS-MAINTENANCE/REPLACE	125,000
TRAINING	1,500
TOTAL - TRAFFIC CONTROL	\$ 376,500

OTHER COSTS-PRIMARY

MAINTENANCE AND OPERATIONS	
ADMINISTRATIVE/OVERHEAD COSTS	\$ 70,000
ENGINEERING SERVICES	15,000
TOTAL - OTHER COSTS	\$ 85,000

PAVEMENTS-COLLECTOR STREETS

MAINTENANCE AND OPERATIONS	
PATCHING	\$ 140,662
RESURFACING	95,607
SNOW REMOVAL	55,000
SNOW REMOVAL (EXPENDABLE EQUIPMENT)	10,000
TOTAL - PAVEMENTS	\$ 301,269

SHOULDERS-COLLECTOR STREETS

MAINTENANCE AND OPERATIONS	
RESURFACING	\$ 25,000
STORM DRAINS/REPAIRS	83,426
DITCHING	40,000
OTHER SHOULDER MAINTENANCE	20,000
TOTAL - SHOULDERS	\$ 168,426

ROADSIDES-COLLECTOR STREETS

MAINTENANCE AND OPERATIONS	
MAINTENANCE OF SIDEWALK CURB GUTTER	\$ 110,000
MAINTENANCE OF GUARD RAILS	5,000
MOWING GRASS & WEED CONTROL	100,000
STREET SWEEPING	46,000
REPLACEMENT OF TREES & SHRUBS	3,500
TOTAL - ROADSIDES	\$ 264,500

STRUCTURES-COLLECTOR STREETS

MAINTENANCE AND OPERATIONS	
BRIDGE INSPECTIONS	\$ 5,000
REPAIRS & MAINTENANCE OF BRIDGES	15,000
TOTAL - STRUCTURES	\$ 20,000

TRAFFIC CONTROLS-COLLECTOR STREETS

MAINTENANCE AND OPERATIONS	
STREET SIGN MAINTENANCE/REPLACEMENT	\$ 60,000
PAVEMENT MARKING	55,000
TRAFFIC SIGNALS MAINTENANCE/REPAIR	6,000
TOTAL - TRAFFIC CONTROLS	\$ 121,000

OTHER COSTS-COLLECTOR STREETS

MAINTENANCE AND OPERATIONS	
ADMINISTRATIVE/OVERHEAD COSTS	\$ 40,500
ENGINEERING SERVICES	15,000
TOTAL - COLLECTOR/LOCAL COSTS	\$ 55,500

ENGINEERING

MAINTENANCE AND OPERATIONS	
SALARIES OF PERSONNEL	\$ 348,401
FRINGE BENEFITS	97,330
LEGAL SERVICES	1,500
MAINTENANCE OF EQUIPMENT	4,000
PRINTING & BINDING	1,200
CONTRACTUAL SERVICES GIS	18,530
MAINTENANCE OF AUTOMOTIVE EQUIPMENT	7,000
TELEPHONE SERVICES	1,200
OFFICE SUPPLIES	2,500
TRAVEL & TRAINING	2,500
TRAVEL/TRAINING GIS	5,000
DUES & MEMBERSHIPS	400
MISCELLANEOUS	100
TRANSFER TO HIGHWAY MAINTENANCE	(38,000)

CAPITAL OUTLAY	0
AUTOMOTIVE EQUIPMENT	32,200
OTHER EQUIPMENT	
TOTAL - ENGINEERING	\$ 483,861

STREET & HIGHWAY ADMINISTRATION

MAINTENANCE AND OPERATIONS

SALARIES OF PERSONNEL	\$ 215,566
FRINGE BENEFITS	330,058
MAINTENANCE OF OFFICE EQUIPMENT	3,000
PRINTING & BINDING	1,200
PHYSICAL EXAMS AND TESTING	3,000
MAINTENANCE OF RADIOS	2,070
MAINTENANCE OF AUTOMOTIVE EQUIPMENT	9,000
LOCAL COLLECTOR STREET LIGHTING	160,000
PATCHING	0
RESURFACING	0
MAINTENANCE OF BRIDGES	0
MAINTENANCE OF STORM DRAIN	0
MAINTENANCE OF SIDEWALK, CURB, GUTTER	0
MAINTENANCE OF GUARD RAILS	0
MOWING WEEDS	0
SNOW REMOVAL	0
UNPAVED STREETS & ALLEYS	50,000
DITCHING	0
MAINTENANCE OF BUILDING & GROUNDS	30,000
TELEPHONE SERVICES	5,000
ELECTRIC, WATER & SEWER SERVICES	41,000
HEATING SERVICES	15,000
OFFICE SUPPLIES	4,000
CONSTRUCTION MATERIALS	10,968
UNIFORMS	4,800
SMALL TOOLS	1,000
SAFETY EQUIPMENT	4,150
TRAVEL & TRAINING	800
MISCELLANEOUS & FLAGS	6,500
LEASE OF EQUIPMENT	0
TRANSFER TO HIGHWAY MAINTENANCE	(750,000)

CAPITAL OUTLAY

OTHER EQUIPMENT	43,890
STREET CONSTRUCTION	0
SIDEWALK, CURB & GUTTER	30,000
STORM DRAINS	21,000
PAU CONSTRUCTION	14,000
TOTAL - STREET, HIGHWAY MAINTENANCE	\$ 256,002

TRAFFIC ENGINEERING

MAINTENANCE AND OPERATIONS	\$ 150,857
SALARIES OF PERSONNEL	45,361
FRINGE BENEFITS	500
MAINTENANCE OF EQUIPMENT	6,500
MAINTENANCE OF AUTOMOTIVE EQUIPMENT	400
TELEPHONE SERVICE	2,500
MATERIALS AND SUPPLIES	1,500
UNIFORMS	500
SAFETY EQUIPMENT	0
SUPPLIES & PAVEMENT MARKINGS	500
TRAVEL & TRAINING	0
MISCELLANEOUS	500
TRANSFER TO HIGHWAY MAINTENANCE	100
MISCELLANEOUS	164,000)
TOTAL - TRAFFIC ENGINEERING	\$ 44,718

STREET & ROAD CLEANING

MAINTENANCE AND OPERATIONS	\$ 27,435
SALARIES OF PERSONNEL	8,615
FRINGE BENEFITS	20,000
MAINTENANCE OF AUTOMOTIVE EQUIPMENT	125,000
LEAF REMOVAL	500
SAFETY EQUIPMENT	500
MISCELLANEOUS	500
LEASE OF EQUIPMENT	35,000
TRANSFER TO HIGHWAY MAINTENANCE	(75,000)
TOTAL - STREET & ROAD CLEANING	\$ 142,050

REFUSE COLLECTION

MAINTENANCE AND OPERATIONS	\$ 511,208
SALARIES OF PERSONNEL	147,814
FRINGE BENEFITS	500
PRINTING	121,200
MAINTENANCE OF AUTOMOTIVE EQUIPMENT	6,800
UNIFORMS	1,500
SAFETY MATERIALS	0
LITTER CONTROL GRANT	1,500
REPAIRS-MISCELLANEOUS	2,000
LEASE OF EQUIPMENT	2,000

CAPITAL OUTLAY	77,000
AUTOMOTIVE EQUIPMENT	2,500
OTHER EQUIPMENT	30,000
RESERVE/REPLACEMENT OF TETERS	
TOTAL - REFUSE COLLECTION	\$ 902,022

REFUSE DISPOSAL--TRANSFER STATION

<u>MAINTENANCE AND OPERATIONS</u>	
SALARIES OF PERSONNEL	\$ 514,756
FRINGE BENEFITS	156,444
MAINTENANCE OF AUTOMOTIVE EQUIPMENT	55,000
MAINTENANCE OF FACILITY	52,500
SOLID WASTE/DEBRIS DISPOSAL	1,550,000
TELEPHONE SERVICES	1,000
ELECTRIC, WATER & SEWER SERVICES	16,000
OFFICE SUPPLIES	2,000
MATERIALS	12,000
RECYCLING COSTS	35,000
SMALL TOOLS	500
SAFETY EQUIPMENT	4,000
TRAVEL & TRAINING	3,000
MISCELLANEOUS	100
LEASE OF EQUIPMENT	2,000

<u>CAPITAL OUTLAY</u>	
OTHER EQUIPMENT	18,000
FACILITY IMPROVEMENTS	0
TOTAL - REFUSE DISPOSAL-TRANSFER STATION	\$ 2,422,300

REFUSE DISPOSAL-LANDFILL

<u>MAINTENANCE AND OPERATIONS</u>	
SALARIES OF PERSONNEL	\$ 0
FRINGE BENEFITS	0
MAINTENANCE OF AUTO EQUIPMENT	0
MAINTENANCE & MONITORING LANDFILL	70,000
LEASE OF EQUIPMENT	0
TOTAL - REFUSE DISPOSAL-LANDFILL	\$ 70,000

REFUSE COLLECTION--CONTAINERS

<u>MAINTENANCE AND OPERATIONS</u>	
SALARIES OF PERSONNEL	\$ 64,268
FRINGE BENEFITS	21,709
MAINTENANCE OF AUTOMOTIVE EQUIPMENT	60,000
MATERIALS	400
MISCELLANEOUS	100
TOTAL - REFUSE COLLECTION--CONTAINERS	\$ 146,477

CITY HALL

<u>MAINTENANCE AND OPERATIONS</u>	
CUSTODIAL SALARIES	\$ 31,038
FRINGE BENEFITS	11,770
REPAIR & MAINTENANCE OF BUILDINGS & GROUNDS	70,000
FARMERS MARKET	34,000
TELEPHONE SERVICES	0
ELECTRIC, WATER & SEWER SERVICES	40,000
UTILITIES-FARMERS MARKET	3,000
MISCELLANEOUS	0

<u>CAPITAL OUTLAY</u>	
REPEATER/RADIO SYSTEM	10,000
DEMOLITION OF PROPERTY	0
CITY-WIDE TECHNOLOGY PLAN	105,000
TOTAL - CITY HALL	\$ 304,808

COURTHOUSE

<u>MAINTENANCE AND OPERATIONS</u>	
CUSTODIAL SALARIES	\$ 31,138
FRINGE BENEFITS	10,723
REPAIR & MAINTENANCE OF BUILDING & GROUNDS	50,000
MAINTENANCE OF EQUIPMENT	0
ELECTRIC, WATER & SEWER SERVICES	60,000
JANITOR SUPPLIES	2,500
UNIFORMS	400
TOTAL - COURTHOUSE	\$ 154,761

DEPARTMENT OF BUILDING MAINTENANCE

<u>MAINTENANCE AND OPERATIONS</u>	
SALARIES OF PERSONNEL	\$ 464,901
FRINGE BENEFITS	144,048
REPAIR & MAINTENANCE OF BUILDINGS & GROUNDS	20,000
MAINTENANCE OF EQUIPMENT	2,495
MAINTENANCE OF RADIO EQUIPMENT	500
MAINTENANCE OF AUTOMOTIVE EQUIPMENT	23,100
TELEPHONE SERVICE	1,500
OFFICE SUPPLIES	700
MAINTENANCE SUPPLIES	235,603
UNIFORMS	4,750
SMALL TOOLS	4,400
SAFETY EQUIPMENT	1,300
TRAINING	2,300
MISCELLANEOUS	100
MAINTENANCE CREDITS	(175,000)
MAINTENANCE CREDITS SCHOOLS	(195,000)

<u>CAPITAL OUTLAY</u>	
AUTOMOTIVE EQUIPMENT	0
OTHER EQUIPMENT	13,000
TOTAL - DEPARTMENT OF BUILDING MAINTENANCE	\$ 548,697

HEALTH DEPARTMENT

MAINTENANCE AND OPERATIONS \$ 5,500
DEMOLITION OF CONDEMNED HOMES 196,498
PAY TO LOCAL HEALTH DEPARTMENT 38,500
CHIPS PROGRAM \$ 240,498
TOTAL - HEALTH DEPARTMENT

WELFARE

MAINTENANCE AND OPERATIONS \$ 250,000
CONTRACT - ROANOKE COUNTY 200,000
LOCAL SHARE -- CPMT 515,820
STATE SHARE -- CPMT
TOTAL - WELFARE \$ 965,820

PROPERTY TAX RELIEF-ELDERLY & HANDICAPPED

MAINTENANCE AND OPERATIONS \$ 116,000
PROPERTY TAX RELIEF FOR ELDERLY & HANDICAPPED \$ 116,000
TOTAL - PROPERTY TAX RELIEF

SALEM SCHOOL BOARD

MAINTENANCE AND OPERATIONS \$ 2,124,075
SALES TAX SCHOOL BOARD 1,562,408
TRANSFER TO DEBT SERVICE 12,722,200
TRANSFER TO SCHOOL BOARD 5,000
MAINTENANCE GROUNDS - ALMS 5,000
MAINTENANCE BUILDINGS & GROUNDS - SHS 8,500,486
SCHOOL OPERATING FUND - STATE 866,518
SCHOOL OPERATING FUND - FEDERAL 925,926
SCHOOL OPERATING FUND - OTHER
TOTAL - EDUCATION \$ 26,711,613

PARKS & RECREATION-ADMINISTRATION

MAINTENANCE AND OPERATIONS \$ 190,894
SALARIES OF PERSONNEL 53,262
FRINGE BENEFITS 1,500
PRINTING & BINDING 12,000
MAINTENANCE OF AUTOMOTIVE EQUIPMENT 12,000
MAINTENANCE OF BUILDINGS & GROUNDS 2,700
TELEPHONE SERVICES 8,000
ELECTRIC WATER & SEWER SERVICE 2,000
HEATING SERVICES 4,000
POSTAGE 2,379
OFFICE SUPPLIES 1,300
JANITORIAL SERVICES & SUPPLIES 250
BOOKS & SUBSCRIPTIONS 2,500
TRAVEL & TRAINING 100
MISCELLANEOUS 30,000
MAINTENANCE OF LEASED PROPERTY--YMCA

CAPITAL OUTLAY

OTHER EQUIPMENT 35,000
TOTAL - PARKS & RECREATION-ADMINISTRATION \$ 357,885

MAINTENANCE OF ATHLETIC FIELDS

MAINTENANCE AND OPERATIONS \$ 211,163
MAINTENANCE OF ATHLETIC FIELDS 30,000
MAINTENANCE MUNICIPAL FIELD 66,000
MAINTENANCE SALEM BASEBALL PARK 115,000
MAINTENANCE SALEM STADIUM 100,000
MAINTENANCE MOYER SPORTS COMPLEX 20,000
UTILITIES-ATHLETIC FIELDS 60,000
UTILITIES SALEM BALLPARK 15,000
UTILITIES-MUNICIPAL FIELD 20,000
UTILITIES-SALEM STADIUM 28,000
UTILITIES-MOYER SPORTS COMPLEX
TOTAL - MAINTENANCE OF ATHLETIC FIELDS \$ 665,163

PARKS

MAINTENANCE AND OPERATIONS \$ 123,746
MAINTENANCE OF BUILDINGS AND GROUNDS 5,000
ELECTRIC, WATER, AND SEWER SERVICES
CAPITAL OUTLAY
PARKS AND PLAYGROUND 0
FEASIBILITY STUDY - GOLF COURSE 0
SALEM STADIUM 126,040
SKATEBOARD PARK - MOYER COMPLEX 0
SHELTER/RESTROOM 0
MILL LANE PARK DEVELOPMENT 2,500
TOTAL - PARKS \$ 257,286

MAINTENANCE OF LONGWOOD PARK

MAINTENANCE AND OPERATIONS \$ 30,000
MAINTENANCE OF BUILDINGS & GROUNDS 3,500
ELECTRIC, WATER & SEWER SERVICES
TOTAL - MAINTENANCE OF LONGWOOD PARK \$ 33,500

ATHLETIC PROGRAMS

<u>MAINTENANCE AND OPERATIONS</u>	
SALARIES OF PERSONNEL	\$ 132,710
FRINGE BENEFITS	39,715
PRINTING	1,000
OFFICIATING ATHLETIC EVENTS	87,000
OFFICIATING ADULT SPORTS	14,000
ATHLETIC SUPPLIES	50,000
LACROSSE PROGRAM	5,000
AAU BASKETBALL	7,800
SWIM PROGRAM	5,000
DIXIE LEAGUE TOURNAMENTS	6,000
TOURNAMENTS	7,044
HOOK A KID ON GOLF	1,400
TOTAL - ATHLETIC PROGRAMS	\$ 356,669

RECREATION PROGRAMS

<u>MAINTENANCE AND OPERATIONS</u>	
SALARIES OF PERSONNEL	\$ 67,163
FRINGE BENEFITS	20,045
SPECIAL EVENTS	40,000
CONTRACTUAL SERVICES	9,600
RECREATIONAL SUPPLIES	5,000
FISHING RODEO	4,000
TOTAL - RECREATION PROGRAMS	\$ 145,808

SENIOR CITIZEN CENTER

<u>MAINTENANCE AND OPERATIONS</u>	
SALARIES OF PERSONNEL	\$ 81,200
FRINGE BENEFITS	20,970
CONTRACTUAL SERVICES	13,000
MAINTENANCE OF AUTOMOTIVE EQUIPMENT	2,000
MAINTENANCE OF BUILDINGS & GROUNDS	11,818
TELEPHONE SERVICES	1,000
ELECTRIC, WATER & SEWER SERVICES	6,800
HEATING SERVICES	1,650
OFFICE SUPPLIES	500
RECREATIONAL SUPPLIES	4,500
TRAVEL & TRAINING	1,000
MISCELLANEOUS	100
TOTAL - SENIOR CITIZEN CENTER	\$ 144,538

FLORIDA STREET CENTER

<u>MAINTENANCE AND OPERATIONS</u>	
MAINTENANCE OF BUILDINGS & GROUNDS	\$ 10,430
ELECTRIC, WATER & SEWER SERVICES	200
HEATING SERVICES	2,000
TOTAL - FLORIDA STREET CENTER	\$ 12,630

GOLF COURSE

<u>MAINTENANCE AND OPERATIONS</u>	
REPAIR & MAINTENANCE OF BUILDINGS & GROUNDS	\$ 25,000
ELECTRIC, WATER & SEWER SERVICES	2,300
TOTAL - GOLF COURSE	\$ 27,300

EAST HILL CEMETERY

<u>MAINTENANCE AND OPERATIONS</u>	
REPAIR & MAINTENANCE OF BUILDINGS & GROUNDS	\$ 26,000
ELECTRIC, WATER & SEWER SERVICES	400
TOTAL - EAST HILL CEMETERY	\$ 26,400

SALEM BEAUTIFICATION PROGRAM

<u>MAINTENANCE AND OPERATIONS</u>	
SALARIES OF PERSONNEL	\$ 105,856
FRINGE BENEFITS	28,664
TREE TRIMMING	17,850
MAINTENANCE OF AUTOMOTIVE EQUIPMENT	1,000
TELEPHONE SERVICES	1,000
OFFICE SUPPLIES	200
MATERIALS	15,000
UNIFORMS/PROTECTIVE GEAR	1,600
BOOKS, SUBSCRIPTIONS & DUES	342
TRAVEL & TRAINING	1,000
MISCELLANEOUS	100
LEASE OF EQUIPMENT	12,000
TRANSFER TO HIGHWAY MAINTENANCE	(5,000)

CAPITAL OUTLAY

AUTOMOTIVE EQUIPMENT	0
OTHER EQUIPMENT	1,000
TOTAL - SALEM BEAUTIFICATION PROGRAM	\$ 180,612

LIBRARY

<u>MAINTENANCE AND OPERATIONS</u>	
SALARIES OF PERSONNEL	\$ 265,543
CUSTODIAL SALARIES	9,694
FRINGE BENEFITS	70,129
SUMMER READING PROGRAM	2,675
MAINTENANCE OF EQUIPMENT	2,755
PRINTING & BINDING	2,449
JANITORIAL SUPPLIES	2,000
DATA PROCESSING SERVICES	37,900
MAINTENANCE OF BUILDINGS & GROUNDS	18,000
TELEPHONE SERVICES	2,200
ELECTRIC, WATER & SEWER SERVICES	18,000

HEATING SERVICES	3,500
POSTAGE	4,500
OFFICE SUPPLIES	7,151
BOOKS & SUBSCRIPTIONS	16,484
BOOKS & SUBSCRIPTIONS - STATE	122,472
TRAVEL & TRAINING	3,345
MISCELLANEOUS	200
TOTAL - LIBRARY	<u>\$ 588,997</u>

PLANNING

MAINTENANCE AND OPERATIONS	\$	82,464
SALARIES OF PERSONNEL		23,549
FRINGE BENEFITS		4,000
LEGAL SERVICE		6,000
PRINTING & BINDING		2,000
ADVERTISING		1,500
MAINTENANCE OF AUTOMOTIVE EQUIPMENT		1,300
TELEPHONE SERVICES		500
POSTAGE		2,000
OFFICE SUPPLIES		1,000
BOOKS & SUBSCRIPTIONS		3,000
TRAVEL & TRAINING		1,200
DUES & MEMBERSHIPS		14,700
5TH DISTRICT PLANNING COMMISSION		100
MISCELLANEOUS		143,313
TOTAL - PLANNING	<u>\$</u>	<u>143,313</u>

VPI EXTENSION

MAINTENANCE AND OPERATIONS	\$	20,000
CONTRACT - ROANOKE COUNTY		20,000
TOTAL - VPI EXTENSION	<u>\$</u>	<u>20,000</u>

COMMUNITY DEVELOPMENT

MAINTENANCE AND OPERATIONS	\$	5,000
CONTRIBUTION TO CHAMBER COMMERCE		36,900
INDUSTRIAL DEVELOPMENT		500
PURCHASE OF PROPERTY		42,400
TOTAL - COMMUNITY DEVELOPMENT	<u>\$</u>	<u>42,400</u>

DEBT SERVICE

MAINTENANCE AND OPERATIONS	\$	1,298,315
TRANSFERS TO DEBT SERVICE FUND		12,500
BANK CHARGES		1,310,815
TOTAL - DEBT SERVICE	<u>\$</u>	<u>1,310,815</u>

FRINGE BENEFITS-UNDISTRIBUTED

MAINTENANCE AND OPERATIONS	\$	930,000
F I C A		1,521,000
RETIREMENT-VSRS		822,000
GROUP HEALTH INSURANCE-REGULAR		40,375
GROUP LIFE INSURANCE-VSRS		10,000
UNEMPLOYMENT INSURANCE		200,000
WORKMENS COMPENSATION		296,208
HEALTH INSURANCE PROGRAM--RETIRES		20,000
EMPLOYEES FUND		117,500
VACATION PAY		117,500
FRINGE BENEFITS DISTRIBUTED	(	3,523,375)
TOTAL - FRINGE BENEFITS	<u>\$</u>	<u>433,708</u>

INSURANCE

MAINTENANCE AND OPERATIONS	\$	250,000
GENERAL LIABILITY INSURANCE		250,000
TOTAL - INSURANCE	<u>\$</u>	<u>250,000</u>

CONTRIBUTIONS

MAINTENANCE AND OPERATIONS	\$	35,000
SALEM VISITORS CENTER		262,567
CONTRIBUTIONS TO CIVIC & COMMUNITY ORGANIZATIONS		35,000
SALEM EDUCATION FOUNDATION		10,000
SALEM ADULT EDUCATION		863,681
CONTRIBUTIONS TO CIVIC CENTER		20,000
SALEM HISTORICAL SOCIETY		2,000
SALEM ARTS SOCIETY		0
SALEM VOCATIONAL EDUCATION		75,000
NCAA--CHAMPIONSHIPS		3,000
BRADLEY FREE CLINIC		0
LEAGUE OF WOMEN VOTERS		2,200
SALEM POST PROM COMMITTEE		35,000
VALLEY METRO		50,000
BEDFORD D-DAY MEMORIAL		1,393,448
TOTAL - CONTRIBUTIONS	<u>\$</u>	<u>1,393,448</u>

UNAPPROPRIATED BALANCE

MAINTENANCE AND OPERATIONS	\$	573,666
UNAPPROPRIATED BALANCE		0
TRANSFER TO CAPITAL PROJECT		573,666
TOTAL - UNAPPROPRIATED BALANCE	<u>\$</u>	<u>573,666</u>

ENTERPRISE FUNDELECTRIC REVENUE

ELECTRIC SERVICE	\$ 16,400,000
ELECTRIC SERVICE - CITY BILLS	1,020,000
ELECTRIC SERVICE - STREET LIGHT	305,000
PENALTIES	60,000
CONNECTIONS & TRANSFERS	15,000
POLE RENTALS	23,000
STATE HIGHWAY DEPARTMENT - REIMBURSEMENT	0
MISCELLANEOUS	10,000
INTEREST INCOME	72,000
RESERVE FOR ENCUMBRANCES	0
TOTAL - ELECTRIC REVENUE	<u>\$ 17,905,000</u>

WATER REVENUE

WATER SERVICE	\$ 2,975,000
PENALTIES	60,000
CONNECTIONS & TRANSFERS	100,000
MISCELLANEOUS	2,500
RESERVE FOR ENCUMBRANCES	0
TOTAL - WATER REVENUE	<u>\$ 3,137,500</u>

SEWER REVENUE

SEWER SERVICE	\$ 2,910,000
PENALTIES	60,000
CONNECTIONS	65,000
MISCELLANEOUS	1,500
INTEREST INCOME	275,000
RESERVE FOR ENCUMBRANCES	0
TOTAL - SEWER REVENUE	<u>\$ 3,311,500</u>

SALEM CIVIC CENTER

SHOWS	\$ 210,000
BASKETBALL	0
NCAA--SOFTBALL	0
ROOM RENTALS	63,000
CATERING	64,000
CONCESSIONS	70,000
PROGRAMS AND SOUVENIRS	25,000
EQUIPMENT RENTAL	30,000
BOX OFFICE COMMISSIONS	20,000
SERVICE CENTER EMPLOYEES	8,000
INTEREST INCOME	12,000
MISCELLANEOUS INCOME	8,000
SALEM FAIR 1997	0
SALEM FAIR 1996	0
SALEM FAIR 1998	70,000
RESERVE FOR ENCUMBRANCES	0
TRANSFER FROM GENERAL/FUND	955,181
TOTAL - SALEM CIVIC CENTER	<u>\$ 1,535,181</u>

SALEM CATERING REVENUE

CATERING SALES-FOOD	\$ 350,000
SERVICE CHARGE	59,500
BEER/WINE SALES	10,500
BANQUET LIQUOR	8,500
MISCELLANEOUS SALES	6,500
TOTAL - SALEM CATERING REVENUE	<u>\$ 435,000</u>

SALEM CONCESSIONS REVENUE

CONCESSION SALES	\$ 195,000
VENDING SALES	19,500
OTHER INCOME	0
TOTAL - SALEM CONCESSIONS REVENUE	<u>\$ 214,500</u>

MOYER COMPLEX CONCESSIONS REVENUE

CONCESSION SALES	\$ 62,000
VENDING SALES	3,500
TOTAL - MOYER CONCESSIONS REVENUE	<u>\$ 65,500</u>

UTILITY BILLING & COLLECTION

SALARIES OF PERSONNEL	\$ 393,289
FRINGE BENEFITS	122,588
MAINTENANCE OF EQUIPMENT	6,500
PRINTING & BINDING	15,000
COLLECTION SERVICES	1,500
MAINTENANCE OF AUTOMOTIVE EQUIPMENT	11,000
DATA PROCESSING SERVICES	18,000
TELEPHONE SERVICES	2,200
POSTAGE	51,000
OFFICE SUPPLIES	2,400
UNIFORMS	1,750
TRAINING	700
MISCELLANEOUS	500
CREDITS UTILITY	(647,877)

CAPITAL OUTLAY	12,500
AUTO EQUIPMENT	8,950
OTHER EQUIPMENT	0
TOTAL UTILITY BILLING & COLLECTION	<u>\$ 0</u>

SALEM CIVIC CENTER

SALARIES OF PERSONNEL	\$ 630,071
FRINGE BENEFITS	174,210
LEGAL SERVICES	2,000
PRINTING AND ADVERTISING	31,000
AUDITING FEES	5,000
MAINTENANCE OF AUTOMOTIVE EQUIPMENT	7,500
MAINTENANCE OF BUILDINGS AND GROUND	165,000
MAINTENANCE OF SUPPLIES AND MATERIAL	26,000
TELEPHONE SERVICES	8,000
UTILITIES/ELECTRIC, WATER, SEWER	110,000
UTILITIES/GAS	35,000
POSTAGE/FREIGHT	10,000
INSURANCE	10,400
OFFICE SUPPLIES	3,500
UNIFORMS	6,000
TRAVEL & TRAINING	9,000
PROMOTIONS	41,000
DUES AND SUBSCRIPTIONS	26,000
COMMISSIONS/CHARGE CARDS	25,400
MISCELLANEOUS	100
SALEM FAIR 1996	0
SALEM FAIR 1997	0

CAPITAL OUTLAY

AUTOMOTIVE EQUIPMENT	17,000
OTHER EQUIPMENT	16,000
BUILDING IMPROVEMENTS	177,000
TOTAL - SALEM CIVIC CENTER	<u>\$ 1,535,181</u>

SALEM CATERING

SALARIES OF MANAGEMENT	\$ 60,603
SALARIES OF FOOD SERVICE	76,000
FRINGE BENEFITS-ALL	25,202
PRINTING & ADVERTISING	3,000
LAUNDRY SERVICE	10,500
MUSIC/ENTERTAINMENT	300
ACCOUNTING & AUDITING	1,500
FOOD PURCHASES	135,000
BAR PURCHASES	5,700
TELEPHONE SERVICES	750
INSURANCE	2,000
OFFICE SUPPLIES	1,000
GUEST SUPPLIES	3,200
CLEANING SUPPLIES	2,000
CHINA--GLASS--SILVER	500
KITCHEN UTENSILS & SUPPLIES	2,000
MAINTENANCE OF EQUIPMENT	2,000
DECORATIONS	1,500
UNIFORMS	500
LICENSES & PERMITS	5,000
TRAINING	1,500
FRANCHISE FEE	70,000
OVERAGE/SHORTAGE	200
MISCELLANEOUS	250
EQUIPMENT RENTAL	1,500
AUTOMOTIVE EQUIPMENT	0
OTHER EQUIPMENT	4,000
TOTAL - SALEM CATERING	<u>\$ 415,705</u>

SALEM CONCESSIONS

SALARIES OF MANAGEMENT	\$ 24,241
SALARIES OF CONCESSION STAND	27,500
FRINGE BENEFITS-ALL	9,811
ACCOUNTING & AUDITING	1,500
FOOD PURCHASES	40,000
INSURANCE	500
CONCESSION STAND SUPPLIES	6,500
CLEANING SUPPLIES	250
UNIFORMS	500
LICENSES & PERMITS	500
FRANCHISE FEE	75,000
OVERAGE/SHORTAGE	500
MISCELLANEOUS	100
EQUIPMENT RENTAL	200
OTHER EQUIPMENT	2,572
TOTAL - SALEM CONCESSIONS	<u>\$ 189,674</u>

MOYER COMPLEX CONCESSIONS

SALARIES OF MANAGEMENT	\$ 16,161
SALARIES OF CONCESSION STAND	15,000
FRINGE BENEFITS-ALL	6,229
ACCOUNTING & AUDITING	800
FOOD PURCHASES	13,500
INSURANCE	500
CONCESSION STAND SUPPLIES	2,000
UNIFORMS	250
FRANCHISE FEE	9,300
OVERAGE/SHORTAGE	0
OTHER EQUIPMENT	0
TOTAL - MOYER CONCESSIONS	<u>\$ 63,740</u>

WATER DEPARTMENT/PRODUCTION

SALARIES OF PERSONNEL	\$ 563,395
FRINGE BENEFITS	166,171
MAINTENANCE OF EQUIPMENT	624
PURCHASE OF WATER	7,000
SMALL ENGINE REPAIR	1,011
ENGINEERING STUDY	15,000
WATERWORKS OPERATIONS PERMIT	15,000
ADMINISTRATIVE COSTS	27,000
BILLING AND COLLECTION COSTS	191,506
MAINTENANCE OF AUTOMOTIVE EQUIPMENT	6,500
MAINTENANCE OF BUILDINGS & GROUNDS	247,405
TELEPHONE SERVICES	2,000
ELECTRIC CURRENT PUMPING	150,000
UTILITIES PLANT I	25,000
UTILITIES PLANT II	15,000
GENERAL LIABILITY INSURANCE	17,000
OFFICE SUPPLIES	1,000
BOOKS & SUBSCRIPTIONS	2,500
LABORATORY SUPPLIES	6,723
SAFETY EQUIPMENT	8,000
CHEMICALS & TESTING	123,800
TRAVEL AND TRAINING	4,000
MISCELLANEOUS	100
WATER SERVICE CREDITS	(90,000)

CAPITAL OUTLAY

AUTOMOTIVE EQUIPMENT	0
OTHER EQUIPMENT	18,575
WATER SYSTEM--TEST WELL	75,000
TOTAL - WATER PRODUCTION	\$ 1,599,310

ELECTRIC DEPARTMENT

SALARIES OF PERSONNEL	\$ 1,182,543
FRINGE BENEFITS	321,012
LEGAL SERVICES	45,000
ELECTRICAL ENGINEERING SERVICES	45,000
MAINTENANCE OF EQUIPMENT	15,000
ELECTRIC CURRENT TRANSMISSION	1,800,000
PURCHASE OF ELECTRIC - ADM. C.	29,750
PURCHASE OF ELECTRIC CURRENT-SEPA	117,000
MAINTENANCE OF RADIO EQUIPMENT	5,000
TRIMMING TREES	100,000
PURCHASE OF ELECTRIC CURRENT	9,400,000
ADMINISTRATIVE COST	54,000
BILLING & COLLECTION COST	255,340
SUBSTATION MAINTENANCE	40,000
TRANSFORMER TESTING EPA	3,000
MAINTENANCE OF AUTOMOTIVE EQUIPMENT	57,000
DATA PROCESSING SERVICES	5,000
MAINTENANCE OF BUILDINGS & GROUNDS	45,000
TELEPHONE SERVICES	11,600
ELECTRIC, WATER & SEWER SERVICES	19,000
HEATING SERVICES	1,500
GENERAL LIABILITY INSURANCE	39,000
OFFICE SUPPLIES	2,500
CONSTRUCTION MATERIALS	90,000
UNIFORMS	0
BOOKS & SUBSCRIPTIONS	1,000
SAFETY EQUIPMENT/OSHA	30,000
LINE LOCATING EXPENSES	4,500
METERS	25,000
STREET LIGHT HARDWARE	20,000
TRAVEL & TRAINING	10,000
DUES & MEMBERSHIP	18,000
BAD ACCOUNT EXPENSE	0
MISCELLANEOUS	100
INTEREST EXPENSE	1,268,500
LEASE OF EQUIPMENT	4,800
EQUIPMENT RENTAL CREDITS	(90,000)
LABOR CREDITS	(150,000)
ELECTRIC CURRENT CREDITS	(0)

CAPITAL OUTLAY

FURNITURE & FIXTURES	1,500
MOTOR VEHICLE & EQUIPMENT	0
CONSTRUCTION VEHICLE & EQUIPMENT	110,000
OTHER EQUIPMENT	40,000
STREET LIGHTS	40,000
DISTRIBUTION EQUIPMENT & IMPROVEMENTS	220,000
LINE EXTENSIONS	225,000
NEW CONNECTIONS	110,000
TRANSFORMERS	45,000
DUSK TO DAWN LIGHTING	20,000
NEW CONSTRUCTION	20,000
HIGHWAY UTILITY RELOCATION	75,000
TOTAL - ELECTRIC DEPARTMENT	\$ 15,731,645

WATER DEPARTMENT/DISTRIBUTION & MAINTENANCE

SALARIES OF PERSONNEL	\$ 486,545
FRINGE BENEFITS	137,871
MAINTENANCE OF EQUIPMENT	400
SMALL ENGINE REPAIRS	2,000
ENGINEERING SERVICES	32,000
MAINTENANCE OF RADIO EQUIPMENT	1,000
ADMINISTRATIVE COSTS	27,000
MAINTENANCE OF AUTOMOTIVE EQUIPMENT	65,500
MAINTENANCE OF LINES-WATER	90,000
TELEPHONE SERVICE	1,500
GENERAL LIABILITY INSURANCE	15,000
OFFICE SUPPLIES	500
CONSTRUCTION MATERIALS	67,000
UNIFORMS	0
BOOKS & SUBSCRIPTIONS	200
SMALL TOOLS	400
SAFETY EQUIPMENT	8,000
LINE LOCATING EXPENSES	4,000
METER REPLACEMENT PROGRAM	25,000
METERS	22,520
METER BOXES	4,404
TRAVEL & TRAINING	1,500
BAD ACCOUNT EXPENSE	0
MISCELLANEOUS	100
INTEREST EXPENSE	500,000
LEASE OF EQUIPMENT	5,000
EQUIPMENT RENTAL CREDITS	(40,000)
LABOR CREDITS	(112,500)
CAPITAL OUTLAY	
FURNITURE & FIXTURES	150
CONSTRUCTION EQUIPMENT	0
OTHER EQUIPMENT	5,200
LINE EXTENSION	112,000
NEW CONNECTIONS	65,000
DISTRIBUTION EQUIPMENT AND IMPROVEMENTS	7,200
NEW CONSTRUCTION	4,000
TOTAL - WATER DEPARTMENT	<u>\$ 1,538,490</u>

SEWER DEPARTMENT

SALARIES OF PERSONNEL	\$ 340,480
FRINGE BENEFITS	113,219
SMALL ENGINE REPAIRS	2,000
TREATMENT OF SEWAGE	853,500
ENGINEERING SERVICES	5,000
ADMINISTRATIVE COST	(54,000)
BILLING & COLLECTION COST	191,506
MAINTENANCE OF AUTOMOTIVE EQUIPMENT	35,000
MAINTENANCE OF BUILDINGS & GROUNDS	13,200
MAINTENANCE OF LINES-SEWER	30,000
INFILTRATION ABATEMENT	45,000
TELEPHONE SERVICES	1,000
ELECTRIC CURRENT PUMPS	2,500
GENERAL LIABILITY INSURANCE	10,000
OFFICE SUPPLIES	500
CONSTRUCTION MATERIALS	23,290
UNIFORMS	0
SAFETY EQUIPMENT	8,860
LINE LOCATING EXPENSES	1,000
TRAVEL & TRAINING	100
DUES & MEMBERSHIPS	200
BAD ACCOUNT EXPENSES	0
MISCELLANEOUS	100
INTEREST EXPENSE	1,399,242
LEASE OF EQUIPMENT	10,000
EQUIPMENT RENTAL CREDITS	(85,000)
LABOR CREDITS	(140,000)
SEWER SERVICE CREDITS	(85,000)
CAPITAL OUTLAY	
AUTOMOTIVE EQUIPMENT	0
CONSTRUCTION EQUIPMENT	82,500
OTHER EQUIPMENT	5,000
LINE EXTENSIONS	176,000
NEW CONNECTIONS	60,000
SEWER MAIN REPLACEMENT	89,175
TOTAL - SEWER DEPARTMENT	<u>\$ 3,242,372</u>

TRANSFERS

TRANSFER TO GENERAL FUND	\$ 765,000
CONTINGENCY FUND	<u>1,523,064</u>
TOTAL - TRANSFER	\$ 2,288,064

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

WHEREAS, in the opinion of Council an emergency exists, therefore, the fact of the existence of such emergency is hereby now declared to exist and this ordinance is so adopted and shall become effective July 1, 1998.

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

Harry T. Haskins, Jr. - Aye
 John C. Givens - Aye
 Howard C. Packett - Absent
 Alexander M. Brown - Aye
 Carl E. Tarpley, Jr. - Aye

Passed: June 8, 1998
 Effective: July 1, 1998


 Mayor

Mayor Tarpley requested that Council consider approval of the Roanoke Valley Detention Commission Service Agreement; and

WHEREAS, the Assistant City Manager reported that this agreement will not cost Salem any upfront monies; the upfront monies already expended toward the detention center will be refunded to the City by the Commission; the resolution has been passed by the General Assembly to form the Roanoke Valley Detention Commission, consisting of representatives from the five localities; the Commission will consist of two members from Roanoke City, one member from Roanoke County, one member from Salem, one member from Botetourt County, and one member from Franklin County; bonds will be issued in the amount of approximately \$10,000,000 for the renovation and new construction; this amount will be repaid by per diem charges for the individuals housed in the facility; the facility will be an 81-bed facility (41 for Roanoke City, 20 for Roanoke County, 10 for Salem, 8 for Franklin County, and 2 for Botetourt County); etc.; and

WHEREAS, a discussion was held concerning said agreement;

ON MOTION MADE BY COUNCILMAN HASKINS, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the Roanoke Valley Detention Commission Service Agreement is hereby approved, subject to the agreement being amended for Randolph M. Smith, City Manager, to sign said agreement; and Forest G. Jones, Assistant City Manager, is hereby appointed as Salem's representative to the Commission -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - absent; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council receive the report from the Solid Waste Selection Committee and consider approving a contract for solid waste disposal services; and

WHEREAS, Vice Mayor Brown, Chairman of Council's Audit-Finance Committee and member of the Solid Waste Selection Committee, reported that the Council's Audit Finance Committee has received a report from the Solid Waste Selection Committee outlining the process it went through in seeking proposals from qualified vendors for solid waste transportation and disposal services; the City's current contract with USA Waste expires on September 30, 1998; through the Competitive Negotiation Process, the City received proposals from seven vendors and ultimately through the process arrived at a contract; some of the pertinent highlights from USA Waste contract are as follows: the cost per ton will decrease from \$40.15 to \$31.94 or approximately 21 percent, saving the City up to \$394,000 annually based on tonnage of 48,000; USA Waste has agreed to change the contract effective date from October 1 to July 1 with the rate change effective on August 1, 1998, thus saving the City an additional \$45,000 over the current contract for the August/September time frame; the initial term of the contract will be eight years with two additional five-year terms at the City's option; ownership of the solid waste will transfer to USA Waste once the waste is loaded on their vehicles; and solid waste will be disposed of at landfills located in Virginia, thus avoiding what might be considered "interstate" complications; and

WHEREAS, Councilman Givens noted he will be abstaining from voting on this matter due to the fact that his brother-in-law works for USA Waste in the Tidewater area;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, the City is hereby authorized to enter into an agreement with USA Waste Services, Inc., for solid waste transportation for an eight-year period with two additional five-year terms at the City's option, subject to the review and approval of said agreement by the City Attorney -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - abstaining; Howard C. Packett - absent; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider separate lease requests for telecommunications lease agreements for (1) Morwanda Park, (2) Glenvar Water Plant property, and (3) Little Brushy Mountain; and

WHEREAS, Mayor Tarpley noted that the City has been requested to delete from the request the Glenvar Water Plant property and the Little Brushy Mountain property until further review by the City Attorney; and

WHEREAS, a discussion was held concerning said request;

ROANOKE
 VALLEY
 DETENTION
 COMMISSION
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 AGREEMENT
 APPROVED A
 FOREST G.
 JONES,
 ASSISTANT
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AGREEMENT
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 MORWANDA
 PARK WATER
 TANK ONLY

ON MOTION MADE BY COUNCILMAN HASKINS, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, telecommunications lease agreements are hereby approved for Morwanda Park Water Tank only -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - absent; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider issuing a license to B. E. Saul to use a portion of land west of Lots 5 and 6, J. P. Ballard Map, on Goodwin Avenue for gardening and landscaping;

ON MOTION MADE BY COUNCILMAN GIVENS, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, a license is hereby issued to B. E. Saul for the use of a portion of land west of Lots 5 and 6, J. P. Ballard Map, on Goodwin Avenue for gardening and landscaping, subject to the fact that, should the use of the property cease, the land and improvements shall become the property of the City -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - absent; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, in accordance with Section 2.1-344 (A) of the Code of Virginia, 1950 as amended to date, Council convened to Executive Session at 8:04 p.m. for the purpose of discussing the following specific matters:

- (1) Discussion of personnel matters, which is authorized by Section 2.1-344 (A) (1) of the Code of Virginia, 1950 as amended to date;
- (2) Discussion of a real estate matter pertaining to property the City may desire to sell, which is authorized by Section 2.1-344 (A) (3) of the Code of Virginia, 1950 as amended to date;
- (3) Discussion of a prospective business, which is authorized by Section 2.1-344 (A) (5) of the Code of Virginia, 1950 as amended to date; and
- (4) Discussion of a legal or contractual matter, which is authorized by Section 2.1-344 (A) (7) of the Code of Virginia, 1950 as amended to date;

-- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - absent; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

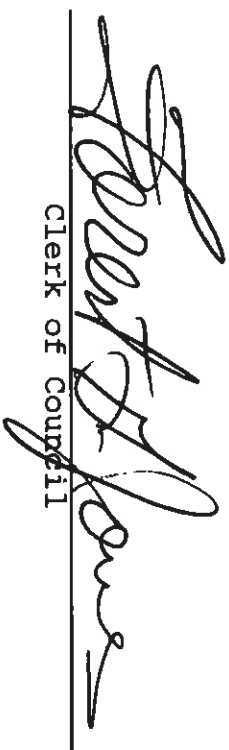
Upon reconvening at 9:28 p.m.;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, in accordance with Section 2.1-344.1 (D) of the Code of Virginia, 1950 as amended to date, Council hereby certifies that in Executive Session only items lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such items identified in the motion by which the Executive Session was convened were heard, discussed, or considered by the Council -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - absent; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the budget for the 1998-1999 fiscal year is hereby amended to provide for a 7 percent salary adjustment, effective July 1, 1998, for the sworn deputies in the City of Salem Sheriff's Department to bring the deputies up to parity with other Sheriff's Departments in the State of Virginia -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - absent; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, Charles T. Gwaltney is hereby reappointed to the Fair Housing Board for a three-year term, said term will expire on July 1, 2001; Terrance D. Murphy is hereby reappointed to a four-year term on the City of Salem Planning Commission, said term will expire on July 31, 2002; and Gardner W. Smith is hereby reappointed to a four-year term on the City of Salem Planning Commission, said term will expire on July 31, 2002 -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - absent; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

There being no further business to come before the Council, the same on motion adjourned at 9:30 p.m.


Clerk of Council


Mayor

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E. SAUL
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June 22, 1998

A regular meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on June 22, 1998, at 7:30 p.m., there being present all the members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, Howard C. Packett, John C. Givens, and Harry T. Haskins, Jr.; with Carl E. Tarpley, Jr., Mayor, presiding; together with Randolph M. Smith, City Manager; Forest G. Jones, Assistant City Manager and Clerk of Council; Frank P. Turk, Director of Finance; James E. Taliaferro, II, City Engineer; Joseph E. Yates, Jr., Director of Planning and Development; and Stephen M. Yost, City Attorney; and the following business was transacted:

The minutes of the regular meeting of June 8, 1998, were approved as written.

The report by the Director of Finance of the City's financial status for the month of May, 1998, was received and ordered filed.

Mayor Tarpley reported that Vice Mayor Brown has requested that the contestants of the Virginia Junior Miss Program attend this meeting of Council in order for Council to present a gift to the individuals in the program from Salem;

THEREUPON, City of Salem Jefferson Cups were presented to Lauren Wheeling and Erin Alba, contestants of the Virginia Junior Miss Program.

Mayor Tarpley reported that Council at its regular meeting held on June 8, 1998, adopted Resolution 896 appointing viewers to consider the request of Michael Garst to vacate a portion of a 50 foot right of way in the City of Salem; and

WHEREAS, Mayor Tarpley reported that the petitioner has requested the item be withdrawn without prejudice;

THEREUPON, said request is hereby allowed to be withdrawn without prejudice.

Mayor Tarpley reported that this date and time had been set to hold a public hearing to consider the request of Steven R. Viar, property owner, for rezoning a 0.453 acre portion of a 3.7 acre tract located in the 1300 block of East Main Street from Mobile Home Courts District R-M to Business Commerce District B-C; and

WHEREAS, the Clerk of Council reported that notice of such public hearing had been published in the June 4 and 11, 1998, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, the Planning Commission at its regular meeting held on June 10, 1998, recommended to Council that the rezoning be approved; and

WHEREAS, Steven Viar, property owner, appeared before the Council explaining the proposed rezoning to Council; and

WHEREAS, the staff noted the following: these buildings, while part of a larger tract zoned R-M and containing the Bonnevillle Court Mobile Home Park, have been used in a commercial capacity for many years; their location on East Main Street clearly establishes the legitimacy of the proposed zoning over the existing R-M zoning; the existing buildings were once the offices and shops of the owner of the mobile home park and became more and more nonconforming over the years; and if the rezoning is not approved, it will be necessary for the businesses located in these buildings to move; and

WHEREAS, no one appeared in opposition to said rezoning;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, an ordinance entitled "AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA," was duly passed and adopted on first reading -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley reported that this date and time had been set to hold a public hearing to consider the request of United Dominion Realty Trust, Inc., property owner, for rezoning property located at 101-148 Rutledge Drive from Residential District R-3 to Residential District R-4; and

WHEREAS, the Clerk of Council reported that notice of such public hearing had been published in the June 4 and 11, 1998, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, the Planning Commission at its regular meeting held on June 10, 1998, recommended to Council that the rezoning be approved; and

WHEREAS, no one appeared in support of or in opposition to said rezoning;

ON MOTION MADE BY COUNCILMAN HASKINS, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, an ordinance entitled "AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING

GIFTS GIVEN
TO THE
CONTESTANTS
OF THE
VIRGINIA
JUNIOR MISS
PROGRAM

REQUEST OF
MICHAEL
GARST TO
VACATE A
PORTION OF
50 FOOT
RIGHT OF WAY
IN THE CITY
OF SALEM
ALLOWED TO
BE WITHDRAWN
WITHOUT
PREJUDICE
ORDINANCE
PASSED ON
FIRST
READING
REZONING
PROPERTY OF
STEVEN R.
VIAR,
PROPERTY
OWNER, BEING
A 0.453 AC
PORTION OF
3.7 ACRE
TRACT
LOCATED IN
THE 1300
BLOCK OF
EAST MAIN
STREET FROM
R-M TO B-C

ORDINANCE
PASSED ON
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PROPERTY OF
UNITED
DOMINION
REALTY
TRUST, INC
PROPERTY
OWNER,
LOCATED AT
101-148
RUTLEDGE
DRIVE FROM
R-3 TO R-4

DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA," was duly passed and adopted on first reading -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider the request of Total Action Against Poverty in the Roanoke Valley for renewal of lease on the Old Norfolk and Western Railway Passenger Station for the Head Start Program for the period July 1, 1998, through June 30, 1999; and

WHEREAS, it was noted that the lease, if approved, will be under the same terms and conditions as in previous years, and the fair rental value of this property is \$10,000 per year, which is one of the City's contributions to TAP;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the lease for the Old Norfolk and Western Railway Passenger Station by the Total Action Against Poverty of the Roanoke Valley for the Head Start Program is hereby renewed for the period July 1, 1998, through June 30, 1999 -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider authorizing the City to act as fiscal agent for Blue Ridge Community Services of the Roanoke Valley, Court-Community Corrections Regional Community Criminal Justice Board, and Cardinal Criminal Justice Academy for the period July 1, 1998, through June 30, 1999; and

WHEREAS, it was noted that the City has acted as fiscal agent for each of these entities for a number of years and has experienced no difficulty in acting in this capacity; and

WHEREAS, each of these agencies fully reimburses the City for all costs which it may incur to include salaries, fringe benefits, materials and supplies, audit fees, and all other contractual related items; and further, these agencies provide the City a modest fee for services provided;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, the proper City officials are hereby authorized to execute contracts for the City to act as fiscal agent for the Blue Ridge Community Services of the Roanoke Valley, Court-Community Corrections Regional Community Criminal Justice Board, and Cardinal Criminal Justice Academy for the fiscal year 1998-1999 under the same terms and conditions as in previous years -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider closing City offices to the public on Tuesday, June 30, 1998, from 8 a.m. until 1 p.m. to facilitate the annual audit; and

WHEREAS, the Director of Finance requested that Council allow the offices of the City Treasurer, Utility Collections, Finance Department, and Commissioner of the Revenue to be closed to the public with all employees working on Tuesday, June 30, 1998, from 8:00 a.m. to 1:00 p.m. to facilitate the audit for the fiscal year 1997-1998; and

WHEREAS, it was noted that the Building Official's Office would be open, but no permits would be issued before 1:00 p.m. on Tuesday, June 30, 1998;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the offices of the City Treasurer, Utility Collections, Commissioner of the Revenue, and Finance Department will be closed to the public with employees working on Tuesday, June 30, 1998, from 8:00 a.m. to 1:00 p.m. to facilitate the annual audit for the fiscal year 1997-1998 -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, in accordance with Section 2.1-344 (A) of the Code of Virginia, 1950 as amended to date, Council convened to Executive Session at 7:35 p.m. for the purpose of discussing the following specific matters:

- (1) Discussion of a real estate matter pertaining to property the City may desire to sell and property the City may desire to purchase, which is authorized by Section 2.1-344 (A) (3) of the Code of Virginia, 1950 as amended to date; and
- (2) Discussion of a legal or contractual matter pertaining to receiving a briefing by legal counsel regarding pending litigation, which is authorized by Section 2.1-344 (A) (7) of the Code of Virginia, 1950 as amended to date;

-- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Upon reconvening at 8:29 p.m.;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, in accordance with Section 2.1-344.1 (D) of the Code of

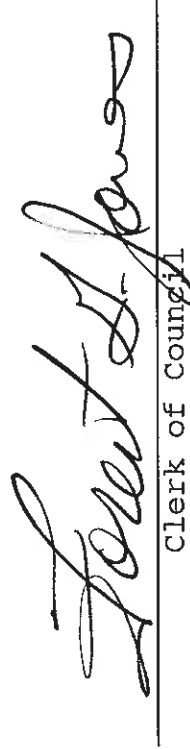
Virginia, 1950 as amended to date, Council hereby certifies that in Executive Session only items lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such items identified in the motion by which the Executive Session was convened were heard, discussed, or considered by the Council -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the City of Salem agrees to a consent order with the Department of Environmental Quality for a time schedule for the City of Salem Water Treatment Plant -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, Jessica Paxton, 620 Carrolton Avenue, is hereby appointed to the Salem Transportation Safety Commission as a Student Representative for a three-year term, said term will expire on June 30, 2001 -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

There being no further business to come before the Council, the same on motion adjourned at 8:32 p.m.


Mayor


Clerk of Council

July 1, 1998

An organizational meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on July 1, 1998, at 9:00 a.m., there being present all the members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, Howard C. Packett, John C. Givens, and Harry T. Haskins, Jr.; together with Lawrence L. Koontz, Jr., Justice, Supreme Court of Virginia; Randolph M. Smith, City Manager; Forest G. Jones, Assistant City Manager and Clerk of Council; Angela A. Sellers, Assistant Director of Finance; and G. Chance Crawford, Clerk of Salem Circuit Court; and the following business was transacted:

It was noted that, in accordance with Section 4.6 (a) of the Charter of The Code of the City of Salem, Virginia, this date and time had been designated as an organizational meeting of Council due to the election of members of Council and the expiration of the terms of the Mayor and Vice Mayor of the City of Salem; and

WHEREAS, it was noted that the Deputy Clerk of Council notified the News Media by telephone on June 30, 1998, of this meeting;

ON MOTION MADE BY COUNCILMAN HASKINS, SECONDED BY VICE MAYOR BROWN, AND DULY CARRIED, Randolph M. Smith, City Manager, is hereby elected Temporary Chairman of the Council for this meeting of Council -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

WHEREAS, the Temporary Chairman reported that Carl E. Tarpley, Jr., and John C. Givens were reelected on May 5, 1998, to Salem City Council for four-year terms, said terms commencing July 1, 1998, and ending June 30, 2002; and

WHEREAS, Lawrence L. Koontz, Jr., Justice, Supreme Court of Virginia, administered the Oaths of Office required by law as a member of Council to Carl E. Tarpley, Jr., and John C. Givens; and

WHEREAS, G. Chance Crawford, Clerk of the Circuit Court for the City of Salem, will record the Oaths of Office; and

WHEREAS, the Temporary Chairman stated the next order of business is to elect a Mayor for the City of Salem for a two-year term and Vice Mayor for the City of Salem for a two-year term; and

WHEREAS, Carl E. Tarpley, Jr., was nominated for the office of Mayor of the City of Salem;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, nominations were hereby closed for office of Mayor, and Carl E. Tarpley, Jr., was hereby elected Mayor for the City of Salem for a two-year term beginning July 1, 1998, and ending June 30, 2000 -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

THEREUPON, Lawrence L. Koontz, Jr., Justice, Supreme Court of Virginia, administered the Oath of Office required by law to Carl E. Tarpley, Jr., for the office of Mayor, and the same was ordered filed by G. Chance Crawford, Clerk of Circuit Court, with the records of Council.

WHEREAS, Mayor Tarpley assumed the duties of the presiding officer and requested nominations for the office of Vice Mayor; and

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WHEREAS, Alexander M. Brown was nominated for the office of Vice Mayor of the City of Salem;

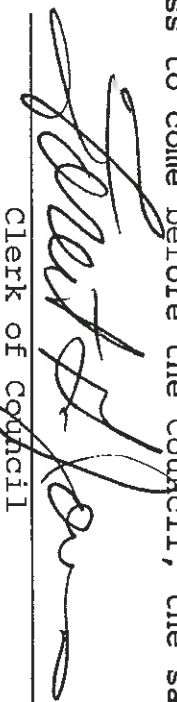
ON MOTION MADE BY COUNCILMAN PACKETT, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, nominations were closed for the office of Vice Mayor of the City of Salem, and Alexander M. Brown was hereby elected Vice Mayor of the City of Salem for a two-year term beginning July 1, 1998, and ending June 30, 2002 -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

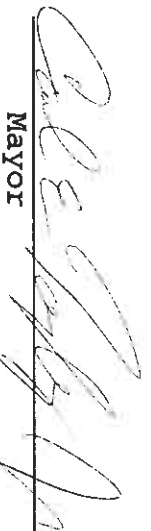
THEREUPON, Lawrence L. Koontz, Jr., Justice, Supreme Court of Virginia, administered the Oath of Office required by law to Alexander M. Brown for the office of Vice Mayor, and the same was ordered filed by G. Chance Crawford, Clerk of Circuit Court, with the records of Council.

Kenneth D. McCauley, Secretary of the City of Salem Electoral Board, and Georgia L. Firebaugh, Registrar for the City of Salem, presented a framed Certificate of Election to Carl E. Tarpley, Jr., and John C. Givens on behalf of the City of Salem Electoral Board and the City of Salem Registrar's Office.

Mayor Tarpley thanked members of Council for their confidence; and he thanked the citizens of Salem, the city administration, and Council for the help given to him.

There being no further business to come before the Council, the same on motion adjourned at 9:11 a.m.


Clerk of Council


Mayor

July 13, 1998

A regular meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on July 13, 1998, at 7:30 p.m., there being present all the members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, Howard C. Packett, John C. Givens, and Harry T. Haskins, Jr.; with Carl E. Tarpley, Jr., Mayor, presiding; together with Randolph M. Smith, City Manager; Forest G. Jones, Assistant City Manager and Clerk of Council; Frank P. Turk, Director of Finance; James E. Taliaferro, II, City Engineer; Joseph E. Yates, Jr., Director of Planning and Development; and Stephen M. Yost, City Attorney; and the following business was transacted:

The minutes of the regular meeting of June 22, 1998, and organizational meeting of July 1, 1998, were approved as written.

The report by the City Manager of the City's activities for the month of May, 1998, was received and ordered filed.

Mayor Tarpley reported that Council at its regular meeting held on June 22, 1998, passed an ordinance on first reading rezoning the property of Steven R. Viar, property owner, being a 0.453 acre portion of a 3.7 acre tract, located in the 1300 block of East Main Street from Mobile Home Courts District R-M to Business Commerce District B-C;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the following ordinance was duly passed and adopted on second reading:

AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Section 106-7, Article I, Chapter 106 of The Code of the City of Salem, Virginia, relating to building district boundary lines be amended in the following particular and no other, viz:

That the following described property in the City of Salem, being property of Steven R. Viar, property owner, being a 0.453 acre portion of a 3.7 acre tract located in the 1300 block of East Main Street, be and the same is hereby changed from Mobile Home Courts District R-M to Business Commerce District B-C and the map referred to shall be changed in this respect and no other, said property being described as follows:

BEGINNING at an iron pin at the intersection of East Main Street (U. S. Route 11-460) and the Norfolk & Southern Railroad (Catawba Branch); thence with the south right of way of East Main Street, S. 77° 05' 16" W. 160.00 feet to a point; thence through the Steven R. Viar property S. 12° 02' 00"

E. 115.00 feet to a point; thence continuing through the Steven R. Viar property, S. 79° 54' 26" E. 120.00 feet to an iron pin on the western right of way of the Norfolk and Southern Railroad (Catawba Branch); thence with the Norfolk and Southern right of way with a curve to the left, chord bearing N. 04° 40' 24" E., chord length of 169.82 feet and radius of 1067.00 feet and curve length of 170.00 feet to the BEGINNING, containing 0.453 acres and being a portion of Tax Parcel No. 81-3-2 and as recorded in Deed Book 252, page 237, in the office of the Clerk of the Circuit Court for the City of Salem, Virginia.

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

This ordinance shall be in full force and effect ten (10) days after its final passage.

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

- Harry T. Haskins, Jr. - Aye
- John C. Givens - Aye
- Howard C. Packett - Aye
- Alexander M. Brown - Aye
- Carl E. Tarpley, Jr. - Aye

Passed: July 13, 1998
Effective: July 23, 1998


Mayor

Mayor Tarpley reported that Council at its regular meeting held on June 22, 1998, passed an ordinance on first reading rezoning the property of United Dominion Realty Trust, Inc., property owner, located at 101-148 Rutledge Drive from Residential District R-3 to Residential District R-4;

ON MOTION MADE BY COUNCILMAN GIVENS, SECONDED BY VICE MAYOR BROWN, AND DULY CARRIED, the following ordinance was duly passed and adopted on second reading:

AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Section 106-7, Article I, Chapter 106 of The Code of the City of Salem, Virginia, relating to building district boundary lines be amended in the following particular and no other, viz:

That the following described property in the City of Salem, being property of United Dominion Realty Trust, Inc., property owner, being property located at 101-148 Rutledge Drive, be and the same is hereby changed from Residential District R-3 to Residential District R-4 and the map referred to shall be changed in this respect and no other, said property being described as follows:

TRACT A

COMMENCING at a point on the easterly side of Craig Avenue where said Craig Avenue intersects with North Mill Road said point being the northwesterly corner of R. B. Brickey property recorded in Deed Book 348, page 335, as shown on a plat by T. P. Parker and Son entitled "Craig Manor" and being recorded in Plat book 1, page 70, in the Clerk's Office of the Circuit Court for the City of Salem, Virginia; thence from said point S. 25° 33' 00" E. 25.00 feet to a point, said point being the actual place of BEGINNING; thence from said point of beginning S. 25° 33' 00" E. 100.00 feet to a pipe designated as number 3 as shown on the above mentioned T. P. Parker plat; thence S. 77° 13' 01" E. 143.50 feet to a 12 inch locust designated as number 4 as shown on the above mentioned plat; thence N. 71° 32' 17" E. 551.73 feet to a pin designated as number 5 as shown on the above mentioned plat, said point number 5 being on the western edge of a 50-foot right of way known as Rutledge Circle; thence with said right of way S. 36° 36' 30" E. 100.20 feet to a pin; thence with a curve to the right with a radius of 25.00 feet, an arc length of 47.19 feet, a chord bearing of S. 17° 27' 53" W. and a chord distance of 40.49 feet to a pin on the northern edge of a 50-foot right of way known as Rutledge Drive; thence with said right of way S. 71° 32' 17" W. 482.17 feet to a point; thence still with said right of way with a curve to the right, with a radius of 305.69 feet, an arc length of 165.80 feet, a chord bearing of S. 87° 04' 35" W. and a chord distance of 163.78 feet to a point; thence still with said right of way N. 77° 23' 07" W. 194.61 feet to a point; thence with a curve to the right with a radius of 25.00 feet, an arc length of 48.56 feet, a chord bearing of N. 21° 44' 38" W. and a chord distance of 41.28 feet to a point on the eastern edge of the right of way known as Craig Avenue; thence with said right of way N. 33° 53' 51" E. 149.53 feet to the actual place of BEGINNING, containing 2.41 acres and being known as Tract "A" as shown on the above mentioned T. P. Parker and Son Plat.

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TRACT B

COMMENCING at a point on the eastern edge of Craig Avenue designated as point number one as shown on a plat by T. P. Parker and Son entitled "Craig Manor" and being recorded in Plat Book 1, page 70, in the Clerk's Office of the Circuit Court of the City of Salem, Virginia, said point number one being where the southern edge of a 50 foot right of way known as Rutledge Drive, intersects the eastern edge of the right of way of Craig Avenue; thence, from said point number one, still with said 50 foot right of way S. 77° 23' 07" E. 244.64 feet to a point, said point being the actual place of BEGINNING, thence still with said right of way with a curve to the left, with a radius of 355.69 feet, an arc length of 192.92 feet, a chord bearing of N. 87° 04' 35" E. and a chord distance of 190.57 feet to a point; thence still with said right of way N. 71° 32' 17" E. 515.51 feet to a point; thence with a curve to the right, with a radius of 25.00 feet, an arc length of 31.35 feet, a chord bearing of S. 72° 32' 07" E. and a chord distance of 29.34 feet to a pin on the western edge of a 50-foot right of way known as Rutledge Circle; thence with said 50-foot right of way S. 36° 36' 30" E. 348.35 feet to a bolt designated as point number 6 on the above mentioned plat; thence leaving said 50-foot right of way S. 82° 52' 10" W. 257.96 feet to a pin designated as point number 7 on the above mentioned plat; thence N. 77° 23' 07" W. 675.36 feet to the actual place of BEGINNING, containing 3.12 acres, and being known as Tract B as shown on the above mentioned T. P. Parker and Son plat.

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

This ordinance shall be in full force and effect ten (10) days after its final passage.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Passed: July 13, 1998
Effective: July 23, 1998


Mayor

Mayor Tarpley requested that Council receive a presentation from Robert A. Craighead, representative of the City of Salem on the New River Valley Commerce Park Study Committee; and

WHEREAS, Robert A. Craighead, representing the New River Valley Commerce Park Study Committee, appeared before the Council explaining the status of the proposed Virginia Headwaters Regional Industrial Facility Authority, the New River Valley Commerce Park Project, and related matters; of the eighteen political subdivisions invited to join the Regional Authority, five political subdivisions are now committed (Giles and Pulaski Counties, the City of Radford, and the towns of Dublin and Pearisburg); the main thrust of the study committee is the development of the New River Valley Commerce Park Project adjoining the Dublin Airport, the project was explained, and he recommends the City not participate in this Commerce Park project for the following reasons: the exceptionally high cost connected with this project as it is being designed to accommodate a specific industry, no industry of this type has expressed interest in the location, and there is only a remote likelihood that one will be found as the unstable cavernous limestone terrain does not lend itself to microelectronics manufacturing; the possibility of obtaining property at the Radford Army Ammunition Plant Property in Dublin was discussed; should Salem decide to join the Regional Authority and the RAAP property is released for economic development purposes, he strongly recommends Salem participate in this project; the creation of the Virginia Headwaters Regional Industrial Facility Authority was explained with it being noted that membership to the Authority would not obligate any locality to participate in the New River Valley Commerce Park Project or any other project that the locality does not desire to participate in; he recommends Salem consider becoming a member of the authority subject to the City Attorney approving from a legal standpoint the provisions of the creating ordinance and agreement; and should Council accept membership in the Regional Authority, its membership should be conditioned upon reaching an agreement with the study committee on certain language; and

WHEREAS, a full discussion was held by Council concerning membership and contribution to this committee; and

WHEREAS, Mayor Tarpley stated it is his opinion that, since Salem is 90% to 95% built out, Salem should participate in the Authority; and

WHEREAS, Vice Mayor Brown questioned whether any large industry had contacted the committee about a site and stated his opinion that the City should study the proposal with the City Attorney obtaining additional information pertaining to membership; and

WHEREAS, Councilman Packett questioned whether only one site would be developed--either the RAAP or the commerce park at Dublin; and

WHEREAS, a full discussion was held pertaining to joining and contributing to the Authority;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, the Council of the City of Salem hereby authorizes Salem's participation in the Virginia Headwaters Regional Industrial Facility Authority and appropriates \$5,000 from the Unappropriated Balance of the 1998-1999 budget to help defray the initial expenses for the Authority, subject to approval of satisfactory rewording of Article VII of the Agreement by the City Staff and the City Attorney -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider separate lease requests for the Glenvar Water Treatment Plant property and Little Brushy Mountain; and

WHEREAS, James E. Garner, Senior Project Manager of DanCell, Inc., appeared explaining said request to Council and stated U. S. Cellular has offered the sum of \$10,000 to purchase the property (approximately 1/2 acre in the northeast corner of the Glenvar Water Treatment Plant) and a permanent access/utility easement to the property; and

WHEREAS, the City Manager noted that the Council has delayed action on two requests for telecommunications providers to construct antennas on City owned property in Roanoke County from the June 8, 1998, meeting; U. S. Cellular has received approval from Roanoke County to construct a 120 foot monopole on a portion of the City's property at the Glenvar Water Treatment Plant (northeast corner of the property next to the right of way of I-81 and near the water tank); the monopole will replace the one requested at Salem Stadium; DanCell, Inc., is offering to purchase a .33 acre parcel of land and include an easement from West Main Street to the lot for \$10,000 following the existing access road to the Plant; and if the City is not interested in the sale of the property, U. S. Cellular desires a lease agreement for the same site and access road at the rate of \$350.00 per month for five years and renewable in five year increments; and

WHEREAS, the City Manager noted that the second agreement is with CFW Wireless and involves City owned property on Little Brushy Mountain in Roanoke County on the site of our existing Police Department radio transmitter and antenna; CFW has received approval from Roanoke County to construct a minimum of a 100 foot tower on City property to replace the existing 50 foot police radio tower; CFW will clear the site and construct the newer tower at no expense to the City; CFW will move the City's equipment to the new tower and supply a propane generator for both the City's and CFW's use during emergencies; CFW will erect a 16 x 20 foot cinderblock building to house the City's radio equipment; the City will own the tower and building and, in exchange, CFW will be allowed to locate their antennas on the tower at no charge; CFW will bear the cost of clean-up and site improvements in exchange for their transmission capabilities on the mountain; and

WHEREAS, the City Attorney noted that the City can only lease for five years or less due to the fact that more than a five year lease requires advertising for bids, ordinances, etc., creating a long and difficult process; the City may need to subdivide the site for this construction, etc.; and

WHEREAS, Councilman Packett questioned, if the Glenvar Water Treatment Plant property became an industrial site, would this create a problem with the tower; and

WHEREAS, a full discussion was held concerning said requests;

ON MOTION MADE BY COUNCILMAN PACKETT, SECONDED BY VICE MAYOR BROWN, AND DULY CARRIED, the City is hereby authorized to sell a 0.33 acre parcel of land located in the northeast corner of the property adjacent to the Interstate 81 right of way and near the water tank on the property of the Glenvar Water Treatment Plant in the amount of \$10,000, subject to approval by the City Attorney of a contract being drawn by DanCell, Inc. -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

ON MOTION MADE BY COUNCILMAN GIVENS, SECONDED BY VICE MAYOR BROWN, AND DULY CARRIED, a lease agreement is hereby approved with CFW Wireless for City owned property on Little Brushy Mountain for a five-year period -- the roll call vote being as follows: Harry T. Haskins, Jr. - not voting as he left the meeting for a short period; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider an ordinance with emergency provisions amending Chapter 82, Article V, Section 82-137 of The Code of the City of Salem, Virginia, pertaining to transient lodging tax; and

WHEREAS, a full discussion was held concerning increasing the transient lodging tax from four percent to five percent, which would generate an extra \$40,000 a year in revenue and would be consistent with other jurisdictions;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the following ordinance was duly passed and adopted with emergency provisions to become effective August 1, 1998:

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AN ORDINANCE TO AMEND, REVISE, AND REORDAIN SECTION 82-137, ARTICLE V, CHAPTER 82, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, PERTAINING TO TRANSIENT LODGING TAX.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Chapter 82, Article I, Section 82-137, of The Code of the City of Salem, Virginia, be amended, revised, and reordained to read as follows:

CHAPTER 82
TAXATION
Article V. Transient Lodging Tax

Sec. 82-137. Levy of tax; amount.

There is hereby imposed and levied by the city on each transient a tax equivalent to ~~four percent~~ five percent of the total amount paid for lodging, excluding any other taxes levied thereon, by or for any transient to any hotel. Such tax shall be collected from such transient by the person providing such lodging at the time and in the manner provided in this article. In computation of this tax, any fraction of one-half cent or more shall be treated as one cent.

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

WHEREAS, in the opinion of Council an emergency exists, therefore, the fact of the existence of such emergency is hereby now declared to exist and this ordinance is so adopted and shall become effective August 1, 1998.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Passed: July 13, 1998
Effective: August 1, 1998


Mayor

Mayor Tarpley requested that Council consider approving an amendment to the Library Automation Contract; and

WHEREAS, the City Manager explained to Council the amendment to the Library Automation Contract moves the Library Coordinator's position out of the employ of Roanoke City due to the fact that Salem, Roanoke County, and Botetourt pay almost 70% of the position's salary and benefits and were getting 50% of the position's time; Roanoke County has agreed to put the position in its employ as described in the amendment; the amendment will allow the libraries to adapt to future technology configurations; the changes will not cost the City any additional monies; and the amendment will help to have more control over support services costs as technology needs change; and

WHEREAS, a discussion was held concerning said amendment;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the proper City officials are hereby authorized to execute the amendment to the Library Automation Contract -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider adopting Resolution 898 closing Main Street from Thompson Memorial Drive west to Chestnut Street and Lewis Avenue on September 12, 1998, for Olde Salem Days festivities; and

WHEREAS, a discussion was held concerning said closing;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, Resolution 898 was duly passed and adopted:

RESOLUTION 898

WHEREAS, the Salem Jaycees have planned activities in the downtown area of Salem to involve citizens on September 12, 1998, from 7:00 a.m. to 6:00 p.m. that will require the closing of Main Street (Route 460) between Chestnut Street and Lewis Avenue to Thompson Memorial Drive; and

WHEREAS, Council concurs in the request from the Salem Jaycees for the closing of Main Street for this date and time and has developed alternate routing for traffic around the downtown area; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Council doth request the Virginia Department of Transportation to concur and approve Council's request to allow the closing of Main Street (Route 460) between Chestnut Street and Lewis Avenue to Thompson Memorial Drive on September 12, 1998;

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Virginia Department of Transportation.

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

Harry T. Haskins, Jr. - Aye
 John C. Givens - Aye
 Howard C. Packett - Aye
 Alexander M. Brown - Aye
 Carl E. Tarpley, Jr. - Aye

Mayor Tarpley requested that Council consider moving and vacating an easement on West Salem Baptist Church property (Turner Road); and

WHEREAS, Mayor Tarpley noted that the petitioners have requested that consideration of this request be continued due to the fact that the deed of vacation of the old water line easement and the deed of dedication of the new water line easement have not been prepared;

THEREUPON, the request for moving and vacating an easement on West Salem Baptist Church property on Turner Road is hereby continued.

Mayor Tarpley requested that Council receive presentation as to options regarding construction of new Water Treatment Plant; and

WHEREAS, Stewart Lassiter of Finkbeiner, Pettis & Strout, Inc., appeared before the Council stating the following items need to be discussed and a decision made if the existing Fourth Street Water Treatment Plant will be upgraded and expanded or a new water treatment plant built: alternatives available to provide 8 Million Gallons Daily of treatment capacity (upgrade and expand Fourth Street Water Treatment Plant or construct a new Water Treatment Plant); advantages and disadvantages of each option; and opinion of Probable Construction Cost for each alternative; and

WHEREAS, Mr. Lassiter noted the following advantages of a new Water Treatment Plant: final product will have all new facilities with significantly longer useful life; less unknowns in regard to existing underground piping and facilities; reduced allowance for construction contingencies; reduced cost of technical services; it is anticipated that 4th Street WTP will operate with minimal interruptions during construction of the new plant; significantly reduce (or eliminate) the need to depend on other entities to supply water during construction; less risk to water supply interruptions during construction, thereby minimizing potential negative impact on customers, cost for new plant is essentially the same as for rehabilitation and expansion of existing plant (cost for new 8.0 MGD WTP is estimated to be \$15,100,000 and upgrade and expansion of 4th Street WTP is estimated to be \$14,800,000 or a difference of approximately \$300,000); and

WHEREAS, Mr. Lassiter noted that, based on the factors identified and discussed previously, the advantages listed above and previous water treatment plant experience of FPS, it is recommended that the City proceed with design and construction of a new 8.0 MGD WTP rather than rehabilitating and expanding the existing 4th Street WTP;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, Council authorized that a new water treatment plant be constructed on West Calhoun Street at an approximate cost of \$15,100,000 instead of upgrading the existing 4th Street Water Treatment Plant -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

WHEREAS, Mr. Lassiter noted that FPS is in the process of developing a final design for a 2.5 million gallon water storage tank; the City had planned to replace the aging Morwanda Park Water Tank with one that could store an additional 2 million gallons; and the geotechnical report of the Morwanda Park site shows that some of the limestone below the surface has seeped out leaving a gap, it will be more costly to put a water tank at this location, and it would cost approximately \$500,000 in additional site preparation to use the Morwanda Park site; and

WHEREAS, it was noted that geotechnical work for each additional water tank site would amount to approximately \$6,000 per site; and

WHEREAS, Council is of the opinion that FPS should test additional sites to include the former Elizabeth Campus property presently owned by the City;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, Finkbeiner, Pettis, and Strout, Inc., and City administration are hereby authorized to locate additional sites for a water storage tank -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, in accordance with Section 2.1-344 (A) of the Code of Virginia, 1950 as amended to date, Council convened to Executive Session at 8:37 p.m. for the purpose of discussing the following specific matters:

- (1) Discussion of a real estate matter pertaining to property the City may desire to sell and property the City may desire to purchase, which is authorized by Section 2.1-344 (A) (3) of the Code of Virginia, 1950 as amended to date; and
- (2) Discussion of a legal or contractual matter pertaining to receiving a briefing by legal counsel regarding pending litigation, which is authorized by Section 2.1-344 (A) (7) of the Code of Virginia, 1950 as amended to date;

REQUEST FOR
MOVING AND
VACATING AN
EASEMENT ON
WEST SALEM
BAPTIST
CHURCH
PROPERTY ON
TURNER ROAD
CONTINUED

COUNCIL
AUTHORIZES
NEW WATER
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STROUT,
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-- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Upon reconvening at 9:08 p.m.;


ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, in accordance with Section 2.1-344.1 (D) of the Code of Virginia, 1950 as amended to date, Council hereby certifies that in Executive Session only items lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such items identified in the motion by which the Executive Session was convened were heard, discussed, or considered by the Council -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the City is hereby authorized to purchase property at 717 West Calhoun Street in the amount of \$48,100 -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, Council hereby approves a Settlement Agreement with Paul and Gary Duncan Partnership in the amount of \$75,000 for settlement with payment concerning Oakey Field lawsuit -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - nay; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

There being no further business to come before the Council, the same on motion adjourned at 9:13 p.m.


Clerk of Council


Mayor

July 27, 1998

A regular meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on July 27, 1998, at 7:30 p.m., there being present the following members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, Howard C. Packett, and Harry T. Haskins, Jr. (John C. Givens - absent); with Carl E. Tarpley, Jr., Mayor, presiding; together with Forest G. Jones, Assistant City Manager and Clerk of Council; Frank P. Turk, Director of Finance; James E. Taliafferro, II, City Engineer; Joseph E. Yates, Jr., Director of Planning and Development; and William C. Maxwell, Assistant City Attorney; and the following business was transacted:

The minutes of the regular meeting of July 8, 1998, were approved as written.

Mayor Tarpley requested that Council receive a request of the Executive Director of the Roanoke Valley Convention and Visitors Bureau to publicly thank Council for its support of the Bureau; and

WHEREAS, David Kjolhede, Executive Director of the Roanoke Valley Convention and Visitors Bureau, appeared before the Council expressing the Bureau's thanks for the support of the City of Salem;

THEREUPON, said presentation was received.

Mayor Tarpley requested that Council receive a presentation and hold a discussion regarding different alternatives shown for Interstate 73; and

WHEREAS, two members of the City of Salem Planning Commission attended a public hearing that was held at Andrew Lewis Middle School pertaining to the alternate routes for Interstate 73; and

WHEREAS, it was noted that one alternate route for Interstate 73 that is proposed through the western portion of Salem would actually touch the Mowles Springs Park property and would impact the City of Salem very heavily; and

WHEREAS, the Director of Planning and Development appeared before the Council explaining that in 1991 Congress identified Interstate 73 as a high priority corridor from north of Canada to Charleston, South Carolina; West Virginia and North Carolina have selected the corridor for construction of I-73 through their states; Virginia must connect I-73 with Route 460 at West Virginia and Route 220 at North Carolina; in 1994 the corridor was selected in Virginia by the Commonwealth Transportation Board; the corridor is generally a five to seven mile wide corridor following Route 460 through Giles County and Montgomery County to the Smart Road, then following Interstate 81, Route 581, and Route 220 to the North Carolina border; in 1996

the Commonwealth Transportation Board provided funding for a three-year study of the corridor between the Roanoke Valley and North Carolina; the steps for building a roadway are as follows: concept (completed for I-73); the feasibility study (completed for I-73); location study (the present step for the roadway), which consists of studying the different routes and picking alternative routes; and engineering and construction; and

WHEREAS, the Director of Planning and Development further stated that the Federal Highway Administration and the Virginia Department of Transportation are required by the National Environmental Act to follow certain policies, which requires an environmental study and establishment of more than one alternative; the proposed corridor is south of Woodbridge; the corridor was selected due to topography; a study will be made pertaining to all aspects of this corridor with decisions being made at a later date pertaining to the location of the roadway; no money has been budgeted for this construction; etc.; and

WHEREAS, the location study process has five phases: scoping, alternatives, environmental studies, draft environmental statement, and final impact statement; and

WHEREAS, Senator Malfourd W. "Bo" Trumbo appeared before the Council stating that the State is dealing with a potential corridor that runs from West Virginia to North Carolina; two of the routes projected (the northern and southern routes) run through part of his district; the southern route is the route that runs adjacent to West Salem and the northern route runs through Botetourt and Bedford Counties; this roadway construction is a long-time process; he has received numerous telephone calls and letters from citizens concerned about the location of the roadway; and he stated he will look at all factors pertaining to this construction at the appropriate times; and

WHEREAS, Delegate H. Morgan Griffith appeared before the Council stating that it is early in the process as all of the routes have to be studied; he encourages all the citizens and Council to have their input pertaining to this project; VDOT and the State do not have any ulterior motives relative to this project; and he is of the opinion that I-73 is important for the economic development of this region, and it is his opinion that the City and legislators will have input into the path of the roadway at a later date; and

WHEREAS, a full discussion was held concerning this matter, the fact that this project is in the preliminary planning stages, studies have not been completed to determine the need for the project, etc.;

THEREUPON, said presentation was received, and Council is of the opinion that representatives from VDOT be invited to attend the Council meeting to be held on August 24, 1998, to make a presentation pertaining to Interstate 73.

Mayor Tarpley reported that this date and time had been set to hold a public hearing to consider the request of Randolph and Edith Reedy Estate, property owners, for rezoning a 5.72 acre tract located at the intersection of Penguin and Polar Lanes from Agricultural District A-1 to Residential District R-1; and

WHEREAS, the Clerk of Council reported that notice of such public hearing has been published in the July 9 and 16, 1998, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, the Planning Commission at its regular meeting held on July 15, 1998, recommended to Council approval of the requested rezoning; and

WHEREAS, it was noted that the preliminary subdivision for this property was granted at the June meeting of the Planning Commission; rezoning the property to residential zoning category is necessary before final subdivision of the property can be approved; and the proposed request complies with the Future Land Use Plan; and

WHEREAS, David Bess, Jack Bess Land Surveying and representing Barbara Booker, property owner, appeared before the Council explaining the proposed rezoning is being requested in order for Mrs. Booker to develop the property; and

WHEREAS, Mayor Tarpley questioned whether the subdivision plat will contain a clause on the plat, when it is recorded, pertaining to the possible impact of the widening of Interstate 81; and

WHEREAS, Mr. Bess stated that, if the Virginia Department of Transportation finalizes a proposed right of way prior to recordation of this subdivision plat, this will be indicated on the plat; and

WHEREAS, no one appeared in opposition to said rezoning request;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, an ordinance entitled "AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA," was duly passed and adopted on first reading -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - absent; Howard C. Packett - aye; Alexander M. Brown - aye; Carl E. Tarpley, Jr. - aye.

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ORDINANCE
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PROPERTY OF
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AND JANICE
HASKINSON,
PROPERTY
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ATTHEW
HASKINSON,
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PURCHASER,
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-1 TO R-2

Mayor Tarpley reported that this date and time had been set to hold a public hearing to consider the request of Clarence W. and Janice Atkinson, property owners, and Matthew Atkinson, contract purchaser, for rezoning property located at 125 S. Bruffey Street from Industrial District M-1 to Residential District R-2; and

WHEREAS, the Clerk of Council reported that notice of such public hearing has been published in the July 9 and 16, 1998, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, the Planning Commission at its regular meeting held on July 15, 1998, recommended to Council approval of the requested rezoning; and

WHEREAS, it was noted that South Bruffey Street is zoned Business District B-3 and Business Commerce District B-C for the first 150 feet from West Main Street then the zoning changes to Industrial District M-1; all of the residences on this block of South Bruffey Street are "grandfathered," nonconforming structures in an industrial zoning district; a rezoning is necessary to make the zoning conform to the land use; and this is the same scenario that the Council has seen in the past year where the contract purchaser is trying to obtain financing, and the lending institution will not lend the money for a "grandfathered," nonconforming use; and

WHEREAS, Mark Atkinson, representing the property owner and contract purchaser, appeared before the Council explaining the proposed rezoning request, which will allow his son to obtain financing to purchase the property since the lending institution will not lend money on a "grandfathered" use piece of property; and

WHEREAS, no one appeared in opposition to said rezoning request; and

WHEREAS, Mayor Tarpley stated he will be abstaining from voting on this item due to the fact that the contract purchaser will be borrowing money from the bank for which he works;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, an ordinance entitled "AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA," was duly passed and adopted on first reading -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - absent; Howard C. Packer - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - abstaining.

Mayor Tarpley reported that this date and time has been set for a public hearing to consider the request of Eugene W. Bane, Jr., and Rebecca F. Bane, property owners, for the issuance of a Zoning and Use Permit to allow a used car sales lot on the property located at 901 Tennessee Street; and

WHEREAS, the Clerk of Council reported that notice of such public hearing has been published in the July 9 and 16, 1998, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, the Planning Commission at its regular meeting held on July 15, 1998, recommended to Council the denial of the requested rezoning; and

WHEREAS, it was noted that this vacant lot on the corner of Seventh and Tennessee Streets is zoned Business District B-3; the size (50 X 150) and location (corner lot) of the property make its use for anything except a business almost impossible; the corner lot setback requirement of the Zoning Ordinance for a residential lot is 25 feet from both streets; because of the proximity to residences, the storage of inoperative vehicles or automobile parts should be prohibited; and the number of vehicles stored on the lot for sale may be limited by the size of the lot; and

WHEREAS, Jyke Jones of Jones & Jones Associates Architects, representing the property owners, appeared before the Council explaining the proposed Zoning and Use Permit request to allow the storage of recreational vehicles in an enclosed building and a limited amount of used car sales on the remainder of the property; the proposed building will be approximately 2,500 square feet; the building will contain an area for two recreational vehicles to be stored, a preparation area, and an office area; he explained that a prep area in the proposed building would only be used for clean up of vehicles and not mechanical work; they will not have more than twelve vehicles on the lot at any one time; in order to obtain a license from the Division of Motor Vehicles, a license for ten vehicles is required; there will probably not be more than four to five vehicles on this lot at any one time; the building will be a split-face masonry and vertical-rib masonry construction; there will be landscaping around the portion of the lot not covered with vehicles; the lot is presently zoned Business District B-3 which allows commercial use; this use is less intensive than other allowable uses in B-3 zoning; the building will be of contemporary design; there will be no abandoned vehicles stored on this lot; cars will be located on the west side of the building; the construction of the building as explained would be allowed under the B-3 zoning without action by Council; the only request before Council is to allow the sale of used cars; and if the lot were zoned residential, the maximum size house that would be allowed would be 7 feet wide and 105 feet deep due to setback requirements for this corner lot; and

WHEREAS, Sam Dodson, 904 Tennessee Street, appeared before the Council stating that there are six private or residential properties that have fallen to commercial enterprises during the past six months, which is detrimental to the enjoyment and valuation of her property and the other properties in the neighborhood; Mr. and Mrs. Bane own other properties within the City of Salem that could be used for a used car sales lot; and there are presently enough used car sales lot between East Main Street and Fourth Street; and

WHEREAS, Jennifer Fitzgerald, 905 Tennessee Street, appeared before the Council in opposition to the request stating her house is adjacent to the vacant lot; it is her opinion that construction of a business at this location will not be good for the neighborhood; and the construction will downgrade adjacent properties; and

WHEREAS, it was noted that the Fitzgerald property is also zoned Business District B-3; it was noted that, due to the fact that the Bane property is zoned Business District B-3, a commercial building can be constructed on this property without action by Council; in order to protect the neighborhood, the property owners would have to request a rezoning of the existing properties zoned Business District B-3 from a business to a residential zoning; and

WHEREAS, a full discussion was held concerning said request and the fact that other properties in the neighborhood are zoned Business District B-3; and

WHEREAS, Cody Dodson, 904 Delaware Street, appeared before Council stating that Mr. Bane should build the used car sales lot in his neighborhood as it would be an eyesore everyday that she would have to look at on her way to school at Andrew Lewis Middle School, there is too much commercial traffic in her neighborhood at the present time, etc.; and

WHEREAS, Richard H. Stafford, 826 Tennessee Street, appeared before the Council in opposition to said request due to the fact that this is a very heavily traveled corner, numerous vehicles run the stop signs at this location, numerous wrecks have occurred at this location, and a petition was presented to the Planning Commission of individuals in the area opposed to this request; and

WHEREAS, Karl Shadeck, 319 Seventh Street, directly across the street, appeared before the Council in opposition to said request as there have been numerous wrecks at this intersection, this request would be dangerous for children in the neighborhood, the development would be detrimental to property values, traffic is already a problem, there are already enough car lots in this area, etc.; and

WHEREAS, it was noted that the present zoning would allow a convenience store and other business uses, which could generate more traffic than the used car sales lot; and

WHEREAS, the Assistant City Attorney stated that Council can place conditions on a Zoning and Use Permit; and

WHEREAS, Councilman Packett questioned whether there are restrictions on used car sales lots that require the cars parked at the lots to be operable; and

WHEREAS, Council requested that the Building Official check the car lots on Eighth Street to determine if inoperable vehicles are parked on these lots, lots need mowing, etc.; and

WHEREAS, Councilman Packett stated that, if this request were for rezoning of this property to a business use, he would have a problem with the request; but the property is already zoned for Business District B-3, which permits uses that are far more objectionable than a used car sales lot;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, a Zoning and Use Permit is hereby granted Eugene M. Bane, Jr., and Rebecca F. Bane, property owners, to allow a used car sales lot on the property located at 901 Tennessee Street subject to the following conditions: there will be no more than ten vehicles for sale on this property; there will be no mechanical work performed after 9 p.m. daily; and all security lights on the property will be shaded so as not to disturb the adjacent neighborhood -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - absent; Howard C. Packett - aye; Alexander M. Brown - aye; Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council hold a discussion and consider requesting the City of Salem Planning Commission to hold a public hearing regarding the rezoning of the Elizabeth Campus Property; and

WHEREAS, Mayor Tarpley noted that this is not an advertised public hearing but is an opportunity to discuss options pertaining to this area; the City purchased the property at Elizabeth Campus in August, 1996, for \$1,711,000; and

WHEREAS, during the two-year period, the City has received numerous requests for the parcel of land to be sold, and Council needs to give the City administration guidance as to the possible use of this property; and

WHEREAS, it was noted that the YMCA is discussing with the City the possibility of upgrading the facilities at the YMCA on this property; and

PLANNING
COMMISSION
REQUESTED
HOLD A
PUBLIC
HEARING IN
SEPTEMBER
1998, TO
RECEIVE
CITIZEN
INPUT TO
DETERMINE
USAGE AND
THE
FEASIBILITY
OF REZONING
THE
ELIZABETH
CAMPUS
PROPERTY

WHEREAS, Vice Mayor Brown stated that it is his opinion that the Elizabeth Campus is one of the last greenspaces in Salem; it is his opinion that a ten-year moratorium should be placed on the development of this property; since the City of Salem is approximately 95% built out at the present time, this property should be preserved for future generations; it is his opinion that banking of the property by using trusts is just a tax shelter for certain individuals; as the City is landlocked, new sources of income will have to be found in the future and this property may need to be developed for industry; and

WHEREAS, Councilman Packett stated he is of the opinion that City should take its time to develop this property, but a ten-year moratorium makes him a little afraid for the future Councils that may possibly need revenue from the use of the property for industry to supplement the budget; he noted that the City has real estate taxes and personal property taxes as sources of revenue; and he noted that, if the personal property tax is repealed, new sources of revenue will be needed for the City's budget; and

WHEREAS, Councilman Haskins stated it is his opinion that the matter should be referred to the Planning Commission for a public hearing to receive citizen input and a recommendation from Planning Commission to Council pertaining to use of this property; and

WHEREAS, it was noted that State Law requires the Land Use Plan must be reviewed every five years, and it is due for review in November of this year; and further, the Planning Commission has currently started reviewing the Subdivision Ordinance, the Zoning Ordinance, and the Comprehensive Plan; and

WHEREAS, Councilman Packett questioned whether an inventory had ever been made of privately owned developable land within the City that had not been developed; and

WHEREAS, an inventory has previously been made pertaining to developable land that is not within a floodplain; and a discussion was held concerning developable land, tax increases, etc.; and

WHEREAS, Councilman Packett requested that a schematic drawing be made of the property indicating the possible location of the YMCA, industrial property, business property, retention pond, grove of trees, etc.; and

WHEREAS, John D. Robbins, member of City of Salem Planning Commission, appeared before the Council requesting that the public hearing not be held until September to allow citizens to return from vacation;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, the City of Salem Planning Commission is hereby requested to hold a public hearing in September, 1998, to receive citizen input to determine usage and the feasibility of rezoning the Elizabeth Campus Property -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - absent; Howard C. Packett - aye; Alexander M. Brown - aye; Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider adopting Resolution 899 regarding tipping fees for the Solid Waste Transfer Station; and

WHEREAS, Vice Mayor Brown, Chairman of Council's Audit-Finance Committee, reported that Salem recently signed a new five-year contract with USA Waste effective July 1, 1998, with the City paying a fee of \$40.11 per ton the first month of the contract delivered to their facility; and effective August 1, 1998, the fee will be reduced to \$31.92 per ton (a decrease of \$8.19 per ton); and

WHEREAS, Vice Mayor Brown reported that the City is proposing and the committee concurs that some of the savings be passed to the business community and citizens as follows, and it is hoped that this reduction will generate more garbage at the tipping station:

TIPPING FEES AT SOLID WASTE TRANSFER STATION	
Local Area Governments	- \$49.00 to \$42.00 per ton
Private Non-Profit Institutions	- \$49.00 to \$42.00 per ton
Business and Commercial Haulers	- \$50.00 to \$44.00 per ton
Minimum for any load	- \$25.00 to \$22.00
Salem citizens - private automobiles and pickup trucks	- No charge
Special waste (requiring special handling)	- Actual Cost Plus 10%

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, Resolution 899 was duly passed and adopted:

RESOLUTION 899

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that the following charges for use of the Solid Waste Transfer Station (tipping fees) be established effective August 1, 1998:

Tipping Fee at Solid Waste Transfer Station	
Local Area Governments	- from \$49.00 to \$42.00 per ton
Private Non-Profit Institutions	- from \$49.00 to \$42.00 per ton
Business and Commercial Haulers	- from \$50.00 to \$44.00 per ton
Minimum for any load	- from \$25.00 to \$22.00
Salem citizens - private automobiles and pickup trucks	- No charge
Special Waste (requiring special handling)	- Actual Cost Plus 10%

SOLUTION
9 ADOPTED
REMAINING
TIPPING
ES AT
LID WASTE
ANSFER
ACTION

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

Harry T. Haskins, Jr. - Aye
 John C. Givens - Absent
 Howard C. Packett - Aye
 Alexander M. Brown - Aye
 Carl E. Tarpley, Jr. - Aye

Mayor Tarpley requested that Council receive a report and consider authorizing contract for building an addition at the Cardinal Criminal Justice Academy; and

WHEREAS, Vice Mayor Brown, Chairman of Council's Audit-Finance Committee, reported that at the mid-year budget adjustments it was discussed that the Cardinal Criminal Justice Academy is in need of an addition to accommodate the growing demand for more training space; and the following bids were received for this work:

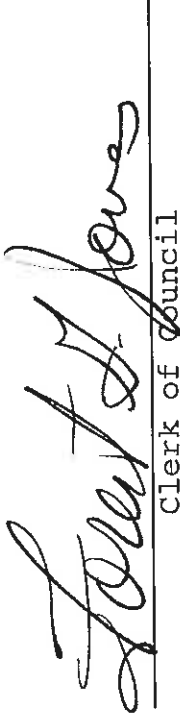
COMPANY	BID
Lucas Construction	\$125,000 - 4 months
R. A. Howard Construction	142,550 - 150 days
Williams Painting and Renovating	179,000 - 150 days

and the Committee recommends the low bid meeting specifications be accepted from Lucas Construction in the amount of \$125,000 to be completed in 4 months for an addition to the Cardinal Criminal Justice Academy, said amount chargeable to the Police Department's New Construction Academy Account (the Academy will pay the City \$50,000 when construction begins and an additional rent allocation of \$20,000 per year for five years);

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, the low bid meeting specifications is hereby accepted from Lucas Construction in the amount of \$125,000 to be completed in 4 months for construction of an addition to the Cardinal Criminal Justice Academy, said amount chargeable to the Police Department's New Construction Academy Account (the Academy will pay the City \$50,000 when construction begins and an additional rent allocation of \$20,000 per year for five years) -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - absent; Howard C. Packett - aye; Alexander M. Brown - aye; Carl E. Tarpley, Jr. - aye.

There being no further business to come before the Council, the same on motion adjourned at 8:43 p.m.


 Mayor


 Clerk of Council

August 10, 1998

A regular meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on August 10, 1998, at 7:30 p.m., there being present all the members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, Howard C. Packett, John C. Givens, and Harry T. Haskins, Jr.; with Carl E. Tarpley, Jr., Mayor, presiding; together with Randolph M. Smith, City Manager; Forest G. Jones, Assistant City Manager and Clerk of Council; Frank P. Turk, Director of Finance; James E. Taliaferro, II, City Engineer; Joseph E. Yates, Jr., Director of Planning and Development; and Stephen M. Yost, City Attorney; and the following business was transacted:

The minutes of the regular meeting of July 27, 1998, were approved as written.

The report by the City Manager of the City's activities for the month of June, 1998, was received and ordered filed.

Mayor Tarpley requested that Council consider adopting Resolution 900 recognizing Addison E. Slayton, Jr., for his many years of dedicated service in the field of emergency services;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, Resolution 900 was duly passed and adopted:

RESOLUTION 900

WHEREAS, Addison E. Slayton, Jr., joined the Virginia Department of Emergency Services in 1974 after distinguished careers with the Virginia Department of Corrections and United States Army Reserve; and

CONTRACT
 AWARDED TO
 LUCAS
 CONSTRUCTION
 FOR ADDITION
 TO CARDINA
 CRIMINAL
 JUSTICE
 ACADEMY

RESOLUTION
 900 ADOPTED
 RECOGNIZING
 ADDISON E.
 SLAYTON,
 JR., FOR
 MANY YEARS
 OF DEDICATED
 SERVICE IN
 THE FIELD OF
 EMERGENCY
 SERVICES

WHEREAS, Addison E. Slayton, Jr., known to many as "Stick", was appointed Coordinator of Emergency Services by Governor Robb in 1985 and reappointed by Governor Baliles in 1986, Governor Wilder in 1990, and Governor Allen in 1994; and

WHEREAS, under this individual's leadership, the Virginia Hazardous Materials Emergency Response Program, as well as other environmental remediation programs, were established and emergency response and relief efforts for flooding and other natural disasters were coordinated saving not only property but lives throughout Salem, the Roanoke Valley, and the entire state; and

WHEREAS, Mr. Slayton has served on numerous hazardous materials response boards and is the current Chairman of the Education and Public Affairs Committee of the National Emergency Management Association as well as past Chairman of the Board of Visitors' National Emergency Training Center; and

WHEREAS, this individual has always taken a personal interest in the safety and response efforts of Salem and the Roanoke Valley and has been an inspiration of all who have served in emergency management; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Council is desirous of honoring Addison E. Slayton, Jr., for his many years of dedicated and faithful service to all citizens in the Commonwealth of Virginia, especially those in the City of Salem, and takes note of his well deserved retirement from the Virginia Department of Emergency Services June 1, 1998.

BE IT FURTHER RESOLVED that a certified copy of this resolution be presented to Addison E. Slayton, Jr.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Mayor Tarpley reported that Council at its regular meeting held on July 27, 1998, passed an ordinance on first reading rezoning the property of Randolph and Edith Reedy Estate, property owners, being a 5.72 acre tract located at the intersection of Penguin and Polar Lanes, from Agricultural District A-1 to Residential District R-1;

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

AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Section 106-7, Article I, Chapter 106 of The Code of the City of Salem, Virginia, relating to building district boundary lines be amended in the following particular and no other, viz:

That the following described property in the City of Salem, being property of Randolph & Edith Reedy Estate, property owner, being a 5.72 acre tract located at the intersection of Penguin and Polar Lanes, be and the same is hereby changed from Agricultural District A-1 to Residential District R-1 and the map referred to shall be changed in this respect and no other, said property being described as follows:

BEGINNING at a point at the northeast intersection of Penguin Lane and Polar Lane; thence with the easterly and southerly side of Polar Lane N. 52° 18' 48" E. 190.86 feet to a point; thence N. 65° 37' 44" E. 243.61 feet to a point; thence N. 82° 51' 54" E. 167.76 feet to a point; thence with a curve to the right which has an arc distance of 77.47 feet and a radius of 132.58 feet to a point; thence S. 63° 39' 24" E. 225.25 feet to a point; thence leaving Polar Lane and with the division line between Tracts 7 and 8, Map of Hanging Rock Orchard (Roanoke County Plat Book 3, Page 92), S. 21° 09' E. 452.99 feet to a point on the north side of Penguin Lane; thence with the north side of Penguin Lane N. 66° 00' W. 445.22 feet to the point of BEGINNING containing 5.72 acres and being the remaining portion of tract 7, Map of Hanging Rock Orchards.

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

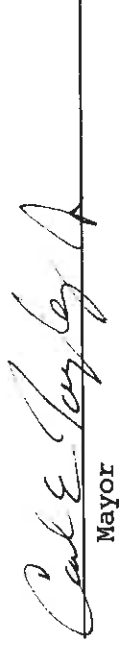
This ordinance shall be in full force and effect ten (10) days after its final passage.

FINANCE
ISSUED ON
SECOND
READING
DURING
THE MEETING OF
THE BOARD OF
ALDERMEN AND
CITY MANAGER
ON
MAY 11, 1998
AT
THE CITY CLERK'S
OFFICE
IN
SALEM,
VIRGINIA

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

Harry T. Haskins, Jr. - Aye
 John C. Givens - Aye
 Howard C. Packett - Aye
 Alexander M. Brown - Aye
 Carl E. Tarpley, Jr. - Aye

Passed: August 10, 1998
 Effective: August 20, 1998


 Mayor

Mayor Tarpley reported that Council at its regular meeting held on July 27, 1998, passed an ordinance on first reading rezoning property of Clarence W. and Janice Atkinson, property owners, and Matthew Atkinson, contract purchaser, located at 125 S. Bruffey Street from Industrial District M-1 to Residential District R-2;

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

AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Section 106-7, Article I, Chapter 106 of The Code of the City of Salem, Virginia, relating to building district boundary lines be amended in the following particular and no other, viz:

That the following described property in the City of Salem, being property of Clarence W. and Janice Atkinson, property owners, and Matthew Atkinson, contract purchaser, located at 125 South Bruffey Street, be and the same is hereby changed from Industrial District M-1 to Residential District R-2 and the map referred to shall be changed in this respect and no other, said property being described as follows:

BEGINNING at an iron pin set on the westerly right of way line of South Bruffey Street, said point being 270.0 feet southerly from the intersection of the westerly right of way line of South Bruffey Street with the southerly right of way line of Tinsley Street; thence with the westerly right of way line of South Bruffey Street, S. 05° 03' 00" E. a distance of 45.00 feet to an iron pin set; thence leaving the right of way line of South Bruffey Street and with the line between Lot 7 and Lot 8, Starkey Subdivision recorded in Plat Book 2, page 75, in the Clerk's Office of the Circuit Court of Roanoke County, Virginia, S. 83° 52' 00" W., a distance of 153.00 feet to an iron pin set on the right of way line of a 15 foot alley; thence with the right of way line of the 15 foot alley, N. 05° 03' 00" W. a distance of 45.00 feet to an iron pin set; thence leaving said 15 foot alley and with the line between Lot 7 and Lot 6, N. 83° 52' 00" E. a distance of 153.00 feet to the place of BEGINNING and being Lot 7, Starkey Subdivision, as shown on Survey for Matthew W. Atkinson by T. P. Parker & Son dated March 27, 1998.

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

This ordinance shall be in full force and effect ten (10) days after its final passage.

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

Harry T. Haskins, Jr. - Aye
 John C. Givens - Aye
 Howard C. Packett - Aye
 Alexander M. Brown - Aye
 Carl E. Tarpley, Jr. - Abstaining

Passed: August 10, 1998
 Effective: August 20, 1998


 Mayor

ORDINANCE
 PASSED ON
 SECOND
 READING
 REZONING
 PROPERTY (C
 CLARENCE I
 AND JANICI
 ATKINSON,
 PROPERTY O
 OWNERS, AI
 MATTHEW
 ATKINSON,
 CONTRACT
 PURCHASER,
 LOCATED AT
 125 S.
 BRUFFEY
 STREET FRC
 M-1 TO R-2

PETITION AND
PRESENTATION
RECEIVED
FROM
PLANNERS OF
STONEGATE
SUBDIVISION
CONCERNING
THE PROPOSED
WIDENING OF
INTERSTATE
AND
ISOLATION
BE
CONSIDERED
JULY 24,
198
RETAINING
INTERSTATE

Mayor Tarpley requested that Council receive a petition from residents of Stonegate Subdivision concerning the proposed widening of Interstate 81, and

WHEREAS, Joseph E. Yates, Jr., Director of Planning and Development, appeared before the Council stating that renderings are available at this meeting prepared by HRD Engineering, consultants hired by the State of Virginia, to study a 43-mile corridor of Interstate 81 from Christiansburg to Buchanan for the purpose of widening Interstate 81; Interstate 81 was built in approximately 1964 in this area; at that time it was designed to handle about 10 to 25 percent truck traffic; at the present time there is approximately 40 to 50 percent truck traffic through this corridor; in this corridor it is proposed that most of the widening will be done to the inside with the median being removed and a stationary concrete median being constructed; there has been no final engineering or design on this project; the maps also show lines representing the lanes, the approximate maximum amount of right of way, construction easements, etc.; the maps do not show stormwater management areas, which could be handled offsite or more right of way may be required; it was noted from just beyond Wildwood Road or Academy Street at Stonegate Subdivision to Route 581 is shown additional two-lane collector/distributor roads on the northbound and southbound Interstate 81, which would require additional right of way; these roads are two-lane high speed roads adjacent to the interstate right of way for local traffic, which potentially could create five lanes in both directions from Red Lane to 581; construction is tentatively scheduled to begin in approximately five years at Exit 150 in Troutville/Daleville/Route 220 working to the south; there will be approximately ten years of construction for the completion of these improvements; no right of way has been acquired for this project; VDOT is attempting to get funding to acquire right of way; until the final engineering and design work are accomplished, there has been no decisions made pertaining to sound walls, retaining walls, etc.; and

WHEREAS, Rob Carey, Virginia Department of Transportation, appeared before the Council explaining the fact that VDOT does not consider noise as an issue unless the project is a federally-funded project; this will be a federally-funded project with some state participation; noise factors are considered in construction of new locations, significant change in the alignment of an existing highway, or an increased number in through lanes; this project is an increased number in through lanes; noise impact criteria is an increase of 10 decibels or more or if the projected noise levels exceed the federal highway administration criteria; the noise abatement criteria sets limits on what is considered an acceptable noise level; undeveloped lands do not have a noise abatement criteria and noise walls are not considered; if a proposed land use plan and schedule have been filed for a parcel of land and approved by the locality prior to the Commonwealth Transportation Board approving the right of way for a roadway, then the land is considered developed and noise abatement is considered; if CTB approves the location of a roadway and development occurs after the approval, the land will not be eligible for noise laws under this criteria, and the locality and the developer should deal with the impact of the noise as part of the development; the criteria for noise walls, vegetative screening, costs for noise walls, etc., were discussed; and

WHEREAS, Councilman Packett noted that in April, 1995, Salem City Council passed Resolution 810 requesting VDOT to include in its studies and plans for improvements to Interstate 81 sound barriers and structures that would lessen the environmental impact of interstate improvements on residential neighborhoods that lie along the proposed route of Interstate 81; and

WHEREAS, a full and lengthy discussion was held concerning the collector roadways, traffic counts on Interstate 81 at Salem, traffic data for Interstate 73, etc.; and

WHEREAS, Jeff Echols, representing VDOT in Salem, appeared before the Council explaining the collector/distributor road will be on the outside of the bridges at Masons Creek, truck lanes have been discussed without success due to the narrowness of the corridors, etc.; and

WHEREAS, George Lester, 1200 Pickwick Lane, appeared before the Council expressing his concerns about truck traffic and suggested that merchandise be moved by trucks on rails rather than on highways; and

WHEREAS, Robert A. Craighead, 1016 Stonegate Drive, appeared before the Council stating that, when he attended the public hearing pertaining to I-81, he was told that there were two alternatives for the Stonegate area; one plan would take property up to the back of the houses along Stonegate Drive adjacent to the interstate so close that at least six or seven houses would be unlivable; there are approximately 50 homes in Stonegate; consideration should be given to areas where homes are taken that are valued at approximately \$200,000 each; there is a power line that would have to be relocated; it is his opinion that Stonegate would meet the criteria for a sound wall; he requested that Council request VDOT to construct a retaining

wall instead of taking additional land for the widening of Interstate 81; and further, it is his opinion that the retaining wall would be less costly than purchasing land, power lines, etc.; and

WHEREAS, Mayor Tarpley questioned if a resolution should be adopted to be forwarded to the federal government requesting sound walls and retaining walls for the widening of I-81; and

WHEREAS, Doug Craighead, 1211 Pickwick Lane, appeared before the Council questioning whether a retaining wall could be constructed at the property of Pickwick Lane up to the bridge; and further, he was told by Fred Altizer of VDOT that a retaining or sound wall could be included in the project if the City of Salem pays a portion of the costs; and

WHEREAS, the representatives of VDOT noted that consideration would be given to the costs for purchasing the homes, the sound walls, the retaining walls, the fact that truck lanes had been considered previously, etc.; and

WHEREAS, Kevin Ledwith, 1076 Stonegate Drive, appeared before the Council stating there is a lot of noisy truck traffic on the interstate, and he requested the additional lanes be taken from the median strip with a retaining wall and a sound wall being constructed on the outer corridor at the residences; and

WHEREAS, Councilman Packett noted that he and Joe Yates are members of the Metropolitan Planning Organization (MPO) and the Fifth Planning District Commission, and every time there is a meeting of either of these organizations this project has been discussed pertaining to construction of retaining walls and sound walls along this project; and

WHEREAS, Roland N. Wine, 1046 Stonegate Drive, appeared before the Council stating that he travels to Northern Virginia in route to Washington, D. C., numerous times in the fall; there are sound walls almost all the way on both sides of Route 66 from Manassas to the District of Columbia with a speed limit of 55 and very little truck traffic; the Peters Creek Road Extension has sound walls with a speed limit of 40 miles per hour with little noise; a conversation cannot be held in his back yard on certain days of the week due to the noise from the truck traffic; and this proposed construction affects the value of all properties in this neighborhood; and

WHEREAS, VDOT representatives noted that the Peters Creek Road Extension and Route 66 noise walls were built under the same criteria that will be used in evaluating Interstate 81 for sound walls; and

WHEREAS, Don Carroll, 1056 Stonegate Drive, appeared before the Council questioning the legal responsibilities pertaining to notification of prospective buyers by existing property owners in selling their properties in these affected subdivisions; and

WHEREAS, Vice Mayor Brown stated that individuals hesitate to purchase property adjacent to the interstate roadway; and

WHEREAS, Councilman Haskins noted that the resolution approved in 1995 does not include the wording for retaining walls; a new resolution needs to be considered by Council requesting retaining walls and sound walls in the widening of Interstate 81; it is requested that the proposed resolution should be included on the Salem Government Cable Access Station Channel 18; and

WHEREAS, Glenn S. Maxwell, 120 Bartley Drive, appeared before the Council stating that the citizens should fight for the quality of life in Salem; and

WHEREAS, Mayor Tarpley noted that there are other citizens in the western part of Salem affected by this widening as well as proposed routing for proposed Interstate 73; and

WHEREAS, J. David Robbins, 620 High Street, appeared before the Council questioning the cost of a sound wall; the thickness of the wall; the possibility of a brick-look barrier as in Raleigh, North Carolina; and the meaning of the statement that an area would qualify if the land use plan is approved by the locality and scheduled; and

WHEREAS, the cost of the sound wall would depend on the elevation of the road, and the elevation of the adjoining property; an area would qualify for sound wall consideration if the land has been approved for a certain land use such as subdivision and the subdivision has been approved by the local governing body; and a specific use needs to be known for a parcel of land in order to evaluate the noise impact; and

WHEREAS, Sherry Reynolds, 546 Litchell Road, appeared before the Council stating she has a problem with putting money for upkeep into a house that

it is known which houses will be needed for construction, could the department expedite the acquisition of the homes in order that the owners will not have to put money in maintenance for a house that will be destroyed; and

WHEREAS, VDOT noted that once the plans are finalized, there should be monies available yearly to purchase certain properties; and

WHEREAS, Ted Lancaster, 1042 Stonegate Drive, appeared before the Council requesting that the Chief Engineer be informed of the concerns of the citizens about the noise from the interstate; how high will the wall be at his house; and if the interstate is widened, it is his opinion a retaining wall and a sound wall should be constructed; and

WHEREAS, the height of the wall will depend on the location of the roadway and the topography of the land; and

WHEREAS, it was noted that the sound wall would be constructed on most bridges depending on the criteria; and

WHEREAS, L. C. Miller, 916 Kenbridge Place, appeared before the Council stating that it is his opinion that Interstate 73 is not needed in this area; why not construct Interstate 73 across Southwest Virginia and keep it out of this area; and the newspapers are stating this I-73 in this area is a political issue that Roanoke wants I-73 in this area; and

WHEREAS, George Lester, 1200 Pickwick Lane, appeared before the Council stating that in February he was told at the hearing that there were two alternatives, which consist of two lanes in the median or construction outside the median; at the hearing last month, there were lanes in the median and collector/distributor lanes were on the outside of the existing roadway; the proposed right of way comes to the corner of his home, and the state will probably purchase his home; the City will lose real estate taxes from the homes that are destroyed; the citizens would like the City to be involved in protecting the homes and quality of life of citizens in Salem; it is his opinion that a retaining wall should be constructed in order for his house not to be purchased for the widening; etc.; and

WHEREAS, Vice Mayor Brown stated that Council will do everything possible to have retaining walls and sound walls included in the construction of additional lanes for Interstate 81;

THEREUPON, Mayor Tarpley stated that a resolution will be considered at the August 24, 1998, meeting of Council pertaining to Interstate 81 and will be displayed on the Salem Government Access Cable Channel 18.

Mayor Tarpley requested that the Council receive a briefing from K.

Douglas Smith, Director of the Salem Electric Department, and Terry McMahan, American Electric Power, regarding the transmission emergency procedures; and

WHEREAS, K. Douglas Smith stated that since July 1, 1998, Salem has been purchasing its energy from Cinergy Corporation; the power is delivered to Salem on the American Electric Power transmission system; since Spring of this year, AEP and the City have been working on a procedure called the Southern Transmission Emergency Procedures (STEP); and this is a series of procedures to be followed in the event that the transmission supply in this area has problems; and

WHEREAS, Terry McMahan, representing AEP, stated that emergency operation plans have always been a part of AEP's plans; the STEP plan is potential steps to be taken in order to prevent the collapse or cascading outage of the entire transmission system; these procedures include as a last ditch effort the institution of rotating blackouts to a large number of customers with the Roanoke area being particularly heavily impacted in the rotating blackouts; the longer AEP is delayed in getting approval to reinforce the transmission system, the more potential there will be for the worst to happen, and the STEP will have to be implemented; and

WHEREAS, the AEP five levels of operation are as follows: STEP Level I (normal) would exist if contingency transmission loadings are less than 90% of the capability of the system and the transmission facility voltages are greater than 95% of nominal, then no action would be necessary; STEP Level II (Alert) would exist if contingency transmission levels are greater than 90% of capacity and the transmission facility voltages are below 95% of nominal, then AEP would insert supervisory controlled shunt capacitors, removing of shunt reactors, and insert series capacitors at Kanawha River; STEP Level III (Warning) would exist if contingency transmission loadings are greater than 95% of capability and the transmission facility voltages stabilize at or below 92% of nominal, then AEP would adjust generation and related measures, curtail non-firm transmission services, and issue a transmission alert (Operation Reserve Warning-ORW) (this is the point when municipalities and coops are notified if system conditions are believed to continue to degenerate); STEP Level IV (Emergency Imminent) would exist if contingency transmission

loadings are greater than 100% of capability and the transmission facility voltages are below 92% of nominal and steadily declining, then AEP would purchase emergency power from the Southeast, request transmission line loading relief, curtail long-term pre-FERC 888 firm transmission service, arm load shedding system, and issue public appeal; and STEP Level V (Emergency - Controlled Rotating Blackouts Initiated) would exist if critical transmission loadings are greater than 100% of capability and critical transmission facility voltages are below 92% of nominal and continuing to decline, then AEP would have controlled blackouts initiated, at the same time request municipals, co-ops, REAs and large industrials to cooperatively shed load, and curtail post-FERC 888, firm transmission service; and the City of Salem would be requested to shed a percentage of their load equivalent to the AEP District percentage requested for the specific scenario, and the load needs to be shed by five minutes after AEP's initial load shed in order to maintain the integrity of the interconnected transmission system; and

WHEREAS, Mr. McMahan stated that, if the Wyoming line were constructed, the load shedding plan would not be required; and

WHEREAS, the Director of the Electric Department stated that the Electric Department has previously established load blocks that would be subject to rotating blackouts depending on the percentage of the load reduction requested by AEP; a 10-15% reduction would be implemented by dropping an entire substation for 10 minutes per hour and rotating which substation is off; a 25-30% reduction would be implemented by dropping two entire substations for 10 minutes per half-hour; a 40-50% reduction would be implemented by dropping three entire substations for 15 minutes per half-hour; the load reductions can be accomplished at the Electric Department without going into the field; and the present plan does not cut off a circuit to the hospital or the circuit to the Civic Center as the Civic Center is an emergency shelter; and

THEREUPON, said presentation was received.

Mayor Tarpley requested that Council receive the request of the Virginia Law Enforcement Torch Run for Special Olympics for a donation of \$118.85, which is equal to the amount of the admissions tax paid in connection with the July 24, 1998, "Salem After Five" Concert;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, a donation in the amount of \$118.85, which is equal to the amount of the admissions tax paid in connection with the July 24, 1998, "Salem After Five" Concert, is hereby authorized to the Virginia Law Enforcement Torch Run for Special Olympics -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley reported that Council has received a request from the Salem Avalanche to have a post-game fireworks display on Monday, August 24, 1998; and

WHEREAS, Mayor Tarpley noted that the Salem Avalanche had several fireworks displays approved by Council previously for this year, and this request is for an additional date; and

WHEREAS, the Assistant City Manager reported that August 24, 1998, is a school night, and the Avalanche had been previously informed that fireworks would not be allowed on school nights;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the request of the Salem Avalanche to have a post-game fireworks display on Monday, August 24, 1998, is hereby denied -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council receive bids and consider awarding a contract for the purchase of water chillers for the Salem Civic Center; and

WHEREAS, Vice Mayor Brown, Chairman of Council's Audit-Finance Committee, reported that the City received the following bids for the replacement of the centrifugal water chillers at the Salem Civic Center with both bids being extensively evaluated by the administrative staff, F. A. Shane of Kinsey, Shane and Associates, and Mike Tyler, Assistant Director of Streets and General Maintenance:

<u>COMPANY</u>	<u>BID</u>
York International Company	\$ 215,298.00
The Trane Company	
\$189,000 plus \$3,900 for labor to help with disassembly and reassembly of both chillers for a total amount of	\$ 192,900.00

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and the Committee recommends the low bid meeting specifications of the Trane Company in the amount of \$189,000 plus \$3,900 for labor to help with disassembly and reassembly of both chillers for a total amount of \$192,900 be accepted, said amount chargeable to the Contingency Fund in the Enterprise Fund, and it was noted that this amount will probably not be the final amount as some of the work will be performed by City crews;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVEN'S, AND DULY CARRIED, the low bid meeting specifications of the Trane Company in the amount of \$189,000 plus \$3,900 for labor to help with disassembly and reassembly of both chillers for a total amount of \$192,900 is hereby accepted, said amount chargeable to the Contingency Fund in the Enterprise Fund -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider an ordinance with emergency provisions amending Chapter 86, Article V, Division 1, Section 86-246, of The Code of the City of Salem, Virginia, pertaining to parking prohibited in specified places; and

WHEREAS, Vice Mayor Brown, Chairman of Council's Audit-Finance Committee, reported that the Committee recommends this amendment to the City Code in an effort to clarify and update the existing laws pertaining to parking in areas reserved for persons with disabilities on public streets and on private properties;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVEN'S, AND DULY CARRIED, the following ordinance was duly passed and adopted with emergency provisions:

AN ORDINANCE TO AMEND, REVISE, AND REORDAIN SECTION 86-246, DIVISION 1, ARTICLE V, CHAPTER 86, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, PERTAINING TO PARKING PROHIBITED IN SPECIFIED PLACES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Chapter 86, Article V, Division 1, Section 86-246, of The Code of the City of Salem, Virginia, be amended, revised, and reordained to read as follows:

CHAPTER 86
TRAFFIC AND VEHICLES
ARTICLE V
DIVISION 1. GENERALLY

Section 86-246. Parking prohibited in specified places.

No person shall park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, in any of the following places:

(16) ~~Any parking space reserved for the handicapped on a public street unless a special parking permit for transmitting handicapped persons issued pursuant to Code of Virginia, § 46.2-1238, as amended, or a license plate or decal issued pursuant to Code of Virginia, § 46.2-731, as amended, is displayed on the vehicle.~~ Any parking space reserved for persons with disabilities on a public street unless there is displayed, on said vehicle, disabled parking license plates, organizational removable windshield placards, permanent removable windshield placards or temporary removable windshield placards issued under Section 46.2-121 of the Code of Virginia, or DV disabled parking license plates issued under Subsection B of Section 46.2-739 of the Code of Virginia.

(17) ~~Any parking space reserved for the handicapped on privately owned shopping centers or business offices unless a special parking permit for transmitting handicapped persons issued pursuant to Code of Virginia, § 46.2-1238, as amended, or a license plate or decal issued pursuant to Code of Virginia, § 46.2-731, as amended, is displayed on the vehicle. For any violation of this subsection, a summons may be issued by a police officer without the necessity of a warrant being obtained by the owner of such shopping center or business office.~~ Any parking space reserved for persons with disabilities on privately owned parking areas unless there is displayed, on said vehicle, disabled parking license plates, organizational removable placards, permanent removable windshield placards or temporary removable windshield placards issued under Section 46.2-121 of the Code of Virginia or DV disabled parking license plates issued under Subsection B of Section 46.2-739 of the Code of Virginia. For any violation of this subsection, a summons or parking ticket may be issued by a police officer or other uniformed personnel of the City employed to enforce parking regulations without the necessity of a warrant being obtained.

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

WHEREAS, in the opinion of Council an emergency exists, therefore, the fact of the existence of such emergency is hereby now declared to exist and this ordinance is so adopted and shall become effective immediately upon its passage.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Passed: August 10, 1998
Effective: August 10, 1998


Mayor

Mayor Tarpley requested that Council consider an ordinance with emergency provisions establishing fees for violations of Sections 86-246, 86-247, 86-248, and 86-249 of The Code of the City of Salem, Virginia; and

WHEREAS, Vice Mayor Brown, Chairman of Council's Audit-Finance Committee, reported that the Committee recommends amending the current fee schedule established for violation of various parking offenses in order to increase the handicapped parking space fees from \$50 to \$100 and fire lane fees from \$25 to \$50 for compliance with State law statutes;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the following ordinance was duly passed and adopted with emergency provisions:

AN ORDINANCE TO ESTABLISH FEES FOR THE VIOLATION OF SECTIONS 86-246, 86-247, 86-248, AND 86-249 OF THE CODE OF THE CITY OF SALEM, VIRGINIA.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that the following fees be and they are hereby established for violation of Sections 86-246, 86-247, 86-248, and 86-249 of The Code of the City of Salem, Virginia:

Overtime Parking	\$ 10.00
No Parking Zone	10.00
Handicapped Parking Space	50.00 \$ 100.00
Fire Lane	25.00 50.00
Restricted parking area	10.00
No City tag or decal	25.00
No valid State tags	10.00
No stopping or standing zone	10.00
Other	10.00
Parking within 15 feet of fire hydrant	10.00
Parking on crosswalk	10.00
Parking within 20 feet of a crosswalk at an intersection	10.00
Parking within a tow-away zone	10.00
No parking in front of a public or private driveway	10.00
Parking in wrong direction	10.00
No valid state inspection sticker or decal	10.00
Parking in designated space on City property	10.00
Blocking traffic	10.00

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

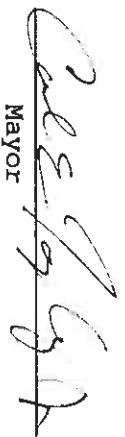
WHEREAS, in the opinion of Council an emergency exists, therefore, the fact of the existence of such emergency is hereby now declared to exist and this ordinance is so adopted and shall become effective immediately upon its passage.

ORDINANCE
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EMERGENCY
PROVISIONS
ESTABLISH
FEES FOR
VIOLATIONS
OF SECTION
86-246,
86-247,
86-248, AN
86-249 OF
THE CITY
CODE

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Passed: August 10, 1998
Effective: August 10, 1998


Mayor

SOLUTION 901 ADOPTED
ESTABLISHING
DIVISION
ES
Mayor Tarpley requested that Council consider adopting Resolution 901 establishing new subdivision fees; and

WHEREAS, Vice Mayor Brown, Chairman of Council's Audit-Finance Committee, recommended that the fees for resubdivisions and subdivisions be amended to bring the amounts more in line with other local jurisdictions and to provide reimbursement to the City for the costs by various City departments in reviewing the requests;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, Resolution 901 was duly passed and adopted:

RESOLUTION 901

A RESOLUTION ESTABLISHING A FEE SCHEDULE FOR FILING AND ADVERTISING FOR AMENDMENTS TO THE SUBDIVISION ORDINANCE:

WHEREAS, Council has heretofore adopted Section 78-5 of The Code of the City of Salem, Virginia, providing for the establishment of fees for filing and advertising for amendments to the Subdivision Ordinance and has received a report from Council's Audit-Finance Committee recommending a fee schedule; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that the following fee schedule is hereby adopted and established effective immediately upon its passage:

	PRESENT FEE	AMENDED FEE
I. Resubdivisions	\$25.00	\$ 50.00
II. Subdivisions		
(a) 1 to 5 lots	\$50.00	\$ 75.00
(b) More than 5 lots	\$50.00	\$100.00
	Plus \$10/lot	Plus \$15 lot

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Mayor Tarpley requested that Council consider adopting Resolution 902 establishing new zoning amendment fees; and

WHEREAS, Vice Mayor Brown, Chairman of Council's Audit-Finance Committee, recommended the amendment of the fee schedule for Rezoning, Zoning and Use Permits, Planning Unit Developments, and Variances as these fees have not been increased in a number of years, yet the cost of advertising these requests have increased considerably not to mention the cost of reviewing and presenting these requests to the boards and commissions with the increase allowing the City to break even on advertising for these amendments;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, Resolution 902 was duly passed and adopted:

OLUTION 902 ADOPTED
ESTABLISHING
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RESOLUTION 902

A RESOLUTION ESTABLISHING A FEE SCHEDULE FOR FILING AND ADVERTISING FOR AMENDMENTS TO THE ZONING ORDINANCE:

WHEREAS, Council has heretofore adopted Section 106-498 of The Code of the City of Salem, Virginia, providing for the establishment of fees for filing and advertising for Amendments to the Zoning Ordinance and has received a report from Council's Audit-Finance Committee recommending a fee schedule; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that the following fee schedule is hereby adopted and established effective immediately upon its passage:

	PRESENT FEE	AMENDED FEE
I. Rezoning		
(a) To A-1, R-1, or R-2	\$100.00	\$350.00 Plus \$10/acre
(b) To R-3, R-4, R-B, or R-M	\$150.00 Plus \$5/acre	\$350.00 Plus \$10/acre
(c) To B-1, B-2, B-3, B-C, M-1, & M-2	\$250.00 Plus \$5/acre	\$350.00 Plus \$10/acre
II. Zoning and Use Permits		
(a) Use Not Provided For	\$175.00 Plus \$5/acre	\$250.00 Plus \$10/acre
(b) Zoning and Use Permits	\$100.00 Plus \$5/acre	\$250.00 Plus \$10/acre
III. Planning Unit Developments (PUD)		
(a) Review and Approval	\$250.00 Plus \$5/acre	\$350.00 Plus \$10/acre
IV. Variances (Board of Zoning Appeals)		
(a) Variance	\$125.00	\$200.00

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

- Harry T. Haskins, Jr. - Aye
- John C. Givens - Aye
- Howard C. Packett - Aye
- Alexander M. Brown - Aye
- Carl E. Tarpley, Jr. - Aye

Mayor Tarpley requested that Council consider authorizing the purchase of 721 West Calhoun Street for \$48,100;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the City is hereby authorized to purchase the property at 721 West Calhoun Street in the amount of \$48,100 for the expansion of the City of Salem Water Department -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

There being no further business to come before the Council, the same on motion adjourned at 9:15 p.m.

Carl E. Tarpley, Jr.
Mayor

Robert J. Law
Clerk of Council

PURCHASE
AUTHORIZE
OF 721 WE
CALHOUN
STREET
FOR THE
EXPANSION
WATER
DEPARTMENT

A regular meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on August 24, 1998, at 7:30 p.m., there being present all the members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, Howard C. Packett, John C. Givens, and Harry T. Haskins, Jr.; with Carl E. Tarpley, Jr., Mayor, presiding; together with Randolph M. Smith, City Manager; Forest G. Jones, Assistant City Manager and Clerk of Council; Frank P. Turk, Director of Finance; James E. Taliaferro, II, City Engineer; Joseph E. Yates, Jr., Director of Planning and Development; and Stephen M. Yost, City Attorney; and the following business was transacted:

The minutes of the regular meeting of August 10, 1998, were approved as written.

The report by the City Manager of the City's activities for the month of July, 1998, was received and ordered filed.

The report by the Director of Finance of the City's financial status for the month of June, 1998, was received and ordered filed.

Mayor Tarpley reported that this date and time had been set to hold a public hearing to consider the request of Nancy J. Rutrough, property owner, and David and Teresa Jones, contract purchasers, for rezoning the property located at 105 Poplar Avenue from Residential District R-2 to Residential Business District R-B; and

WHEREAS, the Clerk of Council reported that notice of such public hearing has been published in the August 6 and 13, 1998, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, Mayor Tarpley further reported that, at the request of the petitioners, the Planning Commission of the City of Salem has continued this request to its September 16, 1998, meeting; and it is requested that Council consider continuing its public hearing to the September 28, 1998, meeting;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, at the request of the petitioners, the public hearing to consider the request of Nancy J. Rutrough, property owner, and David and Teresa Jones, contract purchasers, for rezoning the property located at 105 Poplar Avenue from Residential District R-2 to Residential Business District R-B is hereby continued to the September 28, 1998, meeting of Council -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley reported that this date and time had been set to hold a public hearing to consider the request of P & G, LLC, property owner, for rezoning the property located at 1830 West Main Street from Business District B-3 and Industrial District M-1 to Business District B-3 and for the issuance of a Zoning and Use Permit to allow used car sales; and

WHEREAS, the Clerk of Council reported that notice of such public hearing has been published in the August 6 and 13, 1998, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, the Planning Commission of the City of Salem at its meeting held on August 12, 1998, recommended to Council the approval of the rezoning and the Zoning and Use Permit; and

WHEREAS, the staff noted the following: the northern portion of this property is zoned Business District B-3 to a depth of 250 feet from West Main Street, and the southern portion or rear of the property is zoned Industrial District M-1; this property was developed for use as a Moore's Store, which dealt in lumber, hardware, and home builder's supplies; the owners wish to rezone the rear of the property to Business District B-3 and are requesting a Zoning and Use Permit to operate a used car dealership on the site; the existing buildings will remain, and no new buildings are planned; one of the main issues is whether landscaping can be provided along West Main Street to complement the new construction next door for Applebee's; because there is no new construction planned, the owners may utilize the lot as is but new landscaping and an upgrade to the existing building would be welcome; a second issue to be considered is the rezoning of the rear of the property to make the entire property B-3; and this is necessary to make the proposed use conforming with the zoning; and

WHEREAS, G. Michael Pace, Jr., of Gentry, Locke, Rakes, & Moore, representing the property owner, appeared before the Council explaining the proposed rezoning and Zoning and Use Permit request to allow the property owners to utilize the property for a used car facility; the use would be consistent with surrounding uses in the area; the proposed use would not adversely affect any of the adjoining landowners; there are other used car sales facilities in this area; the proposed use would put back into operation a large piece of commercial property that has been vacant and not used since the closing of the Moore's business; there are no plans to construct any new buildings on the property, but the petitioners intend to give the existing building a facelift and use it for a showroom and related offices; P & G has already repaired the roof and cleaned up the property and also intend to repair and/or replace the chain-link fencing; he noted that at the other facilities currently being operated by the Duncans they have done more than required and made the properties attractive to the public as well as their customers; and he noted that the staff report confirms that the proposed use is consistent with the existing comprehensive plan for the area; and

QUEST OF
NANCY J.
RUTROUGH,
PROPERTY
OWNER, AND
DAVID AND
TERESA
JONES
RESA
NES,
CONTRACT
PURCHASERS,
FOR REZONING
THE PROPERTY
LOCATED AT
105 POPLAR
AVENUE FROM
RESIDENTIAL
DISTRICT R-2
TO RESIDENTIAL
BUSINESS
DISTRICT R-B
AND
CONTINUING
THE PUBLIC
HEARING TO
SEPTEMBER 28,
1998.
CITY OF SALEM,
VIRGINIA.
AUGUST 24,
1998.

WHEREAS, no one appeared in opposition to said rezoning or Zoning and Use Permit;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, an ordinance entitled "AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA" was duly passed on first reading and a Zoning and Use Permit is hereby granted to P & G, LLC, property owner, to allow used car sales on the property located at 1830 West Main Street -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider adopting Resolution 903 regarding the widening of Interstate 81 and its impact on the adjacent residential neighborhoods; and

WHEREAS, Vice Mayor Brown stated it is his opinion that a sentence should be included in the alternate resolution stating that "Council is desirous that homes and property not be condemned in the City of Salem for this project";

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, Resolution 903 was duly passed and adopted as amended:

RESOLUTION 903

WHEREAS, the Virginia Department of Transportation has discussed plans to widen Interstate 81 along the corridor as it passes through Salem and the Roanoke Valley; and

WHEREAS, with these much needed improvements will also come increased noise and traffic that will impact on residential neighborhoods adjacent to interstate right of way; and

WHEREAS, due to environmental concerns, Council is desirous of seeing that these neighborhoods are protected and screened from the additional noise and pollution; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that the Virginia Department of Transportation be formally requested to include in its studies and plans for improvements to Interstate 81 sound barriers, retaining walls, and any other structures that would lessen the environmental impact of interstate improvements on residential neighborhoods that lie along the proposed route of Interstate 81; that the construction should include six lanes only with no collector/distributor roads; and that homes and property not be condemned in the City of Salem for this project.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to appropriate engineers and administrators at the Virginia Department of Transportation.

BE IT STILL FURTHER RESOLVED that a certified copy of this Resolution be forwarded to John W. Warner, United States Senator; Charles S. Robb, United States Senator; Robert W. Goodlatte, United States Representative for the Sixth District; Malfourd W. Trumbo, State Senator for the Twenty-second District; John S. Edwards, State Senator for Twenty-first District; H. Morgan Griffith, House of Delegates for the Eighth District; C. Richard Cranwell, House of Delegates for the Fourteenth District; Clifton Woodrum, House of Delegates for the Sixteenth District; and A. Victor Thomas, House of Delegates for the Seventeenth District.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

WHEREAS, Robert A. Craighead, 1016 Stonegate Drive, appeared before the Council stating that at the last meeting of Council on August 10, 1998, the citizens from Stonegate Subdivision petitioned Council to act on their behalf by requesting the Virginia Department of Transportation to provide protection and consideration for the neighborhood in connection with the Interstate 81 improvements; VDOT study plan suggested two alternatives: one of which would take property and have no retaining wall and the other would include a wall with no sound barrier; the resolution states their desires on both the retaining wall and sound walls; the residents of Stonegate Subdivision are thankful that Council passed this resolution at this meeting.

Mayor Tarpley requested that Council receive a presentation from the Virginia Department of Transportation officials pertaining to the proposed construction of Interstate 73; and

WHEREAS, Rindy Lionberger, Salem's Transportation District Member on the Commonwealth Transportation Board; Malfourd W. "Bo" Trumbo, Senator; Allison Baird, Senator John S. Edward's office; Pete Larkin, District Director for Congressman Robert W. Goodlatte's office; P. A. "Pete" Sensabaugh, Jr., District Construction Engineer for the Virginia Department of Transportation; Patsy Napier, I-73 Team Coordinator for VDOT; and Susan Killen, Consultant,

RESOLUTION
903 ADOPTED
REGARDING
THE WIDEN
OF
INTERSTATE
81 AND ITS
IMPACT ON
THE ADJAC
RESIDENTIAL
NEIGHBOR-
HOODS

PRESENTED
FROM THE
VIRGINIA
DEPARTMENT
OF
TRANSPORTATION
OFFICIALS
PERTAINING
TO
INTERSTATE
73

Parsons, Brinckeroff, Quade, & Douglas, Inc.; are present at this meeting of Council; and

and WHEREAS, a letter has been received from Delegate H. Morgan Griffith;

and WHEREAS, Mayor Tarpley noted that this presentation is not a public hearing by the Virginia Department of Highways; at this point, VDOT has legally met the hearing requirements; VDOT is here only to address Salem City Council and will answer questions only asked by Salem City Council; VDOT has agreed that, after VDOT addresses Council, they will meet with citizens at the Salem Civic Center to discuss I-73; and

WHEREAS, Pete Sensabaugh, Jr., representing the Virginia Department of Transportation, appeared before the Council stating that VDOT has met with local governments along the I-73 corridor; VDOT has been requested to perform a corridor study for I-73 to determine if it is a practical solution or whether there are other solutions available; the department has been requested by Congress to conduct the study, which is in the preliminary stages at this point; and at this time there are no conclusions, recommendations, or preconceived ideas concerning the roadway; and

WHEREAS, Patsy Napier of the Location and Design Office in Richmond appeared before the Council stating the goal is to provide factual information and ask that citizens stay informed and involved in the study; VDOT will complete a fair and impartial study in order that the best decision can be made on the location for I-73 for this region; the technical experts are in the field gathering and analyzing information that will be used for the preparation of the draft environmental impact statement; this task should last until early 1999 to determine the choices that are available for the study; the choices that are available for consideration are: the no build option, which means that I-73 would not be built in this area; this does not mean that no other highway improvements would be made; the transportation systems management would look at the Route 220 corridor to see what safety improvements could be made in that corridor; it was noted that there are 175 crossovers on Route 220 in the 70 miles between Roanoke and North Carolina; then a build alternative would be considered on new locations or upgrading the existing 220 corridor to an interstate standard; VDOT and the study team have a professional obligation to perform an impartial study on each alternative thoroughly and objectively in order that the individuals responsible for making the decision will have good and accurate information; evaluation and consideration of each alternative will be performed equally; at the meetings in January, citizen comments were received as to the locations, and 750 suggestions were received for the placement of a new location corridor for I-73; the study team considered topography, wetlands, parklands, endangered species, cultural and historical resources, the Blue Ridge Parkway, schools, churches, economic development, and tourism; the original corridors studied were approximately 2,500 feet to allow for terrain, etc.; VDOT has now narrowed the corridors down to three alternatives and approximately a 600-foot band will be considered within each corridor; the width needed for an interstate is between 200 and 400 feet depending on the terrain and constraints encountered; etc.; and

WHEREAS, Susan Killen stated that VDOT is entering the third phase of the process consisting of the environmental and technical phase; the proposal is a link in the interstate system and issues were considered such as economic development and safety; consideration was given to upgrading Route 220; the alternatives that were developed came from the public and jurisdictions; although they were narrowed down during the course of five months through initial studies, very good response and a wide range of alternatives were received; the public suggested eastern and western alternatives; the alternatives offer an opportunity for consideration of the benefits and disbenefits of several routes from the basic 220 corridor to Interstate 81; the alternatives will provide information for a draft environmental impact statement to be released in the spring or summer of 1999; at that time the document will be available to the public; public hearings will be held at that time for citizens to state opinions, etc.; the western alternative is outside the corporate limits of Salem in order not to cross the parkland in this area; the western Option begins at the existing Interstate 81, Exit 132, in the Dixie Caverns Area, turns east and passes between Route 11 and Wabun, as it approaches Salem turns south around Twelve O'clock Knob and continues south between Long Ridge toward Route 221, crossing Route 221 and the Blue Ridge Parkway west of Cotton Hill Road and Masons Knob Overlook, then continues southeast and intersects with Segment 378 towards Franklin County; and

WHEREAS, Susan Killen explained the Central Option begins at Interstate 81, continues down 581, and connects with Route 220; another alternative of this option begins at Interstate 81, continues down 581 to approximately Elm Avenue with one alternative from that point running behind the Tanglewood Mall area then continuing to the Blue Ridge Parkway meeting Route 220 near the Franklin County border; another alternative would upgrade Route 220 to interstate standards with limited access, etc.; another alternative runs south of Explore Park, through Coopers Cove area, connecting in the Franklin County area, and continuing east of Rocky Mount into Martinsville; and another alternative would run across the Blue Ridge Parkway area running to east of Rocky Mount and Roanoke Mountain; and

WHEREAS, the Eastern Option would run from Route 220 in the Cloverdale area south of the Appalachian Trail and Jefferson National Forest area; this alternative crosses the Blue Ridge Parkway and Route 652 area, then crosses Route 460 in Blue Ridge heading south, running east of Greens Knob, and continuing towards Stewartville and Franklin County; and

WHEREAS, it was noted that this project will be a major regional decision whether Interstate 73 is wanted in this area, and if so, what options are desired for this area; and

WHEREAS, at the present time, it is unknown what displacements will be required; this information is being studied and will be presented in the Environmental Impact Statement; citizens are requested to continue to have input into the studies; public hearings will be held to allow citizens to voice their opinions pertaining to this project; individuals can get on the mailing list to receive information by calling the telephone information line at 1-888-I73PLAN or the website; etc.; and

WHEREAS, VDOT noted that public hearings will be held in late spring and early summer; location public hearings will be held throughout the entire study area; prior to the hearings, individuals will be given an opportunity to review the draft environmental impact statement and all information associated with the location corridor studies; and

WHEREAS, a discussion was held concerning the corridors of Interstate 73, meetings held at different locations, detailed environmental studies to be made on the alternatives, land use issues, etc.; and

WHEREAS, VDOT noted that the draft environmental impact statement will be released for public review and comments with the comments being kept on the record and included in the final environmental statement; public hearings, will be held; once the draft environmental impact statement, public hearings, and public comment periods are concluded, a recommendation will be made by VDOT to the Commonwealth Transportation Board; the Board will take into consideration a recommendation from VDOT, what the draft environmental impact statement revealed, the public comments received, and any other information the public may provide such as other studies performed or other comments; and

WHEREAS, it was noted that public meetings have been held with open-house format in different jurisdictions, but the first public hearings will be held in the summer of 1999 after completion of the draft environmental impact statement; and

WHEREAS, Councilman Packett questioned whether the scoping process showed a clear need for Interstate 73; and

WHEREAS, VDOT noted that there was definitely a need for economic development and safety improvements and an upgrade of Route 220; and

WHEREAS, Councilman Packett stated it is his opinion that the location of Interstate 73 should be known and considered when Interstate 81 is rebuilt; and

WHEREAS, at the present time there are monies set aside for the study only for Interstate 73; and

WHEREAS, Vice Mayor Brown questioned when construction of Interstate 73 would start; and

WHEREAS, VDOT noted that there are three possible locations that I-73 would intersect with I-81, and it would be possible that I-73 could be started in the next six years with construction possibly being completed in segments; and

WHEREAS, Mayor Tarpley questioned who suggested the Western Option for Interstate 73; and

WHEREAS, Councilman Haskins questioned whether it is required that three alternates be studied for I-73; and

WHEREAS, VDOT noted that citizen input created the Western Option, and it was noted that the National Environmental Policy Act requirements state that reasonable alternatives must be studied; and

WHEREAS, Vice Mayor Brown stated that he has not heard any objections to using the 581 corridor for Interstate 73 and questioned why this corridor could not be designated as the route for this interstate highway, which would be less costly than performing numerous studies; and

WHEREAS, Mayor Tarpley stated that Council desires that the Interstate 73 team perform its job exploring all phases of this project; but as a public official, he is concerned that VDOT has been quoted as stating resolutions from jurisdictions would have very little if any impact on the project; and

WHEREAS, VDOT stated that, pertaining to citizen notification concerning the proposed routing of Interstate 73, there are approximately 6,200 individuals on the mailing list at the present time, there will be more individuals on the mailing list after this meeting, they mailed out approximately 14,000 newsletters, 8,500 brochures were distributed, approximately 1,100 calls have been received on the hot line, nine citizen information meetings have been held, 3,500 individuals have attended the meetings, over 3,000 written comments have been received, 148 media clips have been in the newspaper, the VDOT website has had approximately 1,200 hits, 71 community interviews have been held, approximately 167,000 postcards were mailed pertaining to this project but individuals in the area did not receive the cards, and for the next mailing pertaining to this project a local firm will be used in order to be more efficient; and

WHEREAS, Vice Mayor Brown stated that more public input should be received by VDOT on the options; and

WHEREAS, Mr. Sensabaugh stated that any requests from Council will be addressed, he will be having meetings with local government staffs in the future, he suggested that citizens of Salem bring questions to Council to be addressed when VDOT meets with the City staff in the future; and

WHEREAS, VDOT officials noted that there is a coordination between the Interstate 81 project and the Interstate 73 project; and

WHEREAS, it was noted that VDOT representatives have agreed to meet with interested individuals tonight at the Salem Civic Center Community Room to answer citizen questions pertaining to Interstate 73; and

WHEREAS, the Clerk of Council noted that H. Morgan Griffith, House of Delegates, was unable to attend this meeting of Council but sent a letter to Council noting the following: at his request, the VDOT I-73 project team came to Salem earlier in the summer; he has consistently supported Interstate 73 coming through the Roanoke Valley region; he noted he does not support the western route, which goes through Salem and Roanoke County; he supports the continuation of a process so that I-73 will not be jeopardized due to the fact that to stop studying any of the routes could cause I-73 not to come to our region which would be a tragic loss for our area; he encourages Salem City Council and all citizens of the area to be actively involved in the discussions; citizen involvement is critical to the process; and he would be happy to meet and discuss I-73 with any citizen or group of citizens during the next several months while this matter is being studied in accordance with the federally-mandated process;

WHEREUPON, VDOT officials and citizens adjourned to the Salem Civic Center Community Room to discuss questions pertaining to Interstate 73, and Council took no action at this meeting pertaining to the proposed construction of Interstate 73.

Mayor Tarpley reported that this date and time had been set to hold a public hearing to consider amending Chapter 106, Article I, Section 106-2, of The Code of the City of Salem, Virginia, pertaining to Board of Zoning Appeals; and

WHEREAS, the Clerk of Council reported that notice of such public hearing has been published in the August 6 and 13, 1998, issues of the Salem Times-Register; and

WHEREAS, the Planning Commission of the City of Salem at its meeting held on August 12, 1998, recommended to Council the approval of said amendment to the City Code; and

WHEREAS, the staff noted the following: a recent amendment to Virginia Code Section 15.2-2308 requires that the City amend the Zoning Ordinance regarding the Board of Zoning Appeals, which will allow the appointment of three alternate members to the Board; and it was noted a letter from the City Attorney explaining the proposed amendment had been forwarded to the Council; and

WHEREAS, a discussion was held concerning said Zoning Ordinance amendment;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, an ordinance entitled "AN ORDINANCE TO AMEND, REVISE, AND REORDAIN CHAPTER 106, ARTICLE I, SECTION 106-2, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, PERTAINING TO BOARD OF ZONING APPEALS GENERALLY," was duly passed on first reading -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider a request from Tony Williams to purchase a portion of City-owned property on Colorado Street adjacent to the Home Style Day Care Center; and

WHEREAS, Tony and Susan Williams, owners of Home Style Day Care Center, appeared before the Council requesting they be allowed to purchase City property adjacent to the existing day care center located at 1299 Colorado Street for the construction of a gymnasium; a gym would greatly enhance the center's after school program by providing both additional needed space and a way for the school age children to play basketball the year around; he is proposing an easement of twenty feet be dedicated to the City in the event the City would need this property for a roadway to a parking lot for the Moyer Sports Complex; and

WHEREAS, Vice Mayor Brown suggested that a forty-foot easement should be dedicated to the City in order to have proper ingress and egress if a parking lot were constructed for the Moyer Complex on this property; and

WHEREAS, Mr. Williams stated he would agree to dedication of a forty-foot easement over this property; and

WHEREAS, the City Manager noted that the City has no need for this property, it was noted that the property will have to be filled to the same level as the existing day care center prior to construction of the gymnasium, and the proposed property is zoned properly for this construction; and

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WHEREAS, Vice Mayor Brown stated it is his opinion that the sale of this property would put the property back on the tax rolls and would allow Mr. Williams to improve the facility in order to provide a better after school program for the children attending the day care center; and

WHEREAS, a discussion was held concerning said sale of this property, and the fact that the City will subdivide this property prior to sale;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, the City is hereby authorized to sale City-owned property to Tony Williams on Colorado Street adjacent to the Home Style Day Care Center for the amount of \$12,500; and the City will subdivide the existing property to allow the sale to Mr. Williams provided a forty-foot easement be dedicated to the City for future ingress and egress to a parking area for the Moyer Sports Complex -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council receive the request from Richard and Deborah Harlow to purchase City-owned property at the corner of Sixth and Florida Streets; and

WHEREAS, Mayor Tarpley stated that the City has now received two requests to purchase this property; and

WHEREAS, it was noted that the City purchased this property in order to provide overflow parking from Municipal Field, as well as eliminating a house that was occasionally hit with baseballs; and the City administration is of the opinion that the City should retain ownership of the property;

ON MOTION MADE BY COUNCILMAN GIVENS, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, the request of Richard and Deborah Harlow and another adjacent property owner to purchase City-owned property located at the corner of Sixth and Florida Streets is hereby denied -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider adopting Resolution 904 establishing Salem's preference for management of its local community services board;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, Resolution 904 was duly passed and adopted:

RESOLUTION 904

WHEREAS, Section 37.1-194 of the Code of Virginia, 1950 as amended, requires each city and county to establish, singly or in combination, a community services board for the provision of mental health, mental retardation, and substance abuse services to its residents; and

WHEREAS, the City of Salem already has established the Blue Ridge Community Services Board pursuant to this statutory provision; and

WHEREAS, Section 37.1-194 of the Code of Virginia, 1950 as amended, further requires each city and county to designate, in consultation with its community services board, this board as an operating community services board, an administrative policy community services board, or a policy-advisory community services board with a local government department; and

WHEREAS, the Blue Ridge Community Services Board provides community mental health, mental retardation, and substance abuse services, directly through its own staff or through contracts with other providers; and

WHEREAS, the Blue Ridge Community Services Board conforms to the definition of an operating community services board that is contained in Section 37.1-194.1 of the Code of Virginia, 1950 as amended; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that the Blue Ridge Community Services Board is hereby designated as an operating community services board with the powers and duties enumerated in Section 37.1-197.A and 37.1-197.1 of the Code of Virginia, 1950 as amended.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

ON MOTION MADE BY COUNCILMAN HASKINS, SECONDED BY VICE MAYOR BROWN, AND DULY CARRIED, Fiscal Year 1999 Community Services Board Performance Contract between the Blue Ridge Community Services and the Commonwealth of Virginia is hereby approved -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

REQUEST OF
RICHARD AN
DEBORAH
HARLOW AND
ANOTHER
ADJACENT
PROPERTY
OWNER TO
PURCHASE
CITY-OWNED
PROPERTY
LOCATED AT
THE CORNER
OF SIXTH A
FLORIDA
STREETS
DENIED
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ESTABLISHING
SALEM'S
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FOR
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BETWEEN BLUE
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SERVICES &
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OF VIRGINIA
APPROVED

Mayor Tarpley requested that Council consider an ordinance creating Virginia's First Regional Industrial Facility Authority; and

WHEREAS, Mayor Tarpley reported that R. A. Craighead, Salem's representative on the New River Valley Commerce Park Study Committee, and the City Attorney have reviewed the proposed ordinance and recommend the ordinance be adopted; and

WHEREAS, the City Attorney noted that the ordinance and agreement have been amended in accordance with the requests that he made and requests made by the City Attorney for Roanoke City;

ON MOTION MADE BY COUNCILMAN HASKINS, SECONDED BY VICE MAYOR BROWN, AND DULY CARRIED, an ordinance entitled "AN ORDINANCE CREATING VIRGINIA'S FIRST REGIONAL INDUSTRIAL FACILITY AUTHORITY" was duly passed on first reading -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider adopting Resolution 905 requesting the inclusion of Ridgewood Drive in the Virginia Highway Program to allow Municipal Assistance Payments; and

WHEREAS, Mayor Tarpley noted that this roadway is located in Ridgewood Farms and is the road to the new assisted living center on this property;

ON MOTION MADE BY COUNCILMAN HASKINS, SECONDED BY VICE MAYOR BROWN, AND DULY CARRIED, Resolution 905 was duly passed and adopted:

RESOLUTION 905

A RESOLUTION REQUESTING THE COMMONWEALTH TRANSPORTATION COMMISSIONER AND THE COMMONWEALTH TRANSPORTATION BOARD TO APPROVE AND ACCEPT A CERTAIN NEW STREET FOR MAINTENANCE PAYMENTS.

WHEREAS, there has been constructed in the City a certain new street complying in all respects with the requirements of Section 33.1-41.1 of the 1950 Code of Virginia, as amended; and

WHEREAS, said new street is described in that certain Request for Street Additions or Deletions for Municipal Assistance Payments prepared by the City Engineer for submission to Urban Division, Virginia Department of Transportation; and

WHEREAS, said new street is known as Ridgewood Drive; and

WHEREAS, said Request to Urban Division, Virginia Department of Transportation, requests municipal assistance payments for said new street from the Commonwealth Transportation Commissioner and the Commonwealth Transportation Board; and

WHEREAS, it is in the best interests of the City to request said assistance payments for utilization in maintaining streets in the City; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that the Request for Municipal Assistance Payments be immediately submitted to the Commonwealth Transportation Commissioner, the Commonwealth Transportation Board, and any other appropriate entity, requesting approval and acceptance of the foregoing street for the purpose of receiving maintenance payments in accordance with the provisions of Section 33.1-41.1 of the 1950 Code of Virginia, as amended.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Mayor Tarpley requested that Council consider setting bond for physical improvements for Summerfield Subdivision located off Turner Street; and

WHEREAS, Vice Mayor Brown, Chairman of Council's Audit-Finance Committee, reported that the Committee originally was of the opinion that this subdivision would have an underground detention system with the map submitted indicating the construction of an above-ground pond for stormwater management; and further, after discussion with the developer, the underground retention was included in the physical improvements; and

WHEREAS, the Committee recommends that the bond for physical improvements for Summerfield Subdivision located off Turner Street be set at \$217,200 with a time limit for completion of said improvements of eighteen months;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, bond is hereby set in the amount of \$217,200 for physical improvements for Summerfield Subdivision located off Turner Street with a time limit for completion of said improvements of eighteen months -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider setting bond for physical improvements for Commonwealth Business Park located off Mill Lane; and

WHEREAS, Vice Mayor Brown, Chairman of Council's Audit-Finance Committee, reported that the Committee recommends bond for physical improvements for Commonwealth Business Park be set at \$187,700 with a time limit of eighteen months;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, bond is hereby set in the amount of \$187,700 for physical improvements for Commonwealth Business Park located off Mill Lane with a time limit for completion of said improvements of eighteen months -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

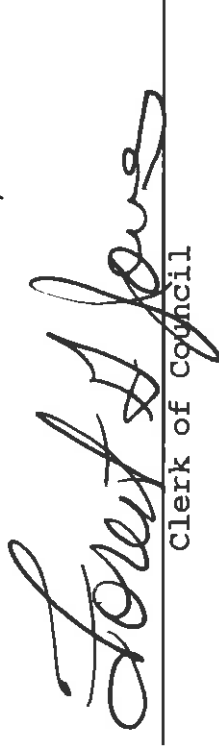
Mayor Tarpley requested that Council receive a request of Jeff Dorsey for vacation of an easement;

WHEREAS, Jeff Dorsey, Attorney representing G. L. Mattern, appeared before the Council requesting that an easement be vacated on the property of G. L. Mattern, and there are no other parties affected by the vacation;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the proper City officials are hereby authorized to execute a vacation instrument for the vacation of an easement for G. L. Mattern -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

There being no further business to come before the Council, the same on motion adjourned at 9:00 p.m.


Mayor


Clerk of Council

September 14, 1998

A regular meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on September 14, 1998, at 7:30 p.m., there being present all the members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, Howard C. Packett, John C. Givens, and Harry T. Haskins, Jr.; with Carl E. Tarpley, Jr., Mayor, presiding; together with Randolph M. Smith, City Manager; Forest G. Jones, Assistant City Manager and Clerk of Council; Frank P. Turk, Director of Finance; Melvin B. Doughty, Civil Engineer; Joseph E. Yates, Jr., Director of Planning and Development; and Stephen M. Yost, City Attorney; and the following business was transacted:

The minutes of the regular meeting of August 24, 1998, were approved as written.

The report by the Director of Finance of the City's financial status for the month of July, 1998, was received and ordered filed.

Mayor Tarpley reported that Council at its regular meeting held on August 24, 1998, passed an ordinance on first reading rezoning the property of P & G, LLC, property owner, located at 1830 West Main Street from Business District B-3 and Industrial District M-1 to Business District B-3;

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

AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Section 106-7, Article I, Chapter 106 of The Code of the City of Salem, Virginia, relating to building district boundary lines be amended in the following particular and no other, viz:

That the following described property in the City of Salem, being property of P & G, LLC, property owner, located at 1830 West Main Street, be and the same is hereby changed from Business District B-3 and Industrial District M-1 to

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Business District B-3 and the map referred to shall be changed in this respect and no other, said property being described as follows:

TRACT "A"

Situated in the State of Virginia, City of Salem, and known as Tract "A" -
- 2.86 acres, further bounded and described as follows:

BEGINNING at an iron pin, which is in the southerly line of West Main Street (U. S. Route 11), S. 83° 16' 00" West 291.84 feet from the intersection of the westerly line of Hurt Lane and the southerly line of West Main Street; thence along the westerly line of lands owned by John R. and Linda M. Neal, S. 06' 44' 00" E. a distance of 276.40 feet to a found iron pin; thence leaving said Neal property but continuing along the same line common to the northwesterly line of Tract "B" as described in Plat Book 2, page 4, S. 06' 44' 00" E. a distance of 211.60 feet to a found iron pin; thence continuing along said Tract "B" S. 83° 16' 00" West a distance of 234.34 feet to a set iron pin; thence leaving said Tract "B" along the easterly line of lands owned by Mark A. and Diane B. Wing, N. 07° 52' 00" West a distance of 488.10 feet to a set iron pin located on the southerly right of way line of West Main Street; thence along said right of way line of West Main Street, N. 83° 16' 00" E. a distance of 244.00 feet to the Place of Beginning, containing within said bounds 2.860 acres being the same, more or less, but subject to all legal highways and easements of record according to a survey performed by Robert G. Cantley, Licensed Surveyor No. 1597 in November of 1997.

TRACT "B"

Situated in the State of Virginia, City of Salem, and known as Tract "B" -
-- 4.004 acres, further bounded and described as follows:

BEGINNING at an iron pin which is in the easterly line of Tract "A" and is the southwest corner of the lands owned by John R. and Linda M. Neal; thence along the southerly line of said Neal property, N. 83° 16' 00" East a distance of 309.00 feet to a found iron pin located on the westerly right of way line of Hurt Lane; thence along the westerly right of way line of Hurt Lane, S. 08° 19' 00" East, a distance of 388.79 feet to a set iron pin located on the northerly right of way line of the Norfolk Southern Railway; thence along said Railway S. 72° 19' 00" West a distance of 395.90 feet to a point located in the water of Mill Race Creek; thence leaving said Railway generally following the direction of said creek N. 67° 27' 00" West a distance of 146.77 feet to a set iron pin on the bank of said creek; thence continuing to generally follow the direction of said creek, N. 39° 20' 00" West a distance of 65.00 feet to a point located in the water of said creek; thence leaving said creek and along the easterly line of lands owned by Mark A. and Diane B. Wing N. 07° 52' 00" West a distance of 34.50 feet to a set iron pin on line; thence continuing along the easterly line of said Wing property N. 07° 52' 00" West a distance of 91.40 feet to a set iron pin; thence along the southerly line of Tract "A" N. 83° 16' 00" East a distance of 234.34 feet to a found iron pin; thence along the easterly line of Tract "A" N. 06° 44' 00" West a distance of 211.60 feet to the Place of Beginning containing within said bounds 4.004 acres being the same more or less but subject to all legal highways and easements of record according to the survey performed by Robert G. Cantley, Licensed Surveyor No. 1597 in November of 1997.


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

This ordinance shall be in full force and effect ten (10) days after its final passage.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Passed: September 14, 1998
Effective: September 24, 1998


Mayor

Mayor Tarpley reported that Council at its regular meeting held on August 24, 1998, passed an ordinance on first reading amending Chapter 106, Article 1, Section 106-2, of The Code of the City of Salem, Virginia, pertaining to the Board of Zoning Appeals generally;

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

AN ORDINANCE TO AMEND, REVISE, AND REORDAIN CHAPTER 106, ARTICLE I, SECTION 106-2, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, PERTAINING TO BOARD OF ZONING APPEALS GENERALLY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Section 106-2, Article I, Chapter 106, of The Code of the City of Salem, Virginia, be amended, revised, and reordained to read as follows:

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Mayor Tarpley requested that Council consider setting bond for physical improvements for Commonwealth Business Park located off Mill Lane; and

WHEREAS, Vice Mayor Brown, Chairman of Council's Audit-Finance Committee, reported that the Committee recommends bond for physical improvements for Commonwealth Business Park be set at \$187,700 with a time limit of eighteen months;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, bond is hereby set in the amount of \$187,700 for physical improvements for Commonwealth Business Park located off Mill Lane with a time limit for completion of said improvements of eighteen months -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

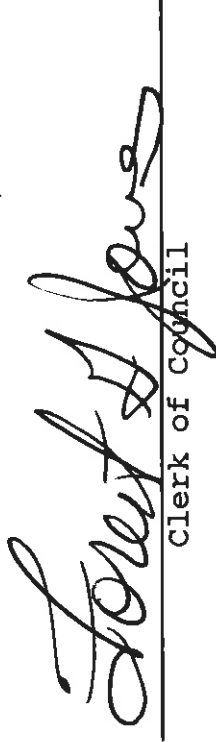
Mayor Tarpley requested that Council receive a request of Jeff Dorsey for vacation of an easement;

WHEREAS, Jeff Dorsey, Attorney representing G. L. Mattern, appeared before the Council requesting that an easement be vacated on the property of G. L. Mattern, and there are no other parties affected by the vacation;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the proper City officials are hereby authorized to execute a vacation instrument for the vacation of an easement for G. L. Mattern -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

There being no further business to come before the Council, the same on motion adjourned at 9:00 p.m.


Mayor


Clerk of Council

September 14, 1998

A regular meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on September 14, 1998, at 7:30 p.m., there being present all the members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, Howard C. Packett, John C. Givens, and Harry T. Haskins, Jr.; with Carl E. Tarpley, Jr., Mayor, presiding; together with Randolph M. Smith, City Manager; Forest G. Jones, Assistant City Manager and Clerk of Council; Frank P. Turk, Director of Finance; Melvin B. Doughty, Civil Engineer; Joseph E. Yates, Jr., Director of Planning and Development; and Stephen M. Yost, City Attorney; and the following business was transacted:

The minutes of the regular meeting of August 24, 1998, were approved as written.

The report by the Director of Finance of the City's financial status for the month of July, 1998, was received and ordered filed.

Mayor Tarpley reported that Council at its regular meeting held on August 24, 1998, passed an ordinance on first reading rezoning the property of P & G, LLC, property owner, located at 1830 West Main Street from Business District B-3 and Industrial District M-1 to Business District B-3;

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

AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Section 106-7, Article I, Chapter 106 of The Code of the City of Salem, Virginia, relating to building district boundary lines be amended in the following particular and no other, viz:

That the following described property in the City of Salem, being property of P & G, LLC, property owner, located at 1830 West Main Street, be and the same is hereby changed from Business District B-3 and Industrial District M-1 to

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Business District B-3 and the map referred to shall be changed in this respect and no other, said property being described as follows:

TRACT "A"

Situated in the State of Virginia, City of Salem, and known as Tract "A" -
- 2.86 acres, further bounded and described as follows:

BEGINNING at an iron pin, which is in the southerly line of West Main Street (U. S. Route 11), S. 83° 16' 00" West 291.84 feet from the intersection of the westerly line of Hurt Lane and the southerly line of West Main Street; thence along the westerly line of lands owned by John R. and Linda M. Neal, S. 06' 44' 00" E. a distance of 276.40 feet to a found iron pin; thence leaving said Neal property but continuing along the same line common to the northwesterly line of Tract "B" as described in Plat Book 2, page 4, S. 06' 44' 00" E. a distance of 211.60 feet to a found iron pin; thence continuing along said Tract "B" S. 83° 16' 00" West a distance of 234.34 feet to a set iron pin; thence leaving said Tract "B" along the easterly line of lands owned by Mark A. and Diane B. Wing, N. 07° 52' 00" West a distance of 488.10 feet to a set iron pin located on the southerly right of way line of West Main Street; thence along said right of way line of West Main Street, N. 83° 16' 00" E. a distance of 244.00 feet to the Place of Beginning, containing within said bounds 2.860 acres being the same, more or less, but subject to all legal highways and easements of record according to a survey performed by Robert G. Cantley, Licensed Surveyor No. 1597 in November of 1997.

TRACT "B"

Situated in the State of Virginia, City of Salem, and known as Tract "B" -
-- 4.004 acres, further bounded and described as follows:

BEGINNING at an iron pin which is in the easterly line of Tract "A" and is the southwest corner of the lands owned by John R. and Linda M. Neal; thence along the southerly line of said Neal property, N. 83° 16' 00" East a distance of 309.00 feet to a found iron pin located on the westerly right of way line of Hurt Lane; thence along the westerly right of way line of Hurt Lane, S. 08° 19' 00" East, a distance of 388.79 feet to a set iron pin located on the northerly right of way line of the Norfolk Southern Railway; thence along said Railway S. 72° 19' 00" West a distance of 395.90 feet to a point located in the water of Mill Race Creek; thence leaving said Railway generally following the direction of said creek N. 67° 27' 00" West a distance of 146.77 feet to a set iron pin on the bank of said creek; thence continuing to generally follow the direction of said creek, N. 39° 20' 00" West a distance of 65.00 feet to a point located in the water of said creek; thence leaving said creek and along the easterly line of lands owned by Mark A. and Diane B. Wing N. 07° 52' 00" West a distance of 34.50 feet to a set iron pin on line; thence continuing along the easterly line of said Wing property N. 07° 52' 00" West a distance of 91.40 feet to a set iron pin; thence along the southerly line of Tract "A" N. 83° 16' 00" East a distance of 234.34 feet to a found iron pin; thence along the easterly line of Tract "A" N. 06° 44' 00" West a distance of 211.60 feet to the Place of Beginning containing within said bounds 4.004 acres being the same more or less but subject to all legal highways and easements of record according to the survey performed by Robert G. Cantley, Licensed Surveyor No. 1597 in November of 1997.

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

This ordinance shall be in full force and effect ten (10) days after its final passage.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Passed: September 14, 1998
Effective: September 24, 1998


Mayor

Mayor Tarpley reported that Council at its regular meeting held on August 24, 1998, passed an ordinance on first reading amending Chapter 106, Article 1, Section 106-2, of The Code of the City of Salem, Virginia, pertaining to the Board of Zoning Appeals generally;

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

AN ORDINANCE TO AMEND, REVISE, AND REORDAIN CHAPTER 106, ARTICLE I, SECTION 106-2, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, PERTAINING TO BOARD OF ZONING APPEALS GENERALLY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Section 106-2, Article I, Chapter 106, of The Code of the City of Salem, Virginia, be amended, revised, and reordained to read as follows:

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CHAPTER 106
ZONING
ARTICLE I. IN GENERAL

Section 106-2. Board of zoning appeals generally.

A board of zoning appeals is hereby provided for, which shall consist of five members, to be appointed by the circuit court of the city, and upon appointment to exercise such powers as are provided for by the laws of the state.

City Council may request the circuit court for the city to appoint not more than three alternates to the board of zoning appeals. The qualifications, terms and compensation of alternate members shall be the same as those of regular members. A regular member when he knows he will be absent from a meeting shall notify the chairman twenty-four hours prior to the meeting of such fact. The chairman shall select an alternate to serve in the absent member's place and the records of the board shall so note.

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

This ordinance shall be in full force and effect ten (10) days after its final passage.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Passed: September 14, 1998
Effective: September 24, 1998


Mayor

Mayor Tarpley reported that Council at its regular meeting held on August 24, 1998, passed an ordinance on first reading creating Virginia's First Regional Industrial Facility Authority;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the following ordinance was duly passed and adopted on second reading:

AN ORDINANCE CREATING VIRGINIA'S FIRST REGIONAL INDUSTRIAL FACILITY AUTHORITY.

WHEREAS, pursuant to the Virginia Regional Industrial Facilities Act, Chapter 64 of Title 15.2 of the Code of Virginia, 1950, as amended (the "Act"), the Council of the City of Salem, Virginia, has determined that the economic growth and development of the region and the comfort, convenience, and welfare of its citizens require the development of facilities and that joint action through a regional industrial facility authority will facilitate the development of the needed facilities; and

WHEREAS, the City of Salem is authorized by the Act to participate in such Regional Authority and the Council of the City of Salem, Virginia, in conjunction with other governing bodies hereby proposes to create Virginia's First Regional Industrial Facility Authority, a public body politic and corporate created pursuant to the Act; NOW, THEREFORE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, that there hereby is created an Authority pursuant to the Virginia Regional Industrial Facilities Act, Chapter 64 of Title 15.2 of the Code of Virginia, 1950 as amended, whose name shall be "Virginia's First Regional Industrial Facility Authority" and whose member localities shall be as follows:

The County of Bland, Virginia
The County of Giles, Virginia
The County of Pulaski, Virginia
The County of Wythe, Virginia
The City of Roanoke, Virginia
The Town of Christiansburg, Virginia
The Town of Narrows, Virginia
The Town of Pulaski, Virginia

The County of Craig, Virginia
The County of Montgomery, Virginia
The County of Roanoke, Virginia
The City of Radford, Virginia
The City of Salem, Virginia
The Town of Dublin, Virginia
The Town of Pearisburg, Virginia

each of which is a political subdivision of the Commonwealth of Virginia, authorized to participate as a member of the Authority by the Act and collectively are the "Member Localities";

BE IT FURTHER ORDAINED, that as provided by the Act, the Council of the City of Salem, Virginia, after due consideration, hereby makes the following findings:

- A. The economy of Western Virginia has not kept pace with those of much of the rest of the Commonwealth. Individual localities in the region often lack the financial resources to assist in the development of economic development projects. Providing a mechanism for localities in the region to cooperate in the development of facilities will assist the region in overcoming this barrier to economic growth. The creation of a regional industrial facility authority will assist this area of the Commonwealth in achieving a greater degree of economic stability.

ORDINANCE
PASSED ON
SECOND
READING
CREATING
VIRGINIA'S
FIRST
REGIONAL
INDUSTRIA
FACILITY
AUTHORITY

B. The purpose of the regional industrial facility authority is to enhance the economic base for the member localities by developing, owning, and operating, one or more facilities on a cooperative basis involving its member localities.

C. The exercise of the powers granted by the Act shall be in all respects for the benefit of the inhabitants of the region and other areas of the Commonwealth, for the increase of their commerce, and for the promotion of their safety, health, welfare, convenience, and prosperity.

D. That the economic growth and development of this locality and the comfort, convenience, and welfare of its citizens require the development of facilities and that joint action through a regional industrial facility authority by the localities which are to be members of the proposed authority will facilitate the development of the needed facilities.

In furtherance of this Ordinance, the Mayor is hereby authorized to execute an agreement in the form attached to this Ordinance establishing the respective rights and obligations of the Member Localities with respect to the Authority.

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

This ordinance shall be in full force and effect ten (10) days after its final passage.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Passed: September 14, 1998
Effective: September 24, 1998


Mayor

Mayor Tarpley requested that Council receive a presentation from the Virginia Amateur Sports, Inc.; and

WHEREAS, Peter Lampman, President of Virginia Amateur Sports, Inc., appeared before the Council expressing thanks from the Virginia Amateur Sports, Inc., for Salem's participation in the 1998 Commonwealth Games; explaining the multi-sport events, which included 45 Olympic and non-Olympic sports with 10,119 athletes, and the economic impact of the games in the Valley; and presenting a plaque showing the appreciation of VAS for Salem's participation in the events;

THEREUPON, said presentation and plaque were received.

Mayor Tarpley requested that Council receive a request from the Blue Ridge Public Television for a donation in the amount of admissions tax that will be paid in connection with the "Willie Nelson and Family" performance at the Salem Civic Center; and

WHEREAS, Larry A. Dyer, General Manager of Blue Ridge Public Television, appeared before the Council explaining that on October 16, 1998, as a fund raiser for Blue Ridge Public Television, Willie Nelson and Family will be appearing at the Salem Civic Center; the television industry will be required to go digital in the next few years, which will cost millions of dollars in new equipment at Blue Ridge Public Television; any financial help the City can give to Blue Ridge Public Television would be greatly appreciated; it was noted that Blue Ridge Public Television offers instructional television to the Salem City Schools; the highest estimation for the admissions tax that will be paid is \$6,500 to \$6,900 if the event is sold out; etc.; and

WHEREAS, it was noted that requests of this nature are usually made after the particular event with a specific dollar amount being stipulated; but this time Blue Ridge Public Television is making the request in advance of the function;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, a donation is hereby authorized to Blue Ridge Public Television in the amount of the admissions tax that will be paid in connection with the "Willie Nelson and Family" performance at the Salem Civic Center -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider the request of Boy Scout Troop 51 for permission to place a flagpole and a flower bed at Longwood Park; and

WHEREAS, Jonathan T. Wing, member of Boy Scout Troop 51 with First United Methodist Church in Salem and Freshman at Salem High School, appeared before the Council requesting permission to place a flagpole to be used for displaying flags at special events and also a surrounding flower bed in Longwood Park as his Eagle Scout Project; First United Methodist Church and Boy Scout Troop 51 are of the opinion that this project would benefit the people of the City of Salem and fulfill the requirements for an Eagle Project; and

PRESENTATION
FROM THE
COMMONWEALTH OF VIRGINIA
AMATEUR SPORTS, INC.
REQUEST FROM
THE BLUE
RIDGE PUBLIC
TELEVISION
OR A
CONTRIBUTION IN
THE AMOUNT OF
\$10,000
COMMISSIONS
TAX THAT
WILL BE PAID
IN CONNECTION
WITH THE
WILLIE
NELSON AND
FAMILY"
PERFORMANCE
AT THE SALEM
CIVIC CENTER
APPROVED
CITY MANAGER
AUTHORIZED
COORDINATE
EFFORTS FOR
PLACEMENT OF
FLAGPOLE
AND FLOWER
BED AT
LONGWOOD
ARK WITH
BOY SCOUT
TROOP 51 AND
CITY
DEPARTMENTS

WHEREAS, the City Manager suggested, if Council is interested in the proposal made by the Boy Scout Troop 51 regarding Longwood Park, that the Troop coordinate its efforts through Billy Hull, Director of Streets and General Maintenance, and Beth Carson, Horticulturist; and

WHEREAS, Council commended Mr. Wing and his Troop for the excellent project;

ON MOTION MADE BY COUNCILMAN HASKINS, SECONDED BY VICE MAYOR BROWN, AND DULY CARRIED, the City Manager is hereby authorized to coordinate efforts for placement of a flagpole and flower bed at Longwood Park with Boy Scout Troop 51; Billy Hull, Director of Streets and General Maintenance; and Beth Carson, Horticulturist -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider adopting Resolution 906 accepting the City of Salem Emergency Operations Plan (Basic Plan) dated October 1, 1998; and

WHEREAS, the City Manager reported that the State of Virginia requires the governing bodies to officially adopt Emergency Operations Plans, and adoption of this plan would fulfill this requirement;

ON MOTION MADE BY COUNCILMAN HASKINS, SECONDED BY VICE MAYOR BROWN, AND DULY CARRIED, Resolution 906 was duly passed and adopted:

RESOLUTION 906

WHEREAS, there exist many dangers of many types, including man-made disasters, natural disasters, and possible hostile actions of an unknown enemy; and

WHEREAS, the safety and protection of the citizens, visitors, and property are of foremost concern to the Council of the City of Salem; and

WHEREAS, the Council of the City of Salem desires and the Commonwealth of Virginia statutes require the adoption of appropriate planned protective measures; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that the Council of the City of Salem hereby adopts the City of Salem Emergency Operations Plan (Basic Plan) dated October 1, 1998.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Mayor Tarpley requested that Council consider appointing a Voting Delegate and an Alternate Voting Delegate for the upcoming Virginia Municipal League Conference; and

WHEREAS, it was noted that last year Council appointed Alexander M. Brown as Voting Delegate and Harry T. Haskins, Jr., as Alternate Voting Delegate for the VML Conference;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, Harry T. Haskins, Jr., is hereby appointed as Voting Delegate and Alexander M. Brown is hereby appointed as Alternate Voting Delegate for the 1998 Virginia Municipal League Conference -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider the request of the Virginia Municipal League for Salem to participate in the Virginians to Virginians Program; and

WHEREAS, the City Manager reported that VML had contacted the City pertaining to this program; he recommends Salem participate in this program since a specific request has been received from the City of Leesburg to share ideas and information regarding this program;

ON MOTION MADE BY COUNCILMAN HASKINS, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the City is hereby authorized to participate with the City of Leesburg in the Virginians to Virginians Program of the Virginia Municipal League -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider granting a fifty-foot access easement across the property of Virginia-Carolina Belting, Inc.; and

WHEREAS, the City Manager recommends following the City Engineer's suggestion as described in his September 1, 1998, memorandum which states that granting a 50-foot wide access easement would make the easement consistent with The Code of the City of Salem, Virginia, and should not present a problem for the City;

RESOLUTION
906 ADOPTED
ACCEPTING
THE CITY OF
SALEM
EMERGENCY
OPERATIONS
PLAN (BASIC
PLAN) DATED
OCTOBER 1,
1998

HARRY T.
HASKINS,
APPOINTED
VOTING
DELEGATE
ALEXANDER
BROWN
APPOINTED
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INC.

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the proper city officials are hereby authorized to execute a deed of easement granting a fifty-foot access easement to Virginia-Carolina Belting, Inc. -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider the request of United States Cellular to increase the number of antennas from three to six on the Morwanda Park Water Tank; and

WHEREAS, Vice Mayor Brown, Chairman of Council's Audit-Finance Committee, reported that the Committee reviewed the proposed new lease from United States Cellular requesting an increase in the number of antennas from three to six and to increase the monthly rent from \$650 to \$900 on the Morwanda Park Water Tank; and the Committee recommends the increase be approved, subject to the monthly rent being increased to \$1,200; and

WHEREAS, James Gardner, representing United States Cellular (lease is with Ohio State Cellular Phone Company, Inc.), appeared before the Council explaining his company's request for an increase in the number of antennas from three to six on the Morwanda Park Water Tank; Mr. Gardner stated that, if the monthly rate for the lease is increased, he is requesting that the lease be modified to allow six antennas now with the possibility of an additional three antennas in the future for the monthly rent of \$1,200; and Mr. Gardner noted that his company's revenue will not increase for the additional antennas; and

WHEREAS, Vice Mayor Brown stated it is his opinion that if the number of antenna is increased the monthly charge should increase accordingly; and

WHEREAS, the City Attorney noted that the lease presented at this meeting provides for six antennas; if the number of antennas increases, the lease would have to be amended; and he pointed out that an increase would have to be contingent on the additional antenna being feasible from an engineering perspective;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, the request from United States Cellular (Ohio State Cellular Phone Company, Inc.) for an increase in the number of antenna from three to six at the Morwanda Park Water Tank is hereby approved subject to the monthly rent being increased from \$650 to \$1,200 -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider setting bond for physical improvements for Northwoods of Ridgewood Farms Subdivision, Section 4; and

WHEREAS, Vice Mayor Brown, Chairman of Council's Audit-Finance Committee, reported that the Committee met with the City's Civil Engineer to discuss the bond for physical improvements for Northwoods of Ridgewood Farms Subdivision, Section 4, and the Committee recommends the bond be set at \$112,100 with a time limit for completion of said improvements of eighteen months;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, bond for physical improvements for Northwoods of Ridgewood Farms Subdivision, Section 4, is hereby set at \$112,100 with a time limit for completion of said improvements of eighteen (18) months -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider setting bond for physical improvements for Hershey Creamery; and

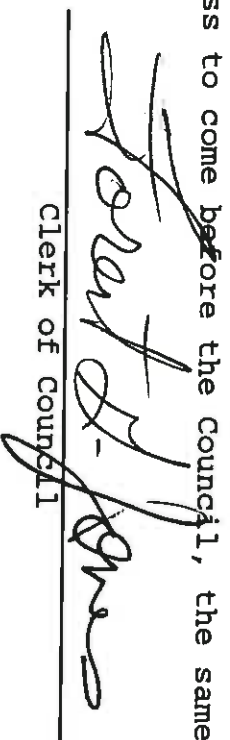
WHEREAS, Vice Mayor Brown, Chairman of Council's Audit-Finance Committee, reported that the Committee met with the City's Civil Engineer and reviewed the cost for physical improvements for Hershey Creamery; and the Committee recommends the bond be set at \$1,500 with a time limit for completion of said improvements of twelve (12) months;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, bond for physical improvements for Hershey Creamery is hereby set at \$1,500 with a time limit for completion of said improvements of twelve (12) months -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, Erin Collins, 2766 Fletcher Street, is hereby appointed to the Juvenile Court Service Advisory Council as a student representative for a one-year term, said term will expire on September 1, 1999 -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

There being no further business to come before the Council, the same on motion adjourned at 8:57 p.m.


Mayor


Clerk of Council

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September 28, 1998

A regular meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on September 28, 1998, at 7:30 p.m., there being present all the members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, Howard C. Packett, John C. Givens, and Harry T. Haskins, Jr.; with Carl E. Tarpley, Jr., Mayor, presiding; together with Randolph M. Smith, City Manager; Forest G. Jones, Assistant City Manager and Clerk of Council; Frank P. Turk, Director of Finance; James E. Taliaferro, II, City Engineer; Joseph E. Yates, Jr., Director of Planning and Development; and William C. Maxwell, Assistant City Attorney; and the following business was transacted:

The minutes of the regular meeting of September 14, 1998, were approved as written.

The report by the Director of Finance of the City's financial status for the month of August, 1998, was received and ordered filed.

Mayor Tarpley reported that Council at its regular meeting held on August 24, 1998, continued a public hearing to this date and time to consider the request of Nancy J. Rutrough, property owner, and David & Teresa Jones, contract purchasers, for rezoning the property located at 105 Poplar Avenue from Residential District R-2 to Residential Business District R-B; and

WHEREAS, the Clerk of Council reported that notice of such public hearing has been published in the August 6 and 13, 1998, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, the Planning Commission of the City of Salem at its regular meeting held on September 16, 1998, recommended to Council that the request for rezoning be approved; and

WHEREAS, it was noted that the residential structure located next door to the south is zoned Business District B-3, and the adjacent property located on the north side was recently rezoned to Residential Business District R-B; the petitioners intend to use the dwelling as their private residence and wish to operate an office at the same location; and the request for rezoning will bring this property into compliance with the Future Land Use Plan portion of the Comprehensive Plan, which designates this property as commercial; and

WHEREAS, no one appeared in support of or in opposition to said rezoning;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, an ordinance entitled "AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA," was duly passed on first reading -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley reported that this date and time had been set to hold a public hearing to consider the request of Bennett J. & Barbara T. Coffey, property owners, for rezoning the property located at 1900 Kiska Road from Residential District R-1 to Residential District R-2; and

WHEREAS, the Clerk of Council reported that notice of such public hearing has been published in the September 10 and 17, 1998, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, the Planning Commission of the City of Salem at its regular meeting held on September 16, 1998, recommended to Council that the request for rezoning be approved; and

WHEREAS, it was noted that the existing lot is situated on Kiska Road; the lot is deep enough to allow the creation of a new lot facing Sexton Avenue if R-2 zoning regulations are allowed; R-1 zoning requires 90-foot minimum lot width and 10,000 square feet minimum area; R-2 zoning requires 80-foot minimum lot width and 9,000 square feet minimum area; the Planning Commission approved a variation of the subdivision ordinance requirement, Section 78-122, that a lot have an average depth of not less than 100 feet for new Lot 14B; and if the rezoning is approved, a variance from the Board of Zoning Appeals will be required for Lot 14B for the square footage requirement; and

WHEREAS, Bennett J. Coffey, property owner, appeared before the Council explaining the proposed rezoning request, which will allow he and his wife to subdivide their property and build a new home; and

WHEREAS, no one appeared in opposition to said rezoning;

ON MOTION MADE BY COUNCILMAN PACKETT, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, an ordinance entitled "AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA," was duly passed on first reading -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

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PROPERTY C
NANCY J.
RUTROUGH,
PROPERTY
OWNER, AND
DAVID &
TERESA
JONES,
CONTRACT
PURCHASERS
LOCATED AT
105 POPLAR
AVENUE FRC
R-2 TO R-B

ORDINANCE
PASSED ON
FIRST
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REZONING
PROPERTY C
BENNETT J.
BARBARA T.
COFFEY,
PROPERTY
OWNERS,
LOCATED AT
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Mayor Tarpley reported that this date and time had been set to hold a public hearing to consider the request of William T. & Rebecca B. Cline, property owners, for the issuance of a Zoning and Use Permit to allow an accessory building in excess of 1,000 square feet on the property located at 2437 Karen Drive; and

WHEREAS, the Clerk of Council reported that notice of such public hearing has been published in the September 10 and 17, 1998, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, the Planning Commission of the City of Salem at its regular meeting held on September 16, 1998, recommended to Council that the request for a Zoning and Use Permit be denied; and

WHEREAS, Mayor Tarpley reported that the petitioner has requested that the Zoning and Use Permit request be withdrawn;

THEREUPON, the request of William T. & Rebecca B. Cline, property owners, for the issuance of a Zoning and Use Permit to allow an accessory building in excess of 1,000 square feet on the property located at 2437 Karen Drive is hereby allowed to be withdrawn without prejudice.

Mayor Tarpley reported that this date and time had been set to hold a public hearing to consider the request of Lorraine W. Thornhill, property owner, for rezoning the property located at 55 E. Fourth Street from Business District B-1 to Business District B-3; and

WHEREAS, the Clerk of Council reported that notice of such public hearing has been published in the September 10 and 17, 1998, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, the Planning Commission at its regular meeting held on September 16, 1998, recommended to Council that the request for rezoning be approved; and

WHEREAS, it was noted that the petitioner is seeking further development of this lot for a single-bay car wash, a single-bay garage, and ten mini-storage buildings; rezoning the property from B-1 to B-3 is required to allow these proposed uses; landscaping and screening are being provided to satisfy the zoning requirements; the main issue of this development is the existence of the flood plain and floodway on the property; the proposed buildings are out of the floodway and must be elevated to floodproof heights; parking is being provided in the floodway and is a permitted use as long as there is no filling within the floodway boundary; a detailed site plan review by the city staff is required before construction commences if the rezoning is approved; and

WHEREAS, John T. Parker of T. P. Parker & Son, representing the property owner, appeared before the Council explaining the proposed rezoning which would allow the proposed single-bay car wash, single-bay garage, and mini-storage buildings; and further, Mr. Parker stated that the proposed buildings will be raised to be at or above the 100-year floodplain, and they will meet all of the requirements of the City of Salem Flood Plain Ordinance; and

WHEREAS, no one appeared in opposition to said rezoning;

ON MOTION MADE BY COUNCILMAN GIVENS, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, an ordinance entitled "AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA," was duly passed on first reading -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley reported that this date and time had been set to hold a public hearing to consider the request of Aaron J. Conner General Contractor Inc., property owner, for rezoning the property located at 1374 Forest Lawn Drive from Residential District R-2 and Industrial District M-1 to Industrial District M-1; and

WHEREAS, the Clerk of Council reported that notice of such public hearing has been published in the September 10 and 17, 1998, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, the Planning Commission of the City of Salem at its regular meeting held on September 16, 1998, recommended to Council that the request for rezoning be denied; and

WHEREAS, it was noted that this residential structure is within the Industrial District M-1 zone; the line separating the M-1 and R-2 zoning districts crosses this lot at an angle leaving approximately 1/3 of the lot zoned residentially while 2/3 of the lot, including the majority of the house, zoned M-1; as it is now, the use of the structure as a residence is a nonconforming use; the petitioners wish to rezone the 1/3 portion of the property to M-1 to make the entire lot one zoning district; the owners are intending to use the existing residence for offices and the manufacturing of hearing aids; the property will remain as it is with the exception of widening the parking lot and adding a landscaped buffer along the western property line; currently the house is zoned M-1 and can be used for the use

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requested with the exception that portion of the lot zoned R-2; the proposed use will require more parking than is needed by a residence; and the rezoning brings the entire lot into one zoning classification; and

WHEREAS, no one appeared in support of said rezoning;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, the request of Aaron J. Conner General Contractor Inc., property owner, for rezoning the property located at 1374 Forest Lawn Drive from Residential District R-2 and Industrial District M-1 to Industrial District M-1 is hereby denied -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley reported that this date and time had been set to hold a public hearing to consider the request of Christopher B., Robert B. and Brenda B. Bower, property owners, and BFS Inc., developer, for rezoning the property located at 524 East Main Street from Business District B-1 to Business District B-2; and

WHEREAS, the Clerk of Council reported that notice of such public hearing has been published in the September 10 and 17, 1998, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, the Planning Commission of the City of Salem at its regular meeting held on September 16, 1998, recommended to Council that the request for rezoning be approved; and

WHEREAS, it was noted that a rezoning for this property was requested at the April Council meeting to construct apartments but was denied; the owner is now proposing to construct an office building; the proposed building is designed to be compatible with the existing structures located on adjacent lots; B-1 zoning regulations require the developer to furnish one parking space per 200 square feet of business floor area; the B-2 zoning requested does not require off-street parking, and the main issue is the provision of parking spaces for the proposed building; B-2 zoning is the zoning in the central business district downtown; the petitioner can build the proposed office building in the existing zoning but will be required to furnish more parking than the lot will allow; therefore, the petitioners are requesting the rezoning to relax the parking requirement; parking will be provided, but at a lower number than required by the B-1 regulations; and the site plan shows an approximately 21,600 square foot building with ten parking spaces; and

WHEREAS, Robert Bower of 810 Virginia Avenue, property owner, appeared before the Council explaining the proposed rezoning request to allow the construction of an office building with a limited number of parking spaces; and

WHEREAS, Charlotte Griffith, 530 East Main Street, appeared before the Council requesting that Council offer protection for the fragile serpentine wall on her property; Mr. Bower stated he will have an eight-foot side setback on his property; and she is requesting that Council set definite side setback lines for the property of Mr. Bower to protect the wall on her property; and

WHEREAS, Betsy Hansen, of Roanoke County, owner of the Stitchin' Station which is located at 15 McCauley Drive, appeared before the Council stating that it was pointed out at the Planning Commission meeting that, even if the property is not rezoned, the building that is proposed by Mr. Bower could still be built; why does the City want to rezone this property, as it is her opinion that the City would want the highest and best use for this property; she is of the opinion that the highest and best use for this property is B-1 zoning, as previously designated by the City; she noted that, if this rezoning is allowed, this block would contain B-1 zoning, B-2 zoning, and R-B zoning; she questioned whether this is the image Salem wants to project; she is concerned about the number of parking spaces which would be provided for this office building; B-2 zoning makes no provision for parking; Mr. Bower will provide for ten parking spaces, and with parking at his other properties, it is the opinion of Mr. Bower that there should be sufficient parking for this building; she is of the opinion that there presently exists a lack of parking in this area, and the parking proposed by Mr. Bower is not sufficient for the proposed use of the property; she has been watching the two adjacent properties, which the Bower own, to see if there is extra parking there, but from what she has observed, it appears the majority of the parking is being utilized by these businesses; and

WHEREAS, Council is of the opinion that the proposed rezoning is requested in order to save trees on the property instead of removing the trees for parking; Mr. Bower owns the two adjacent buildings, which have parking that can be used for this proposed building; etc.;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, an ordinance entitled "AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA," was duly passed on first reading -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

ORDINANCE
PASSED ON
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PROPERTY OF
CHRISTOPHER
B., ROBERT
B. AND
BRENDA B.
BOWER,
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BFS INC.,
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MAYOR TARPLEY REPORTED THAT THIS DATE AND TIME HAD BEEN SET TO HOLD A public hearing to consider amending Chapter 106, Article I, Section 106-498, of The Code of the City of Salem, Virginia, pertaining to filling and advertising fees; and

WHEREAS, the Clerk of Council reported that notice of such public hearing has been published in the September 10 and 17, 1998, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, the Planning Commission of the City of Salem at its regular meeting held on September 16, 1998, recommended to Council that Section 106-498 of the City Code be amended to provide for establishment of advertising and filing fees; and

WHEREAS, it was noted that the purpose of this ordinance amendment is to add a review fee for site plan approval as the City currently does not charge for this review; Salem is the only locality in the Roanoke Valley without a site plan review fee; and in order for Council to be able to set a fee, the Zoning Ordinance must be amended to reflect this new fee; and

WHEREAS, the City Manager reported that at the August 10, 1998, meeting of Council a resolution was passed by Council increasing the fees for rezoning, zoning and use permits, and variances; the staff recommends a fee be established for site plan review; in order to establish a fee for site plan review, an amendment to Section 106-498 of the City Code is required; and the proposed fee is \$50 plus \$10 per acre; and

WHEREAS, no one appeared in opposition to said amendment;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, an ordinance entitled "AN ORDINANCE TO AMEND, REVISE, AND REORDAIN CHAPTER 106, ARTICLE XVI, DIVISION 1, SECTION 106-498, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, PERTAINING TO FILING AND ADVERTISING FEE," was duly passed on first reading -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council receive bids and consider awarding a contract for a cooling tower for the air conditioning system at the Salem Civic Center; and

WHEREAS, Vice Mayor Brown, Chairman of Council's Audit-Finance Committee, reported that the City requested bids for a modular cooling tower for the air conditioning system at the Salem Civic Center; only one bid was received and has been reviewed by Kinsey, Shane & Associates, the Streets and General Maintenance Department, and the Committee; and it is the recommendation of the Committee that the bid received from H₂O Tech, Inc., meeting specifications, be accepted in the amount of \$41,019 for a cooling tower for the air conditioning at the Salem Civic Center, said amount chargeable to the Enterprise Fund Unappropriated Balance;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, the bid received from H₂O Tech, Inc., meeting specifications, for a modular cooling tower for the air conditioning system at the Salem Civic Center is hereby accepted in the amount of \$41,019, said amount chargeable to the Enterprise Fund Unappropriated Balance -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider adopting Resolution 907 regarding the widening of Interstate 81 and its impact on the adjacent residential neighborhoods; and

WHEREAS, the City Manager reported that this Resolution was placed on the agenda at the request of Councilman Haskins to address storm water runoff from the proposed improvements to Interstate 81, since the current four lanes of I-81 create problems in certain sections by flooding creeks and taxing City storm drains; and

WHEREAS, Councilman Haskins stated that he requested that, due to persistent problems Salem has encountered with storm water runoff from the existing lanes of Interstate 81 that were not provided for when the Interstate was originally constructed, Resolution 907 is presented for Council's consideration to request VDOT to adequately plan for storm water runoff management in order that the widening of Interstate 81 does not adversely affect the property of the citizens of the City of Salem that adjoins this project; and

WHEREAS, a discussion was held concerning said resolution;

ON MOTION MADE BY COUNCILMAN HASKINS, SECONDED BY VICE MAYOR BROWN, AND DULY CARRIED, Resolution 907 was duly passed and adopted:

RESOLUTION 907

WHEREAS, the Virginia Department of Transportation has discussed plans to widen Interstate 81 along the corridor as it passes through Salem and the Roanoke Valley; and

WHEREAS, with these much needed improvements will also come increased noise and traffic that will impact on residential neighborhoods adjacent to Interstate right of way; and

SOLUTION
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WHEREAS, due to environmental concerns, Council is desirous of seeing that these neighborhoods are protected and screened from the additional noise and pollution; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that the Virginia Department of Transportation be formally requested to include in its studies and plans for improvements to Interstate 81 sound barriers, retaining walls, and any other structures that would lessen the environmental impact of interstate improvements on residential neighborhoods that lie along the proposed route of Interstate 81; that the construction should include six lanes only with no collector/distributor roads; and that homes and property not be condemned in the City of Salem for this project; and further, VDOT is requested to adequately plan for storm water runoff management in order that it does not adversely affect the property of the citizens of the City of Salem that adjoins this project.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to appropriate engineers and administrators at the Virginia Department of Transportation.

BE IT STILL FURTHER RESOLVED that a certified copy of this Resolution be forwarded to John W. Warner, United States Senator; Charles S. Robb, United States Senator; Robert W. Goodlatte, United States Representative for the Sixth District; Malfourd W. Trumbo, State Senator for the Twenty-second District; John S. Edwards, State Senator for Twenty-first District; H. Morgan Griffith, House of Delegates for the Eighth District; C. Richard Cranwell, House of Delegates for the Fourteenth District; Clifton Woodrum, House of Delegates for the Sixteenth District; and A. Victor Thomas, House of Delegates for the Seventeenth District.

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

- Harry T. Haskins, Jr. - Aye
- John C. Givens - Aye
- Howard C. Packett - Aye
- Alexander M. Brown - Aye
- Carl E. Tarpley, Jr. - Aye

Mayor Tarpley requested that Council consider the repurchase of a ten-acre tract of land on Cook Drive, which was sold to Grove Manufacturing Company in 1990; and

WHEREAS, the City Manager reported that he has been contacted by Hanson Company that owns Grove Worldwide Manufacturing; in 1990 the City of Salem sold Grove ten acres of land on Cook Drive that they never used; Grove paid \$1,000 at closing and the \$99,000 balance was due in ten years; in 1994, the City offered to purchase the property back with the same terms, and Grove never responded to this offer; it now appears Grove would like to sell the property back to the City under the same terms; this means that we would owe them \$1,000 and take the property back for resale or whatever other use the City desires to make of it; and he is requesting that Council take affirmative action to repurchase this tract of land;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the proper City officials are hereby authorized to execute a contract approved by the City Attorney to repurchase ten acres of property on Cook Drive that was sold to Grove Manufacturing Company in 1990 -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley reported that Council at its regular meeting held on July 27, 1998, requested that the Planning Commission of the City of Salem hold a public hearing to receive citizen input to determine usage and the feasibility of rezoning the Elizabeth Campus property; and

WHEREAS, the Clerk of Council reported that notice of such hearing has been published in the September 10 and 17, 1998, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, Elizabeth Doughty, Roanoke Valley Economic Development Partnership, appeared before the Council stating that most job growth in the United States comes from small business; the Roanoke Valley is experiencing one of the highest rates of hi-tech job growth in Virginia according to the Virginia Center for Innovative Technology; manufacturing jobs account for the highest wage rate and greatest wage growth in the Roanoke Valley; the Roanoke Valley has been more successful in creating and sustaining manufacturing job growth than most of the other regions in Virginia over the last several years; there is a lack of available land for economic development throughout the Roanoke Valley; there are fifty-seven properties in the site inventory of the Roanoke Valley Economic Development Partnership with only three representing a first-class small acreage park for clean light manufacturing such as the Elizabeth Campus; approximately one-half of prospect inquiries received at the Partnership are looking for this type of property; this need is great in Salem, and the Elizabeth Campus property would be a good opportunity for such a location; and

WHEREAS, Frank Munley, 425 Boulevard, appeared before the Council stating it is his opinion that the property should be kept as green space for a period of time; a good policy would be a ten-year moratorium as suggested by Vice Mayor Brown; green space is scarce in Salem; if Salem is in need of expanding its tax base, development of green spaces is a short-term solution

PROPER CITY OFFICIALS AUTHORIZED TO EXECUTE CONTRACT APPROVED BY THE CITY ATTORNEY TO REPURCHASE TEN ACRES OF PROPERTY ON COOK DRIVE THAT WAS SOLD TO GROVE MANUFACTURING COMPANY IN 1990

MATTER OF DEVELOPMENT OF THE ELIZABETH CAMPUS PROPERTY REFERRED TO THE SALEM PLANNING COMMISSION TO DETERMINE A MIXED USE MASTER PLAN FOR DEVELOPMENT OF THIS PROPERTY

as there is not enough of this space to make a difference in the long run; a more realistic long-term solution can be found; Elizabeth Campus is too good for a commercial development; there are existing business areas that have vacant spaces for new tenants; and these areas should be revitalized prior to using green space areas; and

WHEREAS, John Wimmer, 2806 West Main Street and owner of small business in Salem, appeared before the Council stating that a price cannot be put on physical fitness and quality of life; lots of people use this property to run, walk, walk their dogs, better their quality of life, and better their physical fitness; the Salem High School Cross Country Team uses this property; a lot of money has been spent on football facilities and baseball facilities; and it is his opinion that the cross country team should be able to use this property instead of having to run on the roadways; and

WHEREAS, Robert Craighead, 1016 Stonegate Drive, appeared before the Council stating that, when Council approved the purchase of the 52 acres of the former Lutheran Children's Home property from Roanoke College in August 1997 for \$1,700,000, he was of the opinion that it was being acquired for economic development purposes, particularly the portion fronting on Texas Street across from the Salem Civic Center Complex; development of the property in this manner would provide Salem with a much needed area for small enterprises such as light manufacturers, distribution facilities, and general or regional offices; all of these enterprises would make attractive locational fits with proper planning and design; this form of development would give Salem a new lease on life with highly-desirable businesses and would provide additional tax revenues and future employment opportunities; if this property is left intact and reserved for future generations, the fact that the City has invested \$1,700,000 in this tract of land and should be receiving a return on its investment has been overlooked; if this \$1,700,000 had been invested in a money market account paying 5% interest, this amount would become \$2,700,000 in ten years; it is his opinion that the City cannot afford to sit on this property because of the lost earnings on the City's investment and what it will cost Salem in lost income from the sale of the land, new tax revenue from occupying businesses, and lost employment for citizens; jobs are needed for present generations in addition to future generations; Salem already has reserved approximately 800 acres for open space and related recreational opportunities such as Mowles Springs Park, Longwood Park, Lake Spring Park, Moyer Complex, Salem Civic Center Complex, Salem Municipal Golf Course, Oakey Field, Kiwanis Field, greenways being developed along Roanoke River and Masons Creek, neighborhood parks and playgrounds; etc.; and

WHEREAS, Mr. Craighead noted the following green spaces are adjacent to the City of Salem: Hidden Valley Country Club; Hanging Rock Golf Course; Lee Hi Driving Range; Glen Acres Driving Range; Stonegate Swim and Tennis Club; Virginia Baptist Children's Home Equestrian Area, Fishing Lake and Recreational Field; Veterans Administration Recreational Area; American Legion Post 3 Recreational Area; General Electric Recreational Area; Arnold R. Burton Recreational Area; and Timber Truss Recreational Area (totalling over 700 acres); and further, this does not include Green Hill Park in Roanoke County, Fort Lewis Mountain, or Havens Wildlife and Management Area; etc.; and

WHEREAS, Debra McNamara, 1222 Boulevard, appeared before the Council stating that this site is beautiful for individuals attending events at the Salem Civic Center Complex; if this property is developed as business or industrial, the area of the Boulevard would have more traffic; the Boulevard is posted to not allow truck traffic, but trucks still use this roadway; with industrial traffic there will be more trash, noise, dust, and dirt; and

WHEREAS, Alvin Stump, 300 Homeplace Drive, appeared before the Council stating Salem already has an area for industrial and commercial growth; he suggested the City use the property from Valleydale to the Norfolk and Western Railway Passenger Station, crossing Colorado Street and running to G. W. Carver Elementary School; this area has railroad tracks, roadways, water, sewer, etc.; Elizabeth Campus should be left as it presently is with green space, etc.; and

WHEREAS, Terey Shelor, 511 Tennessee Street, and Dorian Shelor, grandson of Mrs. Shelor, appeared before the Council stating that, if this property is developed, the wild animals will not have a place to live; the development of this property on Elizabeth Campus might affect the equity in her home by lowering property values; and she questioned why all available open land has to be developed for a City to be considered progressive; and

WHEREAS, Valerie Mann, 713 Academy Street, appeared before the Council urging Council to have foresight in not destroying the City with urban sprawl; and she urged Council to preserve the property as it exists; and

WHEREAS, Emily Paine Brady, 335 North Broad Street, appeared before the Council questioning how the opinions of the silent majority can be heard; it is her opinion this historic property should be protected as open space as the Salem Golf Course was protected; she is of the opinion that more individuals were in support of open space versus a mixed use of commercial/ industrial development; even if Salem allows the YMCA to expand on this property, the Elizabeth Campus will still be lost to her, and some Salem citizens would not be able to afford a membership to the "Y" to use this property; Salem citizens enjoy the scenery of the Elizabeth Campus location; if this property is sold, the serenity of the location would be lost, and it gives pleasure and spiritual rejuvenation from walking or driving past the property; she is of the opinion that an arboretum and light recreational areas should be developed if anything must be done to this property; she is

not against business development; there are other sites in Salem that could be used for businesses; the truck route could be used for an industrial park; development of the Elizabeth Campus property would bind the hands of future generations more than a moratorium, and a ten-year moratorium would be good for this property; etc.; and

WHEREAS, Will Andrews, 357 Mount Vernon Avenue, appeared before the Council suggesting that Council use properties that exist for businesses; the green spaces that were pointed out by Mr. Craighead are not always accessible to the public; and he recommended the Elizabeth Campus property be left as a green space; and

WHEREAS, Matt Thomas, 1642 Sunset Avenue, appeared before the Council stating he goes to the YMCA in the summer; there are groundhogs in the field at Elizabeth Campus; and he is of the opinion that the property should be left as green space; and

WHEREAS, Jean Pollard, 607 Idaho Street, appeared before the Council stating there are beautiful areas in Salem such as parks, etc.; there are wild animals in this field; and it is her opinion that this property should be left green space; and

WHEREAS, Frankie Robbins, 620 High Street, appeared before the Council stating her concerns that Council may have already made a decision pertaining to this matter; some of the areas mentioned by Mr. Craighead such as Green Hill Park, Mowles Springs Park, and Fort Lewis Mountain are beautiful green spaces which are not central; Elizabeth Campus is close to residential neighborhoods and is in the middle of the City; and she is requesting that Elizabeth Campus be left as green space; and

WHEREAS, Richard Boyd, 427 Lake Avenue, appeared before the Council stating Salem does not need wall to wall asphalt; and Salem is a beautiful City and should be kept that way; and

WHEREAS, D. W. Hart, 720 Mount Vernon Avenue, appeared before the Council stating that he has spent many hours of running and biking at the Elizabeth Campus; he is of the opinion that this property should not be given up for development; and as a member of the Salem High School Cross Country Team, he is able to run in many different places, and he is lucky to have a place such as Elizabeth Campus on which to run; and

WHEREAS, Bernice Newcomb, 1024 Carolina Avenue, appeared before Council stating Elizabeth Campus should be left as it is; and

WHEREAS, Ann Thomason, representing neighbors on the Boulevard, appeared before the Council requesting that Salem City Council, in accordance with the general public desire, leave Elizabeth Campus zoned Residential District R-2 with the understanding that this land will not be sold for residential housing lots but will remain in perpetual use as a park of green space for the following reasons: the property is properly zoned to accommodate the institutions existing on this property, the property is zoned for the expansion of the existing institutions, the property is the only remaining undeveloped land left from the original land grant sold to Salem by the heirs of General Andrew Lewis from his tract purchased in 1767, the Roanoke Valley is bounded by mountains that limit industrial/ commercial development, businesses and commerce grow and die leaving behind ruined land, the natural beauty of the Valley and mountains must be nurtured and maintained in order to create a tax base to support the City by attracting and taxing the tourist trade; if the property were rezoned and developed, the following would be created: increased volume of traffic in an already congested area, the creeping movement of business or manufacturing to residential areas, the tranquility and beauty of the neighborhoods would be destroyed, a decrease in property values, the fact that the neighborhood is already bounded on the southeast by a light industrial park drawing heavy truck traffic into the neighborhood, the present roads are not adequate to handle additional traffic, etc.; and

WHEREAS, E. Cabell Brand, 701 West Main Street, appeared before the Council stating he has an office dealing with environmental and social matters on the Elizabeth Campus; he has always supported industrial development to build and spread the tax burden and create jobs; it is his opinion that serious consideration should be given to the present use of the Elizabeth Campus consisting of an academic community, and that a long-range plan be made for this property; he offered to contribute \$1,000 towards the long-range plan; it is strongly recommended that a detailed survey be made of all the land in Salem that is unused for industrial sites and also industrial sites that could be better used; the worst thing that could happen would be to rezone this treasured space without a master plan; there are many examples in this country of environmentally-sensitive plans that have been used for large tracts of land incorporating different types of development; the plan could provide for hiking and biking trails, green areas, trees taller than structures to be built; etc.; and he requested that Council not sell any part of the Elizabeth Campus until a plan has been developed; and

WHEREAS, Esther Brown, 1968 West Main Street, appeared before the Council stating that, when business starts in an area, it seems to escalate; she would hate to see this happen around the Elizabeth Campus property; and

WHEREAS, Cliffodean Hudson, 606 North Broad Street, appeared before the Council stating that there are lots of young parents in Salem, who are part of the silent majority, that cannot attend a meeting due to previous commitments with their children but would like for this property to remain green space; and children need unstructured play areas such as the Elizabeth Campus property; and

WHEREAS, Hunter Green, 635 Fernwood Drive, appeared before the Council stating there are numerous opportunities for this site, he would volunteer part of his time to help with this site development plan, he feels there are lots of other ideas for development of this tract; and

WHEREAS, David Foster, 342 High Street, appeared before the Council stating there should be an inventory of the unused business properties that could be used for new business or industry instead of trying to develop new properties; even if the City paid \$1,700,000 for this property, he is of the opinion that it is a good investment even if it is never used; he is of the opinion that a moratorium on this property may not be the right way to preserve this property; and he discussed the Planning Commission recommendation pertaining to this matter of which he did not agree; and

WHEREAS, Joseph Balbalian, 2252 Medford Road, appeared before the Council stating he has written a letter to Council and the Planning Commission pertaining to this matter; he is of the opinion that the Planning Commission did not grasp the sentiment and feelings of the citizens; and the City should consider pedestrian overpasses to link the green spaces of Roanoke College, Longwood Park, Oakey Field, and Elizabeth Campus in order for people at the College and in the community to enjoy these areas; and

WHEREAS, Bob Brugh, owner of property adjacent to Elizabeth Campus but not a Salem resident, appeared before the Council stating that the view from this property faces the Salem Civic Center parking lot and traffic on Fourth Street; it is his opinion that green space is an area in Salem that is lacking; Council should use monies from the development of this property to provide other green spaces in Salem; his property and house where he plans to move when he sells his house outside the City borders the Elizabeth Campus so his property is the most affected property by this development; he knows there are businesses and jobs leaving Salem; Salem needs hi-tech jobs locating in Salem in order for future generations to have jobs and be able to live in Salem; it is his opinion that this property is better suited for development than green space; and any development on this property should be aesthetically correct; and

WHEREAS, Linnea Schwartz, 1124 Boulevard, appeared before the Council stating every day she walks at the Elizabeth Campus; and money should not be the issue for the development of this property; and

WHEREAS, Tim Kelly, 801 Virginia Avenue, appeared before the Council supporting Mr. Brand's remarks and stating he would match the grant of Mr. Brand for a study for this property; his current facility at the old Graham White Building is too small, he would be interested in relocating on this property, but his business is not the type business that should be located on this property; and he suggested that the City not develop this property until a true hi-tech business can locate on this property; and

WHEREAS, Cynthia Munley, 425 Boulevard, appeared before the Council stating that the citizens suggested at the Planning Commission meeting that the City seek out a foundation to purchase the land and put it in a trust for a green space; the property should be developed as a park, green space, running area for cross country team, walking trails, botanical gardens, etc.; the citizens did not want industrial or commercial development; Elizabeth Campus should be preserved entirely as a green space as the property is unique and has great historical significance; locating industry at this location would seriously damage the spirit of the City; green space is a top priority for the citizens of Salem; the existing commercial properties should be revitalized; the property should be saved in its natural state while consulting with a landscape architect to determine what improvements can be made; etc.; and

WHEREAS, Robert Hunt, 709 Maryland Avenue, appeared before the Council stating that the citizens of Salem are thinking about getting a citizens group to discuss environmental matters in order to keep the citizenry up to date; the citizens present at this meeting want Elizabeth Campus to be kept green; if the \$1,700,000 is an issue, there are charitable foundations in the country that contribute monies to buying property to keep it green; it is his opinion that the matter of Elizabeth Campus should be debated as an issue in an election or put on a referendum; etc.; and

WHEREAS, Carole Stroupe Wirt Keith, 119 Par Drive, appeared before the Council stating she has three sons who do not live in Salem as there are no jobs in Salem; the City does need to have green spaces, but Salem needs businesses with jobs; when our children have to leave the community, our grandchildren live in other communities; our natural resources are our children and grandchildren; and Council needs to give them opportunities to stay in Salem; and

WHEREAS, George W. Logan, 300 Pine Street, appeared before the Council stating that the Elizabeth Campus is very near and dear to him; three years ago he was lead organizer of a community bank; the bank is spending over \$1,000,000 on Main Street to build a branch bank in Salem which will help the tax base; there is significant small business loan demand in Salem; he is of the opinion that Council should take an inventory of what exists; he will also match the contribution of Mr. Brand for study of this property; and it is his opinion that there are jobs in Salem; and

WHEREAS, Councilman Haskins stated that the majority of the concerns stated at this meeting could be resolved by a mixed zoning of this parcel of land; trails could be included, the majestic grove of trees could be preserved, and there is a need for looking at the zoning of the entire tract of land; it was learned today that General Electric Company is laying off 100

salariated employees, making approximately 300 employees that have been laid off in this recent downsizing; it is his opinion that the property should be looked at as a mixed zoning preserving the recreational use as much as possible; this property can be made aesthetically correct for the right small business or commercial uses; and he agrees that an inventory of the entire City businesses and industry locations should be made in order to expand the City's industrial base; and also a master plan for the Elizabeth Campus property should be made; and

WHEREAS, Councilman Givens stated that he likes green space as much as other individuals in this City; he previously suggested that Salem Golf Course be rezoned in order to preserve this green space for future generations; he agrees that an inventory of existing businesses needs to be made; the City's school system is in need of monies to upgrade air conditioning units, classrooms, laboratories, etc.; the future tax base needs to be expanded; he likes the idea of rezoning the property with a moratorium until a plan is developed for the future use of this property; everyone in Salem knows that the City will need monies in the future; if the City can secure hi-tech, high class industries on a portion of this property, this would be good; and the development could also include walking trails and parks; and

WHEREAS, Councilman Packett stated that originally the City purchased this property in order to protect the property as it could have been sold to a developer for single-family homes; he is a businessman, and he has approached this in that respect; in the next six years, 2.5 million dollars will be required for technology in Salem City Schools; in the next ten years, 25 million dollars will be required for expansion of schools, replacement of the roofs on certain schools, etc.; the City would be interested in participating in the Roanoke River Greenway which will cost \$2,500,000; \$35,000,000 will be required in the next several years for water and sewer improvements; Elizabeth Campus will not be the answer for these monies; he has no preconceived notion as to what should be done with this property; it is his opinion that the City Planner and City Administration should determine how this property should be developed; should the staff need assistance from Mr. Brand or the other individuals who volunteered their help, the staff should contact these individuals for help; it is his opinion that the development could be accomplished with a well-planned development, and it is not necessary to vote at this meeting to affirm what the Planning Commission recommended; the City currently has an inventory of every parcel of land in the City as to how it can be used; and the City does not have an industrial development authority to purchase the parcels of land that could be used for industries, and the City does not have the money to purchase property to tear the buildings down for resale; and

WHEREAS, Vice Mayor Brown stated that there have been rumors that the property was purchased in order for Jim Taliaferro to commercially develop it, and this is not true; it was stated in the Planning Commission meeting that the City is above average in fiscal stress, but Salem is probably the most fiscally sound City in the Commonwealth; there are only four cities in the Commonwealth of Virginia below the City in financial stability; services in the City of Salem are second to none; the Salem School System is second to none with teachers being paid an excellent salary; Salem is landlocked with no growth potential and little opportunity to expand its tax base; Salem does not qualify for federal and state grants; Salem has long-term water and sewer needs; the time has come to take care of these needs; it is time to replace the antiquated water plant in Salem; the sewer needs of the region are determined by the City of Roanoke and Commonwealth of Virginia; Roanoke City will expand the sewage treatment plant and bill the City of Salem for its share; in order to keep our City sound, the City has to continually find new revenue; General Electric Company is laying off employees and Yokohama's taxed equipment, due to its age, is decreasing in value lowering its taxes to Salem; he has heard a few people say that they are willing to pay higher taxes in order to keep Elizabeth Campus green; there are lots of people in Salem with both adults working and children in school who do not desire to pay higher taxes as they are struggling to make a living at the present time; we want everyone to be able to enjoy the peace and tranquility in Salem; there is a hi-tech industry on Apperson Drive with an average salary of \$53,000 which creates no outside noise for adjacent properties; and Elizabeth Campus needs to be developed with a mix of hi-tech light industry, recreation, and park land in order to keep some of the tax burden off the hard working families; and

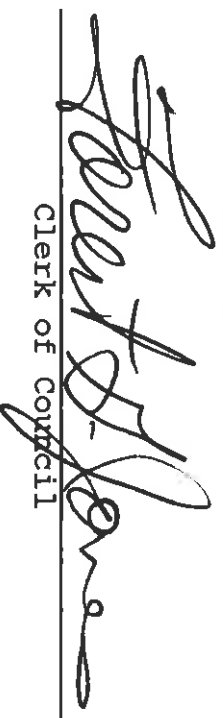
WHEREAS, Mayor Tarpley stated that the City Attorney informed him that it would be hard to pass a moratorium other than possibly a two-year moratorium to restrict a future City Council; the City represents individuals that are not present at this meeting also; he has people tell him frequently that Salem City Council in the past has done the right thing in helping create a total of 867 jobs in industrial parks in Salem; the same individuals also state that Salem could have performed a better job aesthetically in developing these parks, and he agrees with these individuals; if this property is developed, citizen input should be received or a consultant hired for receiving input; and he noted that for the next five years Council has been given a list of over \$40,000,000 in needed capital projects; and

WHEREAS, it was noted that the City of Salem cannot sell any property without a public hearing with citizen input, anyone purchasing property from the City could proffer conditions, etc.; and

WHEREAS, Vice Mayor Brown noted that the City of Salem Planning Commission does a very good job in making recommendations to City Council, and he further noted that the Planning Commission is a volunteer commission appointed by Salem City Council with members not receiving compensation for its services;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, the matter of development of the Elizabeth Campus property is hereby referred to the Salem Planning Commission to determine a mixed use master plan for development of this property -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

There being no further business to come before the Council, the same on motion adjourned at 10:02 p.m.


Clerk of Council

October 9, 1998


Mayor

A special meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on October 9, 1998, at 11:00 a.m., there being present all the members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, Howard C. Packett, John C. Givens, and Harry T. Haskins, Jr.; with Carl E. Tarpley, Jr., Mayor, presiding; together with Randolph M. Smith, City Manager; Forest G. Jones, Assistant City Manager and Clerk of Council; Joseph E. Yates, Jr., Director of Planning and Development; and Stephen M. Yost, City Attorney; and the following business was transacted:

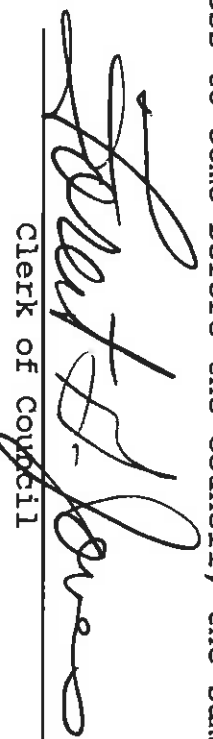
Mayor Tarpley reported that this date, place, and time had been set as a special meeting of Council, in accordance with Section 4.6 (b) of The Charter of the City of Salem, Virginia, in order for Council to hold a work session to meet with staff and engineers to discuss the planning process for the Elizabeth Campus including the possibility of referring the matter to the City of Salem Planning Commission for possible rezoning; and

WHEREAS, F. A. Shane, Jr., and Robert S. Fry, III, representing Kinsey, Shane, and Associates, appeared before the Council presenting several proposed development schemes for the Elizabeth Campus property; and

WHEREAS, a full and lengthy discussion was held pertaining to the proposed development schemes presented at this meeting; the possible uses of the property; the proposed area desired for an assisted living area; the proposed areas for greenspaces, walking trails, and park; the proposed development would have one entrance only to the business portion of the property; etc.;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, Council hereby authorized that the Elizabeth Campus property owned by the City of Salem, excluding the property proposed for an assisted living facility on Idaho Street, be rezoned to Business Commerce District B-C -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

There being no further business to come before the Council, the same on motion adjourned at 12:30 p.m.


Clerk of Council

October 12, 1998


Mayor

A regular meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on October 12, 1998, at 7:30 p.m., there being present all the members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, Howard C. Packett, and John C. Givens (Harry T. Haskins, Jr. - absent); with Carl E. Tarpley, Jr., Mayor, presiding; together with Randolph M. Smith, City Manager; Forest G. Jones, Assistant City Manager and Clerk of Council; Frank P. Turk, Director of Finance; and Stephen M. Yost, City Attorney; and the following business was transacted:

The minutes of the regular meeting of September 28, 1998, were approved as written.

Mayor Tarpley reported that Council at its regular meeting held on September 28, 1998, passed an ordinance on first reading rezoning the property of Nancy J. Rutrough, property owner, and David & Teresa Jones, contract purchasers, located at 105 Poplar Avenue, from Residential District R-2 to Residential Business District R-B;

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

AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Section 106-7, Article I, Chapter 106 of The Code of the City of Salem, Virginia, relating to building district boundary lines be amended in the following particular and no other, viz:

That the following described property in the City of Salem, being property of Nancy J. Rutrough, property owner, and David and Teresa Jones, contract purchasers, located at 105 Poplar Avenue, be and the same is hereby changed from Residential District R-2 to Residential Business District R-B and the map referred to shall be changed in this respect and no other, said property being described as follows:

BEGINNING at an iron pin on the west side of Poplar Avenue, said point being 530.53 feet from the point of intersection of Poplar Avenue with West Main Street and being common corner between Lot 46 and Lot 47, Section 1, Dixie Heights; thence with the line between Lots 46 and 47, S. 82° 44' 00" W. 233.29 feet to a point, corner to Lots 25 and 26 of said subdivision; thence with the rear line of Lots 44, 45, and 46, N. 07° 16' 00" W. 90.00 feet to an iron pin,, corner of Lots 28 and 29; thence with the line between Lot 43 and Lot 44, N. 82° 44' 00" E. 237.25 feet to an old pipe on the west side of Poplar Avenue; thence with the west side of Poplar Avenue, S. 4° 45' 00" E. 90.09 feet to the Point of BEGINNING and being Lots 44, 45, and 46, Section 1, Dixie Heights Subdivision recorded in Plat Book 2, page 48.

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

This ordinance shall be in full force and effect ten (10) days after its final passage.

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

Harry T. Haskins, Jr. - Absent
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Passed: October 12, 1998
Effective: October 22, 1998


Mayor

Mayor Tarpley reported that Council at its regular meeting held on September 28, 1998, passed an ordinance on first reading rezoning the property of Bennett J. and Barbara T. Coffey, property owners, located at 1900 Kiska Road, from Residential District R-1 to Residential District R-2;

ON MOTION MADE BY COUNCILMAN GIVENS, SECONDED BY VICE MAYOR BROWN, AND DULY CARRIED, the following ordinance was duly passed and adopted on second reading:

AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Section 106-7, Article I, Chapter 106 of The Code of the City of Salem, Virginia, relating to building district boundary lines be amended in the following particular and no other, viz:

That the following described property in the City of Salem, being property of Bennett J. and Barbara T. Coffey, property owners, located at 1900 Kiska Road, be and the same is hereby changed from Residential District R-1 to Residential District R-2 and the map referred to shall be changed in this respect and no other, said property being described as follows:

BEGINNING at the southeasterly corner of the property herein described, said point being S. 78° 46' 00" W. 15.00 feet from the intersection of the westerly line of Sexton Avenue with the northerly line of Kiska Road; thence with the northerly line of Kiska Road N. 78° 46' 00" W. 72.73 feet to a point on the line of William H. Jones property; thence with the Jones property, N. 11° 14' 00" W. 200.00 feet to a point; thence leaving the line of Jones and with the line of Virgil V. Houchin, et ux, N. 78° 46' 00" E. 92.11 feet to the westerly line of Sexton Avenue; thence with the westerly line of Sexton Avenue, S. 09° 53' 00" E. 185.39 feet to a point; thence with a curve to the right having radius of 15.00 feet, a tangent of 14.67 feet and an arc length of 23.23 feet to the place of BEGINNING and being the southerly portion of Lot 14 according to the rezoning plat for

ORDINANCE
PASSED ON
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READING
REZONING
PROPERTY O
BENNETT J.
AND BARBAR
T. COFFEY,
PROPERTY
OWNERS,
LOCATED AT
1900 KISKA
ROAD, FROM
R-1 TO R-2

Bennett J. Coffey and Barbara J. Coffey made by T. P. Parker & Son dated August 27, 1998, and revised September 11, 1998.

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

This ordinance shall be in full force and effect ten (10) days after its final passage.

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

Harry T. Haskins, Jr. - Absent
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Passed: October 12, 1998
Effective: October 22, 1998


Mayor

Mayor Tarpley reported that Council at its regular meeting held on September 28, 1998, passed an ordinance on first reading rezoning the property of Lorraine W. Thornhill, property owner, located at 55 East Fourth Street, from Business District B-1 to Business District B-3;

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

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ORNHILL,
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1 TO B-3

AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Section 106-7, Article I, Chapter 106 of The Code of the City of Salem, Virginia, relating to building district boundary lines be amended in the following particular and no other, viz:

That the following described property in the City of Salem, being property of Lorraine W. Thornhill, property owner, located at 55 East Fourth Street, be and the same is hereby changed from Business District B-1 to Business District B-3 and the map referred to shall be changed in this respect and no other, said property being described as follows:

BEGINNING at the point of intersection of East Fourth Street and South Market Street, corner to the property herein described, thence with the north side of East Fourth Street, S. 77° 39' 00" W. 127.40 feet to a point; thence with four new lines through the property of Lorraine Thornhill, N. 05° 20' 00" W. 84.50 feet to a point; thence N. 79° 18' 00" E. 5.00 feet to a point; thence N. 10° 42' 00" W. 316.40 feet to a point; thence N. 12° 21' 00" W. 30.00 feet being the center of vacated Third Street on the line of Smyth W. Meador property; thence N. 77° 39' 00" E. 102.99 feet to a point on the west side of South Market Street; thence with South Market Street, S. 12° 21' 00" E. 430.00 feet to the point of BEGINNING and containing 1.087 acres.

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

This ordinance shall be in full force and effect ten (10) days after its final passage.

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

Harry T. Haskins, Jr. - Absent
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Passed: October 12, 1998
Effective: October 22, 1998


Mayor

Mayor Tarpley reported that Council at its regular meeting held on September 28, 1998, passed an ordinance on first reading rezoning the property of Christopher B., Robert B., and Brenda B. Bower, property owners, and BFS, Inc., Developer, located at 524 East Main Street, from Business District B-1 to Business District B-2;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the following ordinance was duly passed and adopted:

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AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER I, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Section 106-7, Article I, Chapter 106 of The Code of the City of Salem, Virginia, relating to building district boundary lines be amended in the following particular and no other, viz:

That the following described property in the City of Salem, being property of Christopher B., Robert B., and Brenda B. Bower, property owners, and BFS, Inc., Developer, located at 524 East Main Street, be and the same is hereby changed from Business District B-1 to Business District B-2 and the map referred to shall be changed in this respect and no other, said property being described as follows:

BEGINNING at a point on the southerly right of way of East Main Street, said point being 73.30 feet from the intersection of the west side of McCauley Drive and the south side of East Main Street, said point also being the common northwesterly corner of the Charlotte B. Griffith property and the northeasterly corner of the property herein described; thence with the westerly line of the Griffith property S. 10° 09' 00" E. 266.00 feet to a point on the northerly right of way of East Calhoun Street; thence with said right of way S. 78° 39' 00" W. 92.50 feet to a point, said point being the common southwesterly corner of the property herein described and the southeasterly corner of the property now or formerly owned by T. A. Carter, Jr.; thence with the easterly line of the Carter property N. 10° 09' 00" W. 266.00 feet to a point on the southerly right of way of East Main Street; thence with said right of way N. 78° 39' 00" E. 92.50 feet to the POINT OF BEGINNING containing 0.565 acre as described in Deed Book 76, page 237, recorded in the Clerk's Office of the Circuit Court of the City of Salem, Virginia, said property being situated in the City of Salem, Virginia.

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

This ordinance shall be in full force and effect ten (10) days after its final passage.

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

Harry T. Haskins, Jr. - Absent
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Passed: October 12, 1998
Effective: October 22, 1998


Mayor

Mayor Tarpley reported that Council at its regular meeting held on September 28, 1998, passed an ordinance on first reading amending Chapter 106, Article I, Section 106-498, of The Code of the City of Salem, Virginia, pertaining to filing and advertising fees;

ON MOTION MADE BY COUNCILMAN GIVENS, SECONDED BY VICE MAYOR BROWN, AND DULY CARRIED, the following ordinance was duly passed and adopted on second reading:

AN ORDINANCE TO AMEND, REVISE, AND REORDAIN CHAPTER 106, ARTICLE XVI, DIVISION 1, SECTION 106-498, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, PERTAINING TO FILING AND ADVERTISING FEE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Section 106-498, Division 1, Article XVI, chapter 106, of The Code of the City of Salem, Virginia, be amended, revised, and reordained to read as follows:

CHAPTER 106
ARTICLE XVI. SPECIAL PROVISIONS
DIVISION 1. GENERALLY

Sec. 106-498. Filing and advertising fee.

Any person filing a request for rezoning, special use permit, application for approval of a planned unit development, application for site plan approval, any appeal to the board of zoning appeals, or any ~~other~~ filing in which a public hearing is required pursuant to the provisions of the zoning ordinance, shall pay the appropriate filing and advertising fee in conformity to the schedule established by the council. The schedule of filing and advertising fees shall be made available by the administrator and may be altered or amended only by council.

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

This ordinance shall be in full force and effect ten (10) days after its final passage.

ORDINANCE
PASSED ON
SECOND
READING
AMENDING
SECTION
106-498 OF
THE CITY
CODE
PERTAINING
TO FILING
AND
ADVERTISING
FEES

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

Harry T. Haskins, Jr. - Absent
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Passed: October 12, 1998
Effective: October 22, 1998


Mayor

DONATION
AUTHORIZED
TO SALEM
BAND
BOOSTERS,
INC., WHICH
IS EQUAL TO
THE AMOUNT
OF
ADMISSIONS
TAX PAID IN
CONNECTION
WITH THE
ANNUAL DRUM
CORPS
COMPETITION

Mayor Tarpley reported that Council has received a request from the Salem Band Boosters, Inc., for a donation in the amount of \$2,235.35, which is equal to the amount of the admissions tax paid in connection with the annual drum corps competition; and

WHEREAS, Vice Mayor Brown noted that the City has previously donated the amount of the admissions tax to the band boosters and other non-profit organizations; and

WHEREAS, it was noted that the Salem Band Boosters Club, Inc., has done a good job with this event, and it is advantageous to the entire area to have this event in Salem;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, a donation is hereby authorized to the Salem Band Boosters, Inc., in the amount of \$2,235.35, which is equal to the amount of the admissions tax paid in connection with the annual drum corps competition held on August 5, 1998 -- the roll call vote being as follows: Harry T. Haskins, Jr. - absent; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider adopting Resolution 908 opposing the proposed western route for Interstate 73; and

WHEREAS, Mayor Tarpley reported that he has received a petition containing approximately 150 to 180 signatures opposing the western route for Interstate 73;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, Resolution 908 was duly passed and adopted, with said Resolution and petitions from citizens opposing Interstate 73 being authorized to be forwarded to the proper individuals with the Federal and State governments:

RESOLUTION 908

WHEREAS, the Virginia Department of Transportation and the Commonwealth Transportation Board are studying three alternative routes for the proposed construction of the Interstate 73 corridor through the Roanoke area; and

WHEREAS, overwhelming public opposition at VDOT meetings on the alternative routing of Interstate 73 between Route 11 and Wabun, around Twelve O'clock Knob, and west of the Salem Corporate Limits supports and reinforces the City of Salem's opposition to this alternative routing and support for the Central Option utilizing I-581; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that the Council requests that VDOT and its consultants discontinue study of the proposed Interstate 73 route alternative between Route 11 and Wabun, around Twelve O'clock Knob, and west of the Salem Corporate Limits to Route 220 and consider utilizing the Central Option following I-581.

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

Harry T. Haskins, Jr. - Absent
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Mayor Tarpley requested that Council consider authorizing a legal advertisement for the sale of 4.8 acres of City-owned property fronting on Idaho Street; and

WHEREAS, as of July 1, 1998, all cities and towns are required to hold a public hearing to allow the sale any parcel of land owned by the locality;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the proper City Officials are hereby authorized to advertise a public hearing to be held on October 26, 1998, at 7:30 P.m., in the Council Chambers, City Hall, 114 North Broad Street, to consider the sale of a 4.8 acre parcel of land owned by the City of Salem and fronting on Idaho Street - the roll call vote being as follows: Harry T. Haskins, Jr. - absent; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

LEGAL
ADVERTISEMENT-
MENT
AUTHORIZED
FOR THE SALE
OF 4.8 ACRES
OF CITY-
OWNED
PROPERTY
FRONTING ON
IDAHO STREET

GERTRUDE
HARRIS, 23
BRAXTON
AVENUE; KA
FORBES, 32
ACADEMY
STREET;
ROBIN
RICHARDSON
2425 POST
OAK DRIVE;
AND REVOND
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AND ERIN
POWELL, 63
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COMMISSION

Vice Mayor Brown stated that the City of Salem Fine Arts Commission has requested that this Commission be expanded and recommended several individuals for appointment to this Commission;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, the City of Salem Fine Arts Commission is hereby allowed to be expanded, and the following individuals are hereby appointed to this Commission for four-year terms with said terms expiring on October 12, 2002: Mrs. Gertrude Harris, 239 Braxton Avenue; Mrs. Kate Forbes, 323 Academy Street; Ms. Robin Richardson, 2425 Post Oak Drive; and Mrs. Revonda Mosser, 712 Joan Circle; and further, Ms. Erin Powell, 638 Joan Circle, is hereby appointed to fill the expired term as a student representative on the City of Salem Fine Arts Commission, said term will expire on June 30, 1999 -- the roll call vote being as follows: Harry T. Haskins, Jr. - absent; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

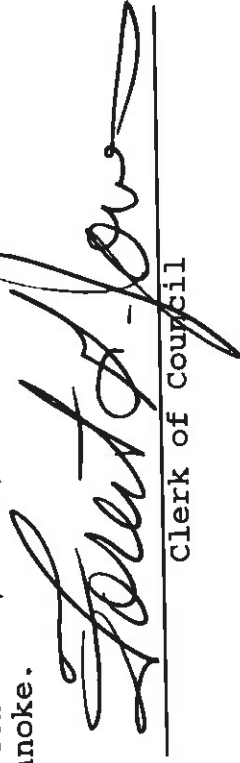
ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, the Council of the City of Salem doth recommend to the Judges of the Circuit Court for the City of Salem the appointment of Loren H. Walker, 1819 Northwoods Lane, as an alternate member to the Board of Zoning Appeals for a five-year term, said term will expire October 12, 2003 -- the roll call vote being as follows: Harry T. Haskins, Jr. - absent; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

ON MOTION MADE BY COUNCILMAN GIVENS, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, the Council of the City of Salem doth recommend to the Judges of the Circuit Court for the City of Salem the appointment of Denise (Dee) Phlegar King, 611 Lou Ann Street, to fill the unexpired term of Daisy W. Hylton on the Board of Equalization of Real Estate Assessments, said term will expire on November 30, 2000 -- the roll call vote being as follows: Harry T. Haskins, Jr. - absent; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, this meeting of the Council of the City of Salem is hereby continued to October 19, 1998, at 12:15 p.m. at the Jefferson Center for a luncheon with the Council of the City of Roanoke, and it is requested that Council inform the City Manager of any items to be placed on an agenda to discuss with Roanoke City -- the roll call vote being as follows: Harry T. Haskins, Jr. - absent; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

There being no further business to come before the Council, the same on motion continued at 7:44 p.m. to October 19, 1998, at 12:15 p.m. at the Jefferson Center in the City of Roanoke.


Mayor


Clerk of Council

October 19, 1998

A continued meeting of the Council of the City of Salem, Virginia, was held at the Jefferson Center Fralin Atrium, 541 Luck Avenue, S. W., Roanoke, Virginia, on October 19, 1998, at 12:15 p.m., there being present all the members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, Howard C. Packett, John C. Givens, and Harry T. Haskins, Jr.; with Carl E. Tarpley, Jr., Mayor, presiding for Salem; together with Randolph M. Smith, City Manager; and Forest G. Jones, Assistant City Manager and Clerk of Council; and the following business was transacted:

It was noted that the Council of the City of Salem at its regular meeting held on October 12, 1998, continued its meeting to this date, place, and time; and

WHEREAS, Mayor Tarpley thanked Roanoke City Council for the invitation to meet with them, for the luncheon provided by Roanoke City, and for its participation in the NCAA events in Salem; he stated that it is his desire that the localities stand together with our legislators on important matters, etc.; and

WHEREAS, Robert Herbert, City Manager for the City of Roanoke, stated that the representatives from Vinton and Roanoke County are present, along with the Roanoke City and Salem representatives, to discuss the Regional Fire/EMS Training Center; and other matters of mutual concern; and

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COUNCIL
MEETING
CONTINUED
OCTOBER 19
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WHEREAS, Jim Grigsby, Chief, Roanoke City Fire/EMS Director, and other representatives of Roanoke City, explained the proposed Regional Fire/EMS Training Center; the needs analysis was performed by Marshwilt Associates, Architects, and indicated that additional space was needed; Marshwilt presented a proposal that a regional fire training center be built consisting of approximately 15,400 square feet at a cost of 1.9 million dollars; the four jurisdictions have agreed in principle to the building of a center located on Roanoke County's existing fire training grounds on Kesler Mill Road in Roanoke County; the site currently has approximately \$900,000 in improvements such as a burn building, railroad car simulator, drafting pit, water on site, hydrants, mobile classroom, etc.; each partner jurisdiction will separately finance its respective share of the total costs based on the following formula: Roanoke County - 44%, Roanoke City - 44%, Salem - 8%, and Vinton - 4%; and

WHEREAS, a discussion was held concerning use of this property by jurisdictions, operational costs would be approximately \$30,000 per year using the same formula (Roanoke County - 44%, Roanoke City - 44%, Salem - 8%, and Vinton - 4%), funding from the State to jurisdictions, etc.

Brian Wisneff, representing the Higher Education Center, reported on the progress of the Roanoke Higher Education Authority since the establishment of the Authority effective July 1, 1998; the Authority has received the following funding from the General Assembly: \$5,379,000 out of a \$9,000,000 capital request and \$62,500 of operating funds; an architect has been hired; the goal is to have the facility open by September, 2000; the General Assembly will be requested this year for funding of the remainder of the \$9,000,000, an increase in the operating monies in order that a permanent director can be hired, and to help Virginia Western Community College with lease costs; there are presently fifteen letters of intent for space in this facility; the role of the Authority is for support and the management of the 150,000 square foot building; and

WHEREAS, David Bowers, Mayor for Roanoke City, questioned if the programs such as This Valley Works and Fifth District Consortium, already included in the Authority, currently have offsite activities; and

WHEREAS, it was noted that most of the individuals the Authority is working with at the present time currently have space in other areas of the Roanoke Valley, and this center will place them in better facilities with good support services that are not presently available such as library facilities; and

WHEREAS, Alvin Hudson questioned whether the administrative functions will be located in the building prior to opening of classes in September of 2000; and it was noted that, if all goes as planned, some of the administrative staff will begin to be hired in June of 1999 to be located in temporary rental space with a full staff being hired by September, 2000; and

WHEREAS, David Bowers questioned the number of college students anticipated to go through this system, and how many career or workplace oriented individuals would be going through the system; and it was noted that the majority of the individuals attending colleges and universities are attempting to obtain a degree, and it is anticipated that approximately 10,000 to 12,000 individuals will be served at this facility per year; and

WHEREAS, Alvin Hudson questioned what parking facilities will be provided for this facility; and it was noted that there are approximately 300 existing parking spaces, First Union garage downtown has 725 spaces, and there are several thousand spaces downtown available at other locations at night; and

WHEREAS, John Givens questioned how the safety of the students can be assured especially at night; and it was noted that ample lighting will be provided, and security personnel will be provided if necessary; and

WHEREAS, Mr. Herbert noted that safety was studied when the Conference Center was constructed, he noted that television cameras are being used in the pedestrian bridge with 11 panic boxes hooked into the communications center, the downtown is very active and discourages out of character activities, etc.; and

WHEREAS, Linda Wyatt noted that parking needs studies have been made with parking being proposed for the Henry Street area which can be used by this facility.

Kit B. Kiser, Director, Roanoke City Public Works, discussed the Regional Sewage Treatment Facilities, the expansion of the facilities, the Roanoke River interceptor, etc.; and

WHEREAS, Howard Packett questioned whether an increase in costs is anticipated for this project, and it was noted that at the present time no additional increase is anticipated.

David Bowers stated that Habitat for Humanity is a worthwhile organization in the City of Roanoke; and he requested that discussion of this item be continued to a future meeting; and

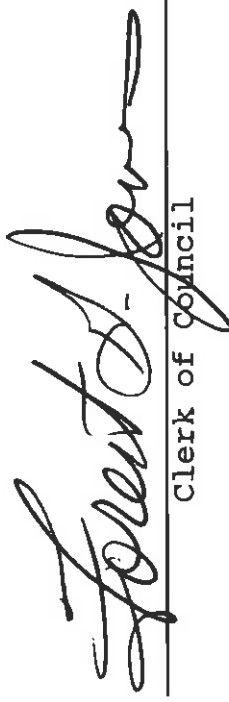
WHEREAS, Amy Moore, Director of the Roanoke Valley Habitat for Humanity, stated that Habitat has been in the Valley since 1986 and has built 82 homes in the Valley, and the adjacent localities have supported this program in previous years; and

WHEREAS, Sonny Tarpley stated that it is difficult for Salem to participate by providing lots for Habitat as housing lots are not available in Salem, but the City donated \$20,000 in the fiscal year 1997-1998 and \$10,000 in the fiscal year 1998-1999 for construction of houses; and

WHEREAS, Harry Haskins and Alex Brown thanked Roanoke City for hosting this meeting to discuss mutual cooperation for the benefit of the localities.

There being no further business to come before the Council, the same on motion adjourned at 1:31 p.m.


Mayor


Clerk of Council

October 26, 1998

A regular meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on October 26, 1998, at 7:30 p.m., there being present all the members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, Howard C. Packett, John C. Givens, and Harry T. Haskins, Jr.; with Carl E. Tarpley, Jr., Mayor, presiding; together with Randolph M. Smith, City Manager; Forest G. Jones, Assistant City Manager and Clerk of Council; Frank P. Turk, Director of Finance; James E. Taliaferro, II, City Engineer; Joseph E. Yates, Jr., Director of Planning and Development; and Stephen M. Yost, City Attorney; and the following business was transacted:

The minutes of the special meeting of October 9, 1998, the regular meeting of October 12, 1998, and the continued meeting of October 19, 1998, were approved as written.

The report by the City Manager of the City's activities for the month of August, 1998, was received and ordered filed.

The report by the Director of Finance of the City's financial status for the month of September, 1998, was received and ordered filed.

Mayor Tarpley reported that this date and time had been set to hold a public hearing to consider the request of Andrew and Laura Monsour, property owners, for the issuance of a Zoning and Use Permit to allow a two-family dwelling on the property at 415 Bowman Avenue; and

WHEREAS, the Clerk of Council reported that notice of such public hearing has been published in the October 8 and 15, 1998, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, the Planning Commission of the City of Salem at its regular meeting held on October 14, 1998, recommended to Council that the Zoning and Use Permit be approved; and

WHEREAS, the staff noted the following: this property is currently being used as a duplex; the owners wish to remove the "grandfathered" status of this property and bring it into compliance; it has never been officially approved as a duplex; there are no changes planned for the structure; and there are no issues associated with this request; and

WHEREAS, Andrew Monsour, 4842 Glenbrook Drive, Roanoke, property owner, appeared before the Council explaining the proposed request noting that the property has been a two-family dwelling for over thirty years and is a "grandfathered use"; this rezoning will allow him to continue using the property as a two-family dwelling and bring the property into compliance with City of Salem codes; and

WHEREAS, no one appeared in opposition to said request;

ON MOTION MADE BY COUNCILMAN HASKINS, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the request of Andrew and Laura Monsour, property owners, for the issuance of a Zoning and Use Permit to allow a two-family dwelling on the property at 415 Bowman Avenue is hereby approved -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley reported that this date and time had been set to hold a public hearing to consider the request of HRT of Roanoke, Inc., property owner, and Wendy's of Western Virginia, Inc., lessee, for rezoning an approximate one acre parcel located at 2103 Apperson Drive from Business-Commerce District B-C to Business District B-3; and

ZONING AND
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WHEREAS, the Clerk of Council reported that notice of such public hearing has been published in the October 8 and 15, 1998, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, the Planning Commission of the City of Salem at its regular meeting held on October 14, 1998, recommended to Council that the rezoning be approved; and

WHEREAS, the staff noted the following: this property is located in the corner of a large tract that was originally developed as the Lee-Hi Shopping Center; the western portion of the main center was originally an Arlan's Department Store before changing to Brendles; after the closing of Brendles and a long vacancy, the property was purchased by Lewis-Gale Hospital and rezoned from B-3 to B-C in January 1993; there have been several changes to the property since its purchase by Lewis-Gale and subsequent rezoning; a rezoning is necessary to allow the operation of a Wendy's restaurant at this location; Wendy's will be ground-leasing the portion of property necessary for the construction of a drive-thru restaurant; and a more detailed and complete site plan will be required if the rezoning is approved before a building permit is issued; and

WHEREAS, Scott Quesinberry, Vice President of Wendy's of Western Virginia, Inc., appeared before the Council explaining the proposed rezoning request, which will allow his company to operate a Wendy's restaurant at this location; and

WHEREAS, no one appeared in opposition to said rezoning;

ON MOTION MADE BY COUNCILMAN PACKETT, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, an ordinance entitled "AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA," was duly passed on first reading -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley reported that this date and time had been set to hold a public hearing concerning the sale of an approximate 4.8 acre tract of real property situated on Idaho Street, bounded on the north by Roanoke College and on the west by Idaho Street; and

WHEREAS, the Clerk of Council reported that notice of such public hearing has been published in the October 15, 1998, issue of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, Pete Russell, 1233 Second Street, Sarasota, Florida, representing Alternative Living Services, appeared before the Council explaining there are two facilities proposed at this location; the first facility, Sterling House, will consist of 42 residents in assisted living apartment facilities with a total of 25,000 square feet on one floor; the second facility, Sterling Cottage, will consist of 36 residents in a memory lost care facility with a total of 23,000 square feet on one floor; the average construction cost will be approximately \$2,000,000 per facility; the Sterling House will employ approximately 10 people on the peak shift, and the Sterling Cottage will employ approximately 12 to 14 people on the peak shift; and the architecture will fit into the neighborhood; these facilities do not impact the City facilities such as roads or libraries; this company is the largest provider of assisted living facilities and the largest provider of memory lost care facilities in the country; the company tries to maintain as many of the trees as possible on any site and satisfactorily landscape the property; and

WHEREAS, Mayor Tarpley questioned if any other company or individual desires to purchase this property, and no one stated a desire to purchase the property from the City of Salem; and

WHEREAS, Bill Wallace, 349 Pennsylvania Avenue, appeared before the Council stating that Salem is unique because of the vista and its location; visitors coming to Salem see civic buildings, the baseball stadium, and football stadium when entering Salem; they see Fort Lewis Mountain and Elizabeth Campus; people move to Salem because of its beauty; the beauty needs to be maintained; cities all over the country are fighting to save the countryside; Salem needs to keep good people coming in to maintain what we have such as football teams, etc.; Salem does not need to have industries in a quality atmosphere like Salem; Salem needs to look at another way to fund services; Salem needs ideas on how to build a better community to draw commerce and money into Salem; he suggested that downtown Main Street in Salem should be part of the park system; Lake Spring Park is beautiful, and this is the location at which something should be done to rejuvenate commerce; Salem needs statues such as Andrew Lewis downtown; fountains should be constructed downtown; service and retail in Salem should be expanded; he is not against development, but he is in support of redevelopment versus new development; etc.; and

WHEREAS, Cynthia Munley, 425 Boulevard, appeared before the Council stating she has served as the coordinator for the citizens to maintain Elizabeth Campus as greenspace; this hearing is to determine if Council should begin to advertise the sale of the 4.8 acres of Elizabeth Campus on Idaho Street; she explained that two years ago citizens stated their opposition to selling the remainder of Oakey Field to a car dealer; Council voted against the rezoning for this property; after the vote, Mayor Tarpley

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stated that he had seen that greenspace was important to the citizens of Salem, and that this would be taken into account in the future; at the September, 1998, Council meeting, it was hoped that Council would reverse the recommendation of the Planning Commission for a mixed use for this property including industry; at that meeting the majority of the speakers were against industry, but Council voted for a mixed use; she is of the opinion that there is a lack of long range vision; there are many individuals in Salem who would like to work with Council to develop a long range vision to improve Salem; it is her opinion that these plans should be rejected; the City should only consider ways to use this property that are compatible with preserving the property, and the sale of this 4.8 acres for an assisted living facility should be rejected; the City needs to consider what it will leave for the future if all greenspace is converted to industry, and alternative and appropriate sites can be found; the City should redevelop existing property instead of development of new property; there are not many greenspaces left; a park at the Elizabeth Campus would be an attraction for the types of industry that Salem wants to attract; the City needs to market our assets such as fountains and statues; Elizabeth Campus was the last of the land grant from the King of England to General Andrew Lewis; she discussed General Andrew Lewis and suggested that Salem should promote the history of the farm of General Andrew Lewis; according to the newspaper, it is projected that the City could earn \$300,000 on developing the thirty acres for light industry and the assisted living center, and it is her opinion that this type of business which would generate the amount of revenue stated in the newspaper is unacceptable; she questioned what the average savings to the average taxpayer would be; it is her opinion that the average savings to the average taxpayer would be approximately 3 cents per \$100; for a taxpayer with a \$100,000 home this would equate to a savings of \$30 per year or \$2.50 a month, and it is her further opinion that all taxpayers would be willing to contribute \$2.50 per month to save Elizabeth Campus; they do not want an industrial park on Elizabeth Campus or a portion of the property for an assisted living center; they do not want buildings, a parking lot, or the noise from such; nor would they want the greenspaces in the City taken over by industrial parks, historical sites destroyed, etc.; they want the City to redevelop the existing commercial areas, take into account urban beautification, and historical significance of this site; it is her opinion that Salem needs a real park that can be used on a daily basis; it is her opinion that Elizabeth Campus could be used for the following purposes: historical site, park, recreational needs, marketing tool for the City; and it would add more to the quality of life in Salem than the relatively small tax monies gained by giving up this greenspace; etc.; and

WHEREAS, Tony Williams, 2816 West Club Drive, appeared before the Council stating that the 4.8 acres in question is aesthetically and geographically different from the main body of the Elizabeth Campus and could be addressed for a separate use without detracting from the development of the campus; he would like to congratulate City Council for having the foresight to purchase this property in order to control the development of this property instead of being sold to the highest bidder and Salem not having input into its development; it is his opinion that he would like to see high tech, engineering firms move into this area; he is a Rowe Furniture shareholder, and he is of the opinion that the Elizabeth Campus was not the place for a furniture business; and he would like to see Elizabeth Campus kept as rolling land, but if the right type of tenant is found such as a high tech group of companies, the property could be developed as suggested by Council with hiking trails, jogging trails, trees, shrubs, fountains, and possibly a duck pond; and he is of the opinion that Council will develop this property with carefulness and consideration; and

WHEREAS, Betty Wilson, 929 Lynchburg Turnpike, appeared before the Council stating that it was the beauty of this campus that brought her to Salem and caused her to buy her home at this location; she is of the opinion that the campus should stay green; she does not want any of the property to be sold; she thought the development of this property would be accomplished in a leisurely manner; why is Council in a rush; and this campus has more to offer to the community than is realized and should not be sold; and

WHEREAS, Mayor Tarpley stated that Council was of the opinion that, at the meeting when this was discussed, the staff was not given proper instructions pertaining to this property; and he was of the opinion that Council should make a decision as to whether or not this property should be rezoned in order for staff to have a direction pertaining to this property; and

WHEREAS, Joseph Balbalian, 2252 Medford Road, appeared before the Council stating he implores City Council not to rush to judgment and sell a portion of Elizabeth Campus; the municipality should treasure its public land assets and carefully use such assets; there are parcels of land in Salem where commercial buildings once stood, and those empty parcels are standing idle and could be used; Elizabeth Campus offers a unique opportunity to keep a greenspace in the City of Salem; Elizabeth Campus offers opportunities for versatile, innovative, imaginative, and creative uses for today and for posterity; please allow a wide corridor of time to brainstorm on ways to save this land from commercial development; he suggested Council consider postponing or reversing the intended actions concerning the rezoning, selling, and commercial development of the Elizabeth Campus; and it is his opinion that the City should capitalize on the close geographic proximity of the Roanoke College Campus, Longwood Park, Oakley Field, Elizabeth Campus, and the Civic Center area by interconnecting these areas with ramped overpasses to allow more pedestrian traffic in the eastern sector of the City, which will provide an impressive contrast to the heavier vehicular traffic in the western sector of the City; the result in pedestrian traffic will help keep downtown Salem revitalized and would benefit the businesses in that area; and

WHEREAS, David Foster, 342 High Street, appeared before the Council stating that the 52.5 acres purchased by the City has value because of the acreage; its highest and best use may not be possible if parts of the property are sold around the edges; he is not in favor of or opposed to development; he has seen large amounts of similar space such as a college campus successfully transformed into corporate headquarters campuses with the buildings being left intact but presently occupied by high paying white collar jobs with the land not being destroyed; there is a demand for large corporations to move offices out of congested, crime ridden cities, which would make this property marketable; if the property is cut up, the value is lost; it was his opinion previously that the City would look at this deliberately, thoughtfully, intelligently, and try to find a solution in the best interest of the City and voters; he explained the greenfield/brownfield dilemma; he noted that Salem is landlocked, is 95% developed, has no industrial development authority to handle brownfield sites, has pressure to pursue development of greenfield sites, and pursues development of business and industry versus preservation of greenspace; it is his opinion that ways must be sought to reuse brownfield sites to relieve pressure to develop greenfield sites; it is his opinion that public and private sector funding sources should be used to repay the City's investment in the tract to permit it to remain as it presently exists and the monies repaid to the City could be used to put in place and commence operations of some kind of an industrial development agency in the City to promote adaptation and reuse of existing industrial sites with the monies from the sale of such sites being established as a revolving fund possibly supplemented by the issuance of industrial revenue bonds for other development; etc.; and

WHEREAS, Mayor Tarpley stated that the Planning Department currently has an inventory of all available commercial sites in Salem, and if a business came into Salem desiring to redevelop a parcel of land, Council would assist the business; and it was noted that he has previously been approached by a group of eighty corporate executives interested in possibly purchasing a portion of Elizabeth Campus; and

WHEREAS, Councilman Packett noted that approximately twenty of the acres will remain greenspace; and

WHEREAS, Vice Mayor Brown noted that the City of Salem does not own the old buildings on the Elizabeth Campus; and it was noted that the proposed development is a campus type setting as suggested by Mr. Foster; and

WHEREAS, Frances Robbins, 620 High Street, appeared before the Council stating that, as evidenced by the Planning Commission Charette, the numbers of citizens attending this public hearing, and previous meetings, it is clear that a majority of Salem Citizens do not favor commercial and industrial development of the Elizabeth Campus; the reason she moved from Raleigh-Durham was she did not like the traffic and urban sprawl; Council can make Salem more difficult to negotiate and congested; the progressive approach to development is making use of existing urban structures and resisting the solution of building on every available tract of open land; across the country, people are pushing for financing measures to save parks, farms, open space, watersheds, wildlife habitats, etc.; there are several states engaged in conservation efforts; building and paving over greenspace is a "No Brainer" approach to raising revenue as it provides a short-term solution to a long-term problem; when Council was elected, citizens expected Council to do its best to run the City as efficiently as possible and maintain the quality of life in Salem; she questioned whether the assisted living center would look like the center at Ridgewood without proper landscaping; how will the shortfall in revenue be made up when there is no more land to develop in Salem; etc.; and

WHEREAS, Vice Mayor Brown stated that the projected revenue from the assisted living center is higher than stated in the newspaper; the employees of this facility will also bring in revenue; the entire area will not be paved; there will be approximately 20 acres of open space left on this property; and he has had 14 calls today stating Council is doing the right thing with development of this property; and

WHEREAS, Ms. Robbins stated that at some point taxes will have to be raised; why not do a moderate increase in taxes now to allow this tract of land to be saved; if the Salem character is destroyed, the kinds of companies and businesses Salem would want to attract will not come to Salem and people like herself may not come to Salem; she requested Council to consider not selling any part of Elizabeth Campus; and it is her opinion that the citizens of Salem would be willing to spend a modest amount of money to save this hillside in the form of raised taxes; and

WHEREAS, Mayor Tarpley stated that Salem will be considering water improvements tonight, which will create an increase in water rates of approximately 40% to 45%; and

WHEREAS, Emily Paine Brady, 335 North Broad Street, appeared before the Council stating that she was of the opinion that Council would take time to develop this property; and she was of the opinion that the businessmen were going to help decide what to locate on this property; and

WHEREAS, Robert Hunt, 709 Maryland Avenue, appeared before the Council questioning whether there is a state regulation on how many nursing home units are allowed for assisted living and how many units are allowed for dementia in an area; he is of the opinion that the beauty of this land is in the wholeness of the property; the fence-line trees make it a desirable piece of property and add an element of character to the property; he mentioned in an article in the Salem Times-Register that the State of Virginia passed an open space land preservation act during Governor Allen's tenure with regional open space land preservation committees to work to identify open spaces and

work to preserve these open spaces primarily through the use of land conservation easements and distribution of money from the State, which has appropriated funds to help promote conservation easements by paying front-end expenses for individuals desiring to put conservation easements on land; he urges Council to decelerate and take this matter under advisement, which would allow time to look at all aspects of this matter; it is his opinion that the financial projections should be more clarified; as a Salem citizen, he is of the opinion that the City should have further discussions with Roanoke County on the possibility of purchasing water from Roanoke County from its reservoir; this delay would give extra time for projections for school improvements; the City may be receiving relief in the future from the State for loss of car taxes; it is his opinion that, if the City would wait, there would be other buyers that would be interested in the future; the City is not in dire financial problems so it is his opinion it is not essential that this property be sold at the present time; if Rowe Furniture Company is leaving, their property could be available for redevelopment for companies to locate in Salem; etc.; and

WHEREAS, it was noted that a meeting was held with representatives of the State and 40 cities in the Commonwealth discussing the problems of the cities and the needs were ranked as follows: funding of existing House Bill 599, infrastructures, and education with greenspace never being mentioned by any of the 40 cities as a priority; and

WHEREAS, the City Attorney stated that the assisted living facilities would not require a certificate of need; and

WHEREAS, Councilman Haskins stated that the State currently owes the City approximately 2 million dollars from House Bill 599 to reimburse the City for law enforcement; and it is his opinion that the Commonwealth will probably not give the City relief funding as no commitment was obtained from the State pertaining to the funds already owed Salem; and

WHEREAS, Karen Barnhart, 736 Virginia Avenue, appeared before the Council questioning the amount the City will receive from the purchase of this parcel of land by the assisted living center; she questioned why this valuable parcel of land has not generated more bidding; she stated that this facility will not bring high tech jobs but will be staffed with minimum wage jobs, and it may be better to save this property for a more high tech business; she is of the opinion that other avenues of development have not been explored for this area; she is concerned that other development on this property would not be architecturally compatible with this facility; and she would like to see a uniformly developed parcel of land if the property cannot remain greenspace; and

WHEREAS, it was noted that, if the property is sold for the assisted living center, the City will receive \$85,000 per acre or approximately \$414,000 for this parcel of land; it is the opinion of Council that the assisted living center would be a buffer between the high tech park and residential neighborhood; the assisted living center would not be a high traffic facility; and if other tracts of this property are sold, the City would have control pertaining to the architecture of future buildings; and

WHEREAS, Sissy Kennedy, 733 Maryland Avenue, appeared before the Council questioning whether the option of charging for parking at the Salem Civic Center, Salem Memorial Baseball Stadium, and Salem Football Stadium has been discussed as a possible revenue generating option; if so, what were the projections, and if not, why hasn't this been considered; there is a need for soccer fields and football fields in Salem and a portion of the Elizabeth Campus could be utilized for this facility; during the week of July 4 each year, there is no parking in this area due to the Salem Fair; etc.; and

WHEREAS, it is the opinion of Council that the City should not charge for parking as this is a plus for the Salem Civic Center Complex; and

WHEREAS, Robert Tate, 217 Waverly Avenue, appeared before the Council reading a letter from residents of the Boulevard requesting that Council leave the City owned property, known as the Lutheran Home property, zoned R-2 with the understanding that the land not be sold for residential housing lots but will remain in perpetual use as a park of greenspace for the following reasons: the property is presently zoned to accommodate the existing institutions; property presently is zoned to allow for the expansion of the existing institutions; the property is the only remaining undeveloped land of the original land sold to Salem by the heirs of General Andrew Lewis from his tract purchased in 1767; the Roanoke Valley is bounded by mountains that limit industrial/commercial development; in order to create a tax base to support Salem, the natural beauty of the mountains must be nurtured and maintained to attract and tax the tourist trade; the property, if rezoned and developed, would create and add to the following situations: the increased volume of traffic in congested areas, the creeping movement of business and/or manufacturing into residential areas which destroys the tranquility and beauty of the neighborhood, the possible decrease of property values, the fact that the neighborhood is already bounded on the east by an unsolicited light industrial park which draws illegal heavy truck traffic into the neighborhood and rezoning would attract more truck traffic, and the present roads bounding the property are not adequate to handle any more traffic of any kind; and

WHEREAS, Mr. Tate stated that the concept would not fit into the neighborhood with the traffic, noise, lighting, and this is not a good use for this property for assisted living; the use in his opinion is incompatible with the events in the area at the Civic Center Complex; he hopes that in the future Council can determine what the best use of this property will be after discussion; he has heard individuals stating that this is possibly a good location for a school; and he is of the opinion that this is an excellent use for a water tank; and

WHEREAS, Lee Eubanks, 329 Boulevard, appeared before the Council stating that up until approximately three months ago he had never heard this property referred to as Elizabeth Campus as he had always known the property as the Lutheran Orphanage; every morning he drinks coffee at the Seven-Eleven Store and then he drives to the orphanage property; he was of the opinion that with all the talk about greenspace there would be lots of people walking around and enjoying the beauty; in all the mornings he has driven to the location, he has not seen anyone walking on this property; it was stated that the majority of the citizens in Salem are against this request; the majority of the individuals in this room may be against the sale of this property, but there are 25,000 people in Salem; the citizens who voted for Council trust that Council will make the right decisions, and the majority will be satisfied with their decisions; and it is his opinion that Salem should not purchase water or be dependent on Roanoke County as Salem went through this when the school system was handled through Roanoke County, and the City was not treated fairly; and

WHEREAS, J. David Robbins, 620 High Street, appeared before the Council stating that the rendering is good; he cautioned Council to look at the property in total rather than breaking the property up; when we look at the property, we need to determine what is the best use of the property and where are we going in the future; when he moved to Salem eleven years ago, he looked at a lot of the open land; since then Salem has done a lot of commercial development; there is industry in Intervale and on Apperson Drive; middle income homes are needed in Salem; the homes along Apperson Drive are selling to businesses; Salem is a good place to live; if this property is developed and the City obtains \$300,000, there are still escalating costs; Salem's population is not increasing very much, but the costs are increasing; the costs are increasing because the citizens in the City want a better quality of life; if Elizabeth Campus is developed, what will be the next piece of property to be developed to finance something else in the future; Salem needs to either increase taxes now or in the future; the taxes are going to have to go up as there is a cost for the City to be number one; it is his opinion that Council must determine how to pay the price and will the \$300,000 to \$600,000 defer the total price; it is his opinion that this will not defer the price as there will still be a debt service; additional monies will have to be found over and above the increase for water and sewer rates if \$25,000,000 is spent on schools; don't destroy the reason why people live in Salem; it is hard to say to the citizens that taxes must be increased, but the people of Salem will say they are behind Council 100%; it is the time for Council to stand up and show its leadership and save the quality of life in Salem; this parcel should not be taken out of the total acreage but looked at with the whole concept; look at the whole piece of property; see what businesses can be brought in as high tech jobs are hard to get due to the fact that high tech jobs follow universities; it is his opinion that Roanoke College is not a true high tech school such as those in North Carolina; he urged the Council to slowdown its plans to develop this property; etc.; and

WHEREAS, Mayor Tarpley questioned the developer whether the Salem Fair and fireworks at the Salem Civic Center would create a problem; and

WHEREAS, Mr. Russell noted that a representative from his organization was in Salem at the fourth of July and Salem Horse Show, and they are of the opinion that these events would not create a problem for this facility; and further, the residents at this facility would enjoy the view and activities in this area, and this facility would be a good buffer between the office/commercial and residential areas; and

WHEREAS, William Mullins, 1208 Lynchburg Turnpike appeared before the Council stating his elderly father lived with him while he had alzheimers, and the Salem Fair and fireworks upset his father; and

WHEREAS, Vice Mayor Brown stated that there were lots of comments made at this meeting that did not deal with the sale of the 4.8 acres; Salem had extensive negotiations with Roanoke County pertaining to purchase of water from its reservoir, and it was determined that it was not in the City's best interests to join Roanoke County's facilities; it is his opinion that there is no other community with better recreation, better soccer fields, and better football fields than Salem; no member of Council has a vested interest in this property; Council wants to do what is best for the City; Salem is a community with probably more greenspace than any community of its size in the United States; and he is of the opinion that the sale of this property would be in the best interests of the City of Salem, this use would be a great buffer between the residential area and the remainder of this property, the rendering presented at this meeting is an excellent one, and the development would contain more than twenty acres of greenspace; and

WHEREAS, Mayor Tarpley stated it is his opinion that Council is not rushing to judgment as they are choosing a direction for this property; the property is being rezoned with a plan, and Council will adhere to this plan; it is his opinion that the Roanoke River greenspace has more to offer to citizens of the Valley than the 52 acres at Elizabeth Campus, and he will direct his efforts toward the Roanoke River greenspace; and

WHEREAS, Councilman Packett stated he is opposed to the sale of this property as it is his opinion that the City should take a long range look at this property, and high tech jobs are needed for this area if it has to be developed; and it is his opinion that this facility would not bring high tech jobs to this area;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, Council hereby authorizes the sale to Alternative Living Services of a 4.8 plus or minus tract of real property situated on Idaho Street, bounded on the north by Roanoke College and on the west by Idaho Street for the sum of \$85,000 per acre, subject to the successful rezoning of

this tract of land and approval of a subdivision for this property -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - nay; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council receive report from Blue Ridge Community Services pertaining to services provided to the citizens of Salem during fiscal year 1998; and

WHEREAS, Rod Furr, 971 Stonegate Drive, appeared before the Council stating he is a representative appointed by Council to serve on the Board of Directors of the Blue Ridge Community Services; he explained the services provided to Salem citizens by the Blue Ridge Community Services; and he thanked Council for its support over the previous years; and

WHEREAS, Mr. Furr explained recent legislative actions affecting the relationship of Blue Ridge Community Services with the City of Salem; Salem City residents received fourteen dollars of services for each Salem dollar appropriated to Blue Ridge Community Services;

THEREUPON, said presentation was received.

Mayor Tarpley requested that Council consider approving the Certificate from the Secretary of the Commonwealth providing for the creation of Virginia's First Regional Industrial Facility Authority; and

WHEREAS, it was noted that Council passed an ordinance at its September 14, 1998, meeting approving the Authority; and

WHEREAS, the City Attorney reported that Council has received a certificate from the Office of the Governor, Secretary of the Commonwealth, certifying that the ordinances have been adopted by the various localities (counties of Bland, Giles, Pulaski, Wythe, Craig, Montgomery, and Roanoke; the cities of Roanoke, Radford, and Salem; and the towns of Christiansburg, Narrows, Pulaski, Dublin, and Pearisburg) creating Virginia's First Regional Industrial Facility Authority; and the statute requires that Council take action to receive the certificate and make it part of the minutes; and

WHEREAS, a discussion was held concerning the Authority and proposed appointments to the Authority;

ON MOTION MADE BY COUNCILMAN HASKINS, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, the certificate from the Secretary of the Commonwealth is hereby received, approved, and make a part of the said minutes of Council:

COMMONWEALTH OF VIRGINIA
OFFICE OF THE GOVERNOR

JAMES S. GILMORE, III
GOVERNOR

ANNA P. PETERA
SECRETARY OF THE COMMONWEALTH

I, Anne P. Petera, Secretary of the Commonwealth of Virginia, and as such, keeper of the Great and Lesser Seals, do hereby certify that the Ordinance adopted by the counties of Bland, Giles, Pulaski, Wythe, Craig, Montgomery and Roanoke, the Cities of Roanoke, Radford, and Salem, and the Towns of Christiansburg, Narrows, Pulaski, Dublin, and Pearisburg, Virginia, pursuant to 15.2-6402 of the Code of Virginia, 1950, as amended, creating Virginia's First Regional Industrial Facility Authority was duly filed in this office on September 24, 1998, and do certify further that upon the basis of the facts set forth therein, the said Ordinance satisfies the requirements of the aforesaid Act.

Given under my hand and under the Lesser Seal of the Commonwealth, at Richmond, the seventh day of October, in the year of our Lord one thousand nine hundred and ninety-eight and in the 223rd year of the Commonwealth.

(SEAL)

/s/ Anne P. Petera
Secretary of the Commonwealth

-- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, Joseph E. Yates, Jr., Director of Planning and Development, is hereby appointed as Salem's staff representative to Virginia's First Regional Industrial Facility Authority for a four-year term, said term will expire on October 26, 2002; Harry T. Haskins, Jr., is hereby appointed as Salem's elected representative to Virginia's First Regional Industrial Facility Authority for a four-year term, said term will expire on October 26, 2002, and Councilman Haskins designated Robert A. Craighead as his alternate on this Authority for the four-year term -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider adopting Resolution 909 regarding establishing a fee for Application for Site Plan Approval; and

WHEREAS, Vice Mayor Brown, Chairman of Council's Audit-Finance Committee, reported that Council at its regular meeting held on October 12, 1998, passed an ordinance on second reading amending Chapter 106, Article I, Section 106-498, of The Code of the City of Salem, Virginia, pertaining to filing and advertising fees; and

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WHEREAS, the Committee recommends a fee should be established for Applications for Site Plan Approval in the amount of \$50 plus \$10 per acre in excess of one acre;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, Resolution 909 was duly passed and adopted:

RESOLUTION 909

A RESOLUTION ESTABLISHING A FILING FEE FOR APPLICATIONS FOR SITE PLAN APPROVAL.

WHEREAS, Council has heretofore adopted Section 106-498 of The Code of the City of Salem, Virginia, providing for the establishment of fees for filing and advertising for applications for site plan approval and has received a report from Council's Audit-Finance Committee recommending a fee for same; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that the following fee schedule is hereby adopted and established effective immediately upon its passage:

	PRESENT FEE	AMENDED FEE
I. Application for site plan approval	\$ 0	\$ 50.00
		Plus \$10 per acre
		in excess of one acre

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Mayor Tarpley requested that Council consider setting bond for physical improvements for Homestead Court Subdivision; and

WHEREAS, Vice Mayor Brown, Chairman of Council's Audit-Finance Committee, reported that the Committee recommends the bond for physical improvements for Homestead Court Subdivision be set at \$32,700, which amount includes a ten percent contingency, with a time limit for completion of said improvements of 12 months; and

WHEREAS, it is stipulated as a condition that the developer is to install erosion and sediment controls on all lots before beginning any construction;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, bond for physical improvements for Homestead Court Subdivision is hereby set at \$32,700, which amount includes a ten percent contingency, with a time limit for completion of said improvements of 12 months, subject to the stipulation that the developer install erosion and sediment controls on all lots before beginning any construction -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider setting bond for physical improvements for Barbara R. Booker Subdivision; and

WHEREAS, Vice Mayor Brown, Chairman of Council's Audit-Finance Committee, reported that the Committee concurs with the Engineering Department's recommendation that bond for the Barbara R. Booker Subdivision be set at \$50,000 with a time limit for completion of said improvements of 12 months;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, bond for physical improvements for the Barbara R. Booker Subdivision is hereby set at \$50,000 with a time limit for completion of said improvements of 12 months -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider adopting Resolution 910 requesting the inclusion of Pendleton Drive, Douglas Court, and a new portion of Carrollton Avenue in the Virginia Highway Program to allow Municipal Assistance Payments;

ON MOTION MADE BY COUNCILMAN GIVENS, SECONDED BY VICE MAYOR BROWN, AND DULY CARRIED, Resolution 910 was duly passed and adopted:

RESOLUTION 910

A RESOLUTION REQUESTING THE COMMONWEALTH TRANSPORTATION COMMISSIONER AND THE COMMONWEALTH TRANSPORTATION BOARD TO APPROVE AND ACCEPT CERTAIN NEW STREETS FOR MAINTENANCE PAYMENTS.

WHEREAS, there have been constructed in the City certain new streets complying in all respects with the requirements of Section 33.1-41.1 of the 1950 Code of Virginia, as amended; and

WHEREAS, said new streets are described in that certain Request for Street Additions or Deletions for Municipal Assistance Payments prepared by the City Engineer for submission to Urban Division, Virginia Department of Transportation; and

WHEREAS, said new streets are known as Pendleton Drive, Douglas Court, and an extension of Carrollton Avenue; and

WHEREAS, said Request to Urban Division, Virginia Department of Transportation, requests municipal assistance payments for said new streets from the Commonwealth Transportation Commissioner and the Commonwealth Transportation Board; and

WHEREAS, it is in the best interests of the City to request said assistance payments for utilization in maintaining streets in the City; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that the Request for Municipal Assistance Payments be immediately submitted to the Commonwealth Transportation Commissioner, the Commonwealth Transportation Board, and any other appropriate entity, requesting approval and acceptance of the foregoing streets for the purpose of receiving maintenance payments in accordance with the provisions of Section 33.1-41.1 of the 1950 Code of Virginia, as amended.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Mayor Tarpley requested that Council receive a status report for Project Impact; and

WHEREAS, the City Manager reported that Project Impact is a program that the Federal Emergency Management Agency chose the Valley to participate in several months ago; Salem met in the summer in Roanoke City and agreed to consider the possibility of being a part of an application for matching funds to be in the Federal Program, which is supposed to provide matching funds to disaster proof the community; after the official meeting, localities appointed members to steering committees to meet and determine a list of projects and priorities for spending the monies; he stated that Salem disagree with some of the projects and priorities; the grant is a two-year grant for a total of \$666,680 from the Federal Government with Salem's local share match being \$14,320 in the form of cash or staff time; it is his opinion that Salem should be a part of this program;

ON MOTION MADE BY COUNCILMAN HASKINS, SECONDED BY VICE MAYOR BROWN, AND DULY CARRIED, Council is hereby authorized to participate in Project Impact, which is a two-year grant for a total of \$666,680 from the Federal Government, with Salem's local share match being \$14,320 in the form of cash or in-kind staff time -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider eliminating the December 28, 1998, meeting of Council due to the Christmas holidays;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the December 28, 1998, meeting of Council is hereby eliminated due to the Christmas holidays -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council receive presentation from Stewart Lassiter and consider authorizing application to be filed with the Commonwealth of Virginia; and

WHEREAS, Stewart Lassiter, of Finkbeiner, Pettis and Strout, Inc., appeared before the Council stating that Council has previously received a letter outlining the need for submitting the raw water intake permit; as part of the conditions of the special order by consent for the Fourth Street Water Treatment Plant, the City needs to submit the joint permit application for the raw water withdrawal by November 1, 1998; the permit will request the permission for withdrawal of 10 million gallons daily of water from the Roanoke River; the projected average daily flow for the City of Salem for the year 2025 is 6 million gallons per day; losses through the water treatment for backwash and miscellaneous losses during treatment of the water must be added for an average daily raw water withdrawal of 6.7 million gallons per day; the Virginia Department of Health Waterwork regulations require that the Water Treatment Plant be capable of treating the maximum day usage projected for the community; the ratio of the maximum daily usage to the average daily usage for the City of Salem is one and one-half; when multiplied by one and one-half, the total withdrawal capacity is 10 million gallons per day total treatment plant capacity; and the City is consolidating the withdrawal at one point versus the two separate intakes being maintained at the present time and an increase of 2 million gallons per day;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, the City Manager is directed to file the application with the Commonwealth of Virginia for withdrawal of 10 million gallons of raw water per day from the Roanoke River at the Fourth Street Water Treatment Plant -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

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Mayor Tarpley stated it is his opinion that Council should give the staff direction pertaining to the construction of the water storage tank; and

WHEREAS, Stewart Lassiter, of Finkbeiner, Pettis, & Strout, Inc., stated that preliminary drilling had been performed relative to the Elizabeth Campus and a favorable report was received pertaining to the feasibility of constructing the tank on the campus; the geotechnical firm is of the opinion that this site is better than the Morwanda Park Tank Site; an estimate of the reduction in costs for the Elizabeth Campus site versus the Morwanda Park Tank Site is as follows: the main additional cost is stabilization of the foundation at the Morwanda Park Tank Site, as the geotechnical work indicated a cavern or void under the site at Morwanda Park, with an estimate of \$460,000 to stabilize the site and a 25% contingency for an approximate total of \$570,000; if the tank is located on Elizabeth Campus, 3,600 feet of water main would be eliminated for an additional savings of approximately \$450,000; and the total savings would be approximately \$1,000,000 for the Elizabeth Campus site; and

WHEREAS, the foundation at the Morwanda Park Tank Site would increase the project costs from 10% to 20%; and

WHEREAS, Mr. Lassiter indicated that the final costs for foundation stabilization for a similar site two years ago in another locality in the Shenandoah Valley, along Interstate 81 where no alternate site was available, amounted to approximately 40% higher than the original estimate; and

WHEREAS, Mayor Tarpley noted that the City Attorney indicated that condemnation of a parcel of land for a water storage tank would be more difficult if a site owned by the City is believed to be suitable; and

WHEREAS, Mr. Lassiter noted that the report from the geotechnical firm performing the investigations indicated that the Elizabeth Campus Site is suitable for placement of the tank, from a hydraulics standpoint, and the location is good as far as the distribution system is concerned; and from a cost standpoint, the costs are less to use this site; and

WHEREAS, Councilman Haskins asked if the Civic Center Site was also considered; and

WHEREAS, it was noted that the Civic Center Site is lower, which would require more costs for the tank due to increasing the height of the tank; and

WHEREAS, Mr. Lassiter noted that several other sites were considered, but the other sites are on private property; he has been informed that there is very little chance for condemnation if an alternative site is accessible and can be purchased without condemnation, four different sites have been considered, but the City has an alternative site which is already owned by the City; and

WHEREAS, Mayor Tarpley stated that the property owners for the alternative sites have indicated no desire to sell the sites to the City; a court order would be required in order to enter these properties for test drillings; and there is a very serious problem with water pressure in the eastern sector of the City, and the City has tried for two years to find an alternative location for this tank; and

WHEREAS, Councilman Givens stated it is his opinion that a tank at this location would have to be as aesthetically pleasing as possible and be able to utilize as much of the property under the tank as possible; and

WHEREAS, a discussion was held concerning this matter; the proposed sites are at elevation 1150 and above in the general area between the Fourth Street Water Treatment Plant and the existing Morwanda Park Tank; it is the opinion that use of property at the VA Medical Center or other property on the Boulevard near the Reserve Center would be too far removed from the area needed to be served and would be too costly to access;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the City Manager and City staff are hereby authorized to place the water storage tank at the Elizabeth Campus adjacent to the YMCA unless a more feasible site can be found at the Salem Civic Center -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider participating in litigation brought by Trigon against major tobacco manufacturers; and

WHEREAS, the City Attorney stated that Trigon of Virginia has requested local jurisdictions who were insured by Trigon to sponsor and provide information pertaining to litigation against tobacco companies; the City has been assured that it will not be a named party; if no recovery is made, all expenses will be paid by Blue Cross/Blue Shield, Trigon, etc.; the only problem that may be encountered is that Trigon in Richmond will have a number of the City's records; this litigation will not cost the City any monies except possibly staff time; there is a question as to whether the City can elect in the future to not participate in this litigation; if Trigon wins, there could possibly be monetary damages that the City would receive; etc.; and

WHEREAS, a discussion was held concerning this matter;

ON MOTION MADE BY COUNCILMAN GIVENS, SECONDED BY VICE MAYOR BROWN, AND DULY CARRIED, the City is hereby authorized not to participate in litigation brought by Trigon against major tobacco manufacturers -- the roll call vote

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being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

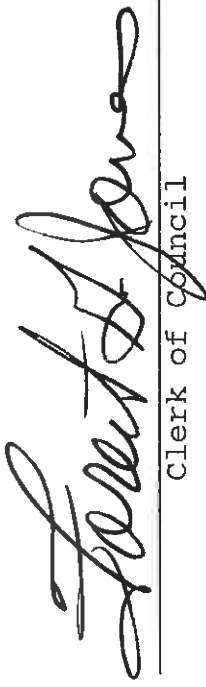
Mayor Tarpley requested that Council consider setting bond for physical improvements for Medical Facilities of America (formerly Camelot Nursing Home on the Boulevard); and

WHEREAS, Vice Mayor Brown, Chairman of Council's Audit-Finance Committee, reported that the Committee recommends the bond for physical improvements for Medical Facilities of America (formerly Camelot Nursing Home) be set at \$3,500 with a time limit for completion of said improvements of 12 months;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, bond for physical improvements for Medical Facilities of America (formerly Camelot Nursing Home) is hereby set at \$3,500 with a time limit for completion of said improvements of 12 months -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

There being no further business to come before the Council, the same on motion adjourned at 10:23 p.m.


Mayor


Clerk of Council

November 9, 1998

A regular meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on November 9, 1998, at 7:30 p.m., there being present all the members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, Howard C. Packett, John C. Givens, and Harry T. Haskins, Jr.; with Carl E. Tarpley, Jr., Mayor, presiding; together with Randolph M. Smith, City Manager; Forest G. Jones, Assistant City Manager and Clerk of Council; Frank P. Turk, Director of Finance; James E. Taliaferro, II, City Engineer; Joseph E. Yates, Jr., Director of Planning and Development; and Stephen M. Yost, City Attorney; and the following business was transacted:

The minutes of the regular meeting of October 26, 1998, were approved as written.

Mayor Tarpley reported that Council at its regular meeting held on October 26, 1998, passed an ordinance on first reading rezoning the property of HRT of Roanoke, Inc., property owner, and Wendy's of Western Virginia, Inc., lessee, an approximate one acre parcel located at 2103 Apperson Drive from Business-Commerce District B-C to Business District B-3;

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

AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Section 106-7, Article I, Chapter 106 of The Code of the City of Salem, Virginia, relating to building district boundary lines be amended in the following particular and no other, viz:

That the following described property in the City of Salem, being property of HRT of Roanoke, Inc., property owner, and Wendy's of Western Virginia, Inc., lessee, being an approximate one acre parcel located at 2103 Apperson Drive, be and the same is hereby changed from Business-Commerce District B-C to Business District B-3, and the map referred to shall be changed in this respect and no other, said property being described as follows:

BEGINNING at a point on the northerly right of way of Lee Highway (also known as Apperson Drive), said point being the southwest corner of the property owned by Healthcare Realty Trust Incorporated; thence leaving the right of way of said Lee Highway and with the easterly property line of NAD Properties (D.B. 143, page 288, N. 24° 09' 00" E. 180.00 feet to a point; thence with a new line through the property of Healthcare Realty Trust Incorporated S. 65° 51' 00" E. 165.00 feet to a point; thence continuing with same S. 88° 15' 48" E. 117.50 feet to a point; thence continuing with same S. 01° 44' 12" W. 91.80 feet to a point on the northerly right of way of Lee Highway; thence with the northerly right of way of Lee Highway; N. 88° 05' 10" W. 26.13 feet to a point; thence continuing with same S. 01° 44' 12" W. 33.00 feet to a point; thence continuing with same N. 88° 15' 48" W. 143.56 feet to a point; thence

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continuing with same with a curve to the right whose radius is 682.63 feet and whose length is 170.73 feet (chord = N. 81° 05' 55" W. 170.28 feet) to the POINT OF BEGINNING and containing 1.001 acre.

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

This ordinance shall be in full force and effect ten (10) days after its final passage.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Passed: November 9, 1998
Effective: November 19, 1998


Mayor

Mayor Tarpley requested that Council receive a presentation concerning the results of a conceptual study of the proposed Roanoke River Greenway from Green Hill Park through Salem to the Roanoke City limits; and

WHEREAS, John Schmidt, Landscape Architect with Engineering Concepts, Inc., and Hal Bailey, Civil Engineer and President of Engineering Concepts, Inc., appeared before the Council explaining the Phase I Study for the Roanoke River Greenway, which is a preliminary study to look at possible corridor locations; he explained the general information workshops held in June to show residents and interested individuals what is proposed and how this greenway might be developed; over the last six months, plans have been developed and options studied; a workshop was held in September presenting to the public and staff options that would be available for the corridor; a slide presentation was presented to Council for Phase I of the Roanoke River Greenway Corridor Study; there is approximately 7 miles of greenway corridor starting at Green Hill Park in Roanoke County, and the following areas were studied: Diaguids Lane crossing, Riverside Drive from Diaguids Lane to Mill Lane on both sides of the Roanoke River, Salem Industrial Park on the north side of Roanoke River, Eddy Avenue Bridge, the possibilities for development of the greenway at the Moyer Complex and on the south side of the Roanoke River at Front Avenue and Riverside Drive, Colorado Street Bridge crossing on both sides of the Roanoke River, both of the Apperson Drive Bridges over Roanoke River, and the proposed route to the Roanoke City limits from Apperson Drive; and

WHEREAS, Mr. Schmidt noted certain aspects of the corridor: Green Hill Park has heavy usage with great opportunities for development; there are numerous Historical sites along the Roanoke River such as several mill sites; there presently exists heavy bicycle and pedestrian traffic along Riverside Drive; there are several types of recreational activities along the Roanoke River on both sides such as the Skateboard Park, Moyer Complex, small basketball park, fishing on the river, and canoeing on the river; there are issues that have to be considered such as flooding of the river; and there is a lot of beauty to be taken advantage of along this river to be incorporated in the greenway; and

WHEREAS, a full discussion was held concerning the following: proposed north and south corridor options; alternates for future connection points for side trails; the proposed trail would be approximately 8 to 10 feet wide with a paved surface aligned for multiple uses such as for bikers, runners, and joggers; etc.; and

WHEREAS, it was noted that a complete trail for 7.2 miles from Green Hill Park to the Roanoke City limits using all the north sections of the river and the combined sections (site preparation and trail construction, site amenities, structural features, planting and contingency) would be estimated to cost approximately \$2,330,690; a complete trail for 7.1 miles from Green Hill Park to the Roanoke City limits using all the south sections of the river and the combined sections (site preparation and trail construction, site amenities, structural features, planting and contingency) would be estimated to cost approximately \$2,781,234; and these cost estimates do not take into consideration acquisition of private properties for the greenway; and

WHEREAS, a discussion was held pertaining possibly providing grass beside the trail for use for riding of horses; there are structural impacts near the Woodbridge Subdivision to be considered if the southern option is selected; from an engineering standpoint, the northern option would be the best location with least impact in the steep areas; there are more commercial properties to be considered in using the northern option; the responsibility of repair of the trails after flooding and general maintenance of the trails could be accomplished by the localities or by volunteers, etc.; and

WHEREAS, it was noted that funding could be accomplished through Federal and State grants, ISTEA funding, Virginia Trails, matching funds, local funding sources, or donations; 90% of this proposed greenway is in Salem; etc.;

THEREUPON, said presentation was received.

Mayor Tarpley requested that Council consider approving a Memorandum of Agreement authorizing Salem's participation in a project concerning a Regional Fire/EMS Training Center on Kesler Mill Road; and

WHEREAS, Mayor Tarpley reported that this matter was discussed at the joint meeting with Roanoke City Council on October 19, 1998; and

WHEREAS, the City Manager reported that this is a concept that has been discussed for several years among the Roanoke Valley Fire Chiefs; this facility would be a training facility for fire and emergency medical services personnel similar to the Cardinal Criminal Justice Academy for training of law enforcement officers; the City of Salem would participate with Roanoke County and Roanoke City; the estimated costs for the Regional Fire/EMS Training Center improvements on Kesler Mill Road are \$1.9 million; Roanoke County and Roanoke City will both contribute 44% each, the City of Salem will contribute 8%, and the Town of Vinton will contribute 4%; Salem's share of the capital costs would amount to approximately \$152,335.32 and would be funded from the next fiscal year budget; this project was previously discussed several years ago with several members of the General Assembly, and due to the fact that it is a regional project, it was thought that the localities might be able to obtain state funding; to date, the project has received no state funding other than the fire training funds currently being received by the localities as a rebate from fire insurance; the recurring charges of approximately \$2,500 each year would be Salem's share to operate the Center; the City can use fire training funds for this expenditure; and the facility will be located on Kesler Mill Road where there currently exists other training aids presently being used by the various fire departments in the Roanoke Valley; and

WHEREAS, Vice Mayor Brown thanked Chief Dan Hall for his hard work on this program;

ON MOTION MADE BY COUNCILMAN HASKINS, SECONDED BY VICE MAYOR BROWN, AND DULY CARRIED, the proper City officials are hereby authorized to execute the Memorandum of Agreement authorizing Salem's participation in a project concerning a Regional Fire/EMS Training Center on Kesler Mill Road -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider adopting Resolution 911 supporting Virginia's First Regional Industrial Facility Authority's application for Virginia Industrial Site Development Funds; and

WHEREAS, Mayor Tarpley noted that the City of Salem is a participant in this authority, and all authority members must pass this resolution in order to qualify for receiving grant monies; this resolution merely indicates support for the grant application; this resolution does not include the commitment of any money by the City of Salem for any proposed projects; if the grant application is successful, the local matching funds required by the grant will be contributed by those localities who elect to actively participate in the New River Commerce Park project; and at this time, the City of Salem has not committed to the New River Commerce Park project;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, Resolution 911 was duly passed and adopted:

RESOLUTION 911

WHEREAS, the Virginia Industrial Site Development Fund was passed by the 1998 General Assembly; and

WHEREAS, the objectives of the Fund are: to assist in the development of publicly owned marketable regional industrial sites; to strengthen the capacities of distressed communities to stimulate and promote economic development activity; to encourage the development of regional cooperation and marketing concepts for economic development purpose; and to increase Virginia's total industrial site inventory; and

WHEREAS, the Department of Housing and Community Development has prepared program guidelines for the Virginia Industrial Site Development Fund; and

WHEREAS, the General Assembly has provided \$3 million in State financial assistance to distressed communities to assist with the development of regional industrial sites; and

WHEREAS, the legislation gives "preference to regional sites (two or more localities), sites purchased or placed under option and engineering study contracted for or completed"; and

WHEREAS, the 1997 Virginia General Assembly adopted the Virginia Regional Industrial Facilities Act; and

WHEREAS, the Act provided localities in the New River Valley and the Fifth Planning Districts a legislative mechanism to enhance the economic base of this region by allowing local governments to jointly develop, own, and operate one or more industrial facilities on a cooperative basis; and

WHEREAS, the Act provided that participating localities could share the revenue generated from a cooperative regional industrial facility; and

WHEREAS, Virginia's First Regional Industrial Facility Authority formed in 1998 in response to the Virginia Regional Industrial Facilities Act; and

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WHEREAS, the counties of Bland, Craig, Giles, Montgomery, Pulaski, Roanoke, and Wythe, the Cities of Radford, Roanoke, and Salem, and the towns of Pulaski, Dublin, Narrows, Pearisburg, and Christiansburg are the members of Virginia's First Regional Industrial Facility Authority; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that the City of Salem does hereby support the Authority's application for \$1.375 million from Virginia Industrial Site Development Funds for construction of the New River Valley Commerce Park; and

BE IT FURTHER RESOLVED that the remaining \$7,464,089 construction costs will come from: \$500,000 ARC (application submitted), \$4,139,089 localities participating in the development of the commerce park, \$450,000 VDOT; and \$1 million EDA; and

BE IT FURTHER RESOLVED that Randolph M. Smith is the chief administrative officer for the City of Salem and is authorized to sign and submit appropriate information necessary for Virginia's First Regional Industrial Facility Authority to apply for VISDF funds.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Mayor Tarpley requested that Council consider setting a date for a public hearing in accordance with Section 22.1-29.1 of the Code of Virginia, 1950, as amended to date, regarding expiration of terms for two School Board Members (Sarah "Sally" W. Southard and William Sinkler); and

WHEREAS, the Clerk of Council reported that the legal advertisement will be advertised in the November 12 and 19, 1998, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, it was noted that all individuals who have previously applied for a School Board appointment and who can be located will be notified by letter of the public hearing; and

WHEREAS, it was noted that Sarah "Sally" W. Southard and William Sinkler have expressed a desire to be reappointed to the City of Salem School Board;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, November 23, 1998, at 7:30 p.m., in the Council Chambers, City Hall, 114 North Broad Street, is hereby set as a date, place, and time for a public hearing in accordance with Section 22.1-29.1 of the Code of Virginia, 1950, as amended to date, to receive views of citizens within the Salem School District regarding appointments to fill the expiring terms of two members of the City of Salem School Board -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider setting bond for physical improvements to extend City sewer to a private subdivision; and

WHEREAS, Vice Mayor Brown, Chairman of Council's Audit-Finance Committee, reported that the Committee has reviewed the bond for an off-site sewer extension inside the City of Salem corporate limits along Butt Hollow Road to serve property being developed as The Highlands Subdivision in Roanoke County and recommends that the bond be set at \$85,500 for said improvements with a time limit for completion of said improvements of twelve months;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, bond for an off-site sewer extension inside the City of Salem corporate limits along Butt Hollow Road to serve property being developed as The Highlands Subdivision in Roanoke County is hereby set at \$85,500 with a time limit for completion of said improvements of twelve months -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

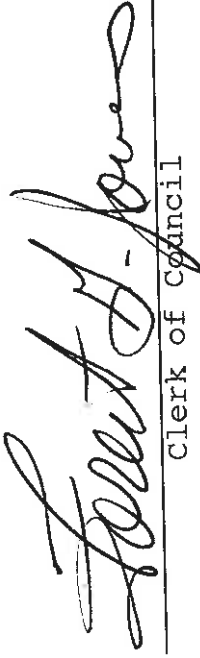
Mayor Tarpley requested that Council consider renewing the lease of Charles William Johnston for the Salem Golf Course for 1999; and

WHEREAS, it was noted that the lease is the same as in previous years; ON MOTION MADE BY COUNCILMAN GIVENS, SECONDED BY VICE MAYOR BROWN, AND DULY CARRIED, the lease is hereby renewed for Charles William Johnston for the Salem Golf Course for 1999 under the same terms and conditions as the existing lease -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

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

ON MOTION MADE BY COUNCILMAN HASKINS, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, Alexander M. Brown and Randolph M. Smith are hereby reappointed to the Salem Transportation Safety Commission for four-year terms, said terms will expire on November 12, 2002 -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

There being no further business to come before the Council, the same on motion adjourned at 8:01 p.m.


Clerk of Council


Mayor

November 20, 1998

A special meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on November 20, 1998, at 10:00 a.m., there being present all the members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, Howard C. Packett, John C. Givens, and Harry T. Haskins, Jr.; with Carl E. Tarpley, Jr., Mayor, presiding; together with Randolph M. Smith, City Manager; Forest G. Jones, Assistant City Manager and Clerk of Council; Frank P. Turk, Director of Finance; James E. Taliaferro, II, City Engineer; and Joseph E. Yates, Jr., Director of Planning and Development; and the following business was transacted:

Mayor Tarpley reported that this date, place, and time had been set as a special meeting of Council, in accordance with Section 4.6(b) of The Charter of the City of Salem, Virginia, to hold a work session regarding the 2.5 million gallon water storage tank with a presentation by Stewart Lassiter; and

WHEREAS, members of the news media were notified of said meeting by facsimile on November 18, 1998; and

WHEREAS, Stewart Lassiter of Finkbeiner, Pettis, and Strout, Inc., appeared before the Council outlining the following pertaining to the proposed water storage tank: in October of 1995, FPS completed a water system study; the study incorporated the entire water distribution system, the two water plants, and recommendations were made for upgrade of the systems to meet the needs of the City for the next twenty years; the City has seven different pressure zones within its distribution system; the lowest pressure is in Zone 1, which immediately surrounds the Fourth Street Water Treatment Plant; the City is looking at Zone 2 or the largest zone within the City; Zone 2 overflow elevation of the water tanks is 1279 feet and Zone 1 overflow elevation is 1140 feet; the other five zones are smaller zones with water being fed from Zone 2 into these zones to serve the higher elevations; the water goes into tanks in the higher elevations, but the water is not capable of flowing back into Zone 2 where the highest water demand is located; in 1994, approximately 4.76 million gallons of water was used per day in the City; in Zone 2 (the Morwanda Park Water Tank, the Creekside Tank, and two Red Lane Tanks), the average daily usage was 3.4 million gallons in 1994; the preliminary design of the proposed Morwanda Park Water Tank was completed in April of 1998 and FPS started final design in June or July of 1998; the Morwanda Park Water Main and Tank Project started from the existing Fourth Street Water Treatment Plant with a 24-inch water main for approximately 9250 feet to the intersection of Idaho Street/Texas Street/Boulevard-Roanoke and a 16-inch water main extended from this point for approximately 6200 feet to a proposed tank at the existing site of the .5 million gallon tank; the reason this line needs to be built is the existing line does not have enough capacity to keep the tank full; since the original design, the relocation of the Water Treatment Plant to its location on Mill Lane will add approximately 3600 feet of water main to the original project and is not included in the costs presented today as this line has not been routed at the present time; the estimated average daily usage will be approximately 3.75 million gallons in Zone 2 by the year 2005; the existing usable storage in Zone 2 is 1.78 MGD; an additional 1.97 MGD is needed to meet the average daily usage; the Morwanda Park Tank is over 25 years old, it is the opinion of FPS that the old tank should be taken down after the construction of a new tank, additional storage required would be 2.47 million gallons, etc.; and

WHEREAS, Councilman Packett stated that Council has already received this information pertaining to construction of a water storage tank from FPS, and Council has previously voted to give the City Administration authority to construct the water storage tank on the Lutheran Children's Home property unless a more feasible site can be located; and

WHEREAS, Mayor Tarpley noted that, since that time, Council directed FPS to determine the feasibility of other areas for possible construction of a water storage tank such as the Lloyd property (not owned by the City) and two sites on the Salem Civic Center property (one site is possibly not suitable); and

WHEREAS, Mr. Lassiter stated that the cost of the Morwanda Water Main and Tank amounts to the following: 24-inch water main at a cost of \$1,388,000; 16-inch water line at a cost of \$628,000; 2.5 Million Gallon Tank at a cost of \$1,982,000; construction contingencies and technical services at a cost of \$992,000; with the total cost of the project being \$4,990,000 from the 1998 preliminary design report; and further, the costs for the grouting at this site are unknown at this point, but the estimated cost is approximately \$500,000; and

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WHEREAS, Mr. Lassiter noted that the following sites were investigated for possible locations for a new water storage tank: Morwanda Park Site, the Lutheran Children's Home Site, the Salem Civic Center property near Texas Street near the edge of the parking lot, and the Lloyd property on Boulevard-Roanoke near the VA Hospital; and

WHEREAS, Mr. Lassiter summarized the sites as follows: the new Morwanda Park Water Storage Tank would require 6200 feet of 16-inch water main from the end of the proposed 24-inch main and construction of a tank with a height to overflow of approximately 130 feet for an estimated total project cost of \$3,464,000 (site has had subsurface investigation with approximately \$500,000 being included in the estimated total project cost for stabilization of the subsurface for the tank as the existing tank is located on a thin rock layer which would not support the larger capacity tank); the Lutheran Children's Home Site would require 2550 feet of 16-inch water line from the end of the proposed 24-inch main and construction of a tank with a height to overflow of approximately 130 feet for an estimated total project cost of \$2,808,000 (site has had subsurface investigation and has good probable foundation bearing capacity); the Civic Center Site would require 1000 feet of 16-inch water line from the end of the proposed 24-inch main and construction of a tank with a height to overflow of approximately 170 feet for an estimated cost of \$3,053,000; and the Lloyd Site would require 9000 feet of 16-inch water line from the end of the proposed 24-inch main and construction of a tank with a height of 130 feet for an estimated cost of \$4,762,000, said estimated cost including the cost for purchase of the property; and

WHEREAS, in order to obtain a total project cost for the above projects, the estimated amount of \$1,735,000 should be added to the above estimates to allow for the 24-inch water main from the existing Fourth Street Water Treatment Plant Site to Texas Street/Idaho Street/Boulevard-Roanoke; and additional costs will be needed to be added in the future for the construction of a 24-inch water main from the Fourth Street Water Treatment Plant to the Mill Lane Water Treatment Plant after a route has been established and estimates have been obtained; and

WHEREAS, a full and lengthy discussion was held concerning the proposed water storage tank locations, renderings of the proposed tanks; different types of tanks, aesthetics of the proposed tank; possible uses of space under the tank; possible costs for use of space under the tank for storage, restaurant, etc.; drillings at the Civic Center to determine if either of the sites are feasible for the proposed tank; if neither site is feasible, then a new site should be found on the Salem Civic Center property; the fluted bottom tank is the most aesthetically pleasing type of tank, etc.; and

WHEREAS, Council is of the opinion that the Salem Civic Center Site should be considered the first site for the water storage tank provided the subsurface is suitable, and the City is requested to pursue a cost estimate for an elevator, windows, and minimum of three floors and maximum of six floors under the water storage tank; and

WHEREAS, it was noted that the proposed site adjacent to Texas Street is further from the houses in the area than other sites, and the other site would be between the football stadium and the baseball office (there is a possibility that there is not enough space at this location), the only other location would be closer to the intersection of Texas Street and Boulevard-Roanoke; and

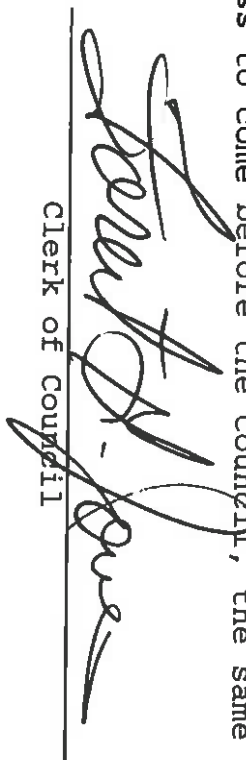
WHEREAS, Councilman Packett stated that it is his opinion that the aesthetics such as the color of the water tank should be left up to the staff; and

WHEREAS, Vice Mayor Brown stated it is his opinion that the aesthetics should be left up to the staff with final approval by members of Council, and it is requested that the report pertaining to the subsurface of the sites should be furnished to Council as soon as possible; and

WHEREAS, Councilman Givens stated that it is his opinion that Council should visit and view water tanks in other locations in the United States;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, the primary site for the construction of a 2.5 million gallon water storage tank is the Salem Civic Center Site; all reasonable efforts be made to site the tank on this property; and if the original site is not conducive to the construction, another site should be found on the Salem Civic Center property for the construction of this water storage tank -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

There being no further business to come before the Council, the same on motion adjourned at 10:59 a.m.


Clerk of Council


Mayor

November 23, 1998

A regular meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on November 23, 1998, at 7:30 p.m., there being present all the members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, Howard C. Packett, John C. Givens, and Harry T. Haskins, Jr.; with Carl E. Tarpley, Jr., Mayor, presiding; together with Randolph M. Smith, City Manager; Forest G. Jones, Assistant City Manager and Clerk of Council; Frank P. Turk, Director of Finance; James E. Taliaferro, II, City Engineer; Joseph E. Yates, Jr., Director of Planning and Development; and William C. Maxwell, Assistant City Attorney; and the following business was transacted:

The minutes of the regular meeting of November 9, 1998, were approved as written.

The report by the City Manager of the City's activities for the month of September, 1998, was received and ordered filed.

The report by the Director of Finance of the City's financial status for the month of October, 1998, was received and ordered filed.

Mayor Tarpley noted that Daniel Dutton with Boy Scout Troop Number 44 from the Church of Jesus Christ of the Latter Day Saints is attending this meeting of Council, and he noted that this is the Boy Scout Troop that puts the flags out on special days.

Mayor Tarpley reported that Council at its regular meeting held on November 9, 1998, set this date, place, and time as a public hearing, in accordance with Section 22.1-29.1 of the Code of Virginia, 1950, as amended to date, to receive views of citizens and candidates regarding appointments to fill the expiring terms of two members of the City of Salem School Board (Sarah "Sally" W. Southard and William Sinkler); and

WHEREAS, the Clerk of Council reported that notice of such public hearing had been published in the November 12 and 19, 1998, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, it was noted that all individuals who could be located and have previously applied for a School Board appointment in recent years were notified by letter of this public hearing; and

WHEREAS, Mayor Tarpley reported that, in accordance with the Code of Virginia, this meeting of Council is a public hearing to receive applications and citizen input for the City of Salem School Board positions and appointment of the members will be made at the December 14, 1998, meeting of Council; and

WHEREAS, it was noted that the following applications have been received for the two Salem School Board positions: Sarah "Sally" W. Southard, 118 Par Drive; and William Sinkler, 17 Hale Avenue; and

WHEREAS, no additional applications were received or presented to Council at this meeting for the two positions on the City of Salem School Board;

THEREUPON, Council noted that it will make a final decision at its December 14, 1998, meeting pertaining to the two appointments to the City of Salem School Board.

Mayor Tarpley requested that Council consider the request of Ronald L. Wright, Salem Commissioner of the Revenue, to join with other localities in offering monetary assistance to Botetourt County involving a lawsuit concerning taxes on Coca-Cola Bottling Company's vending machines; and

WHEREAS, the City Manager reported that the County of Botetourt is in litigation with Coca-Cola Bottling Company concerning the issue of vending machines placed in their locality and being taxed as tangible personal property; Coca-Cola's contention is that the vending machines should be classified as manufacturer's intangible personal property and, therefore, exempted from tax; the legal expense to Botetourt County is estimated to be approximately \$30,000; Botetourt County is fighting a legal battle that will have an impact on all Virginia localities; should a precedent be set in Botetourt County in favor of Coca-Cola, the potential refund due from the City of Salem would be approximately \$21,000, plus the loss of future tax revenues; other Virginia manufacturers are awaiting the outcome of the Botetourt County case; a tidal wave of refunds and loss of revenue would accrue for Salem's tax base if the court rules in favor of Coca-Cola; all localities that may be affected by this case are requesting that monetary assistance be given to Botetourt County; and he is requesting that Salem City Council authorize \$500 to be contributed to Botetourt County to be used in the legal pursuit that would help insure the City of Salem will continue to receive tax on vending machines and possibly circumvent a similar suit in Salem, said amount chargeable to the Unappropriated Balance of the 1998-1999 Budget -- the roll call vote being as follows: Harry T. Haskins, Salem; and

WHEREAS, a discussion was held concerning this matter and contribution;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, \$500 is hereby appropriated to Botetourt County to be used in the legal pursuit involving a lawsuit concerning taxes on Coca-Cola Bottling Company's vending machines that would help insure the City of Salem will continue to receive tax on vending machines and possibly circumvent a similar suit in Salem, said amount chargeable to the Unappropriated Balance of the 1998-1999 Budget -- the roll call vote being as follows: Harry T. Haskins,

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Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown
- aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council receive an Abstract of Votes cast
in the General and Special Election held November 3, 1998;

THEREUPON, said Abstract of Votes was received.

ABSTRACT OF VOTES cast in the City of Salem, Virginia, at the November 3, 1998,
General Election, for:

MEMBER
HOUSE OF REPRESENTATIVES
6TH DISTRICT

Total Votes
Received
(In Figures)
ROBERT W. "Bob" GOODLATTE 4,511
DAVID A. BOWERS 1,803
Total Write-In Votes (See Write-Ins Certificate) 2

We, the undersigned Electoral Board, upon examination of the official
records deposited with the Clerk of the Circuit Court of the election held on
November 3, 1998, do hereby certify that the above is a true and correct
Abstract of Votes cast at said election for Member of the House of
Representatives in the Congress of the United States.

Given under our hands this 4th day of November, 1998.

A copy teste: /s/ Charles B. Phillips Chairman
Electoral Board /s/ Geoffrey G. Davidson Vice Chairman
(SEAL) /s/ Kenneth D. McCauley Secretary

/s/ Kenneth D. McCauley Secretary, Electoral Board

WRITE-INS CERTIFICATION
CITY OF SALEM GENERAL ELECTION

MEMBER, HOUSE OF REPRESENTATIVES November 3, 1998

6TH DISTRICT Page 1 of 1

Total Votes
Received
(In Figures)
Write-Ins 0
Invalid Write-Ins 1
Alex Brown 1
Ray Robinson 1

We, the undersigned Electoral Board, upon examination of the official
records deposited with the Clerk of the Circuit Court of the election held on
November, 3, 1998, do hereby certify that, with the continuation pages
indicated, the above is a true and correct certification of the write-in votes
cast at said election for the office indicated above.

Given under our hands this 4th day of November, 1998.

A copy teste: /s/ Charles B. Phillips Chairman
Electoral Board /s/ Geoffrey G. Davidson Vice Chairman
(SEAL) /s/ Kenneth D. McCauley Secretary

/s/ Kenneth D. McCauley Secretary, Electoral Board

ABSTRACT OF VOTES cast in the City of Salem, Virginia, at the November 3, 1998,
Special Election, for:

PROPOSED CONSTITUTIONAL AMENDMENTS

QUESTION 1. Shall the Constitution of Virginia be amended to permit
persons employed overseas, and their families, who are qualified to vote
in Virginia except for having given up a home in Virginia, to continue to
vote in Virginia while overseas subject to the conditions and time limits
set by law?

Total Votes
Received
(In Figures)
Yes 4,187
No 1,545

QUESTION 2. Shall the Constitution of Virginia be amended to delete the
present requirement that the proceedings of the Judicial Inquiry and
Review Commission concerning charges against judges shall be confidential
so that the General Assembly can provide by law to what extent Commission
proceedings and documents will be confidential?

Total Votes
Received
(In Figures)
Yes 3,516
No 2,030

QUESTION. Shall the Constitution of Virginia be amended to authorize agreements among localities for sharing the revenues and costs of a specified land area and establishing a special governing body for the area, and to provide that fiscal commitments related to the land area not be deemed local debt?

Total Votes Received	
(In Figures)	
Yes	3,119
No	2,381

Question 4. Shall the Constitution of Virginia be amended to allow a combination of localities to contract debt as part of an agreement to share the revenues, tax base, or the benefits of economic growth and exempt this class of debt from the ceiling on local debt for cities and towns and from the requirement for a local referendum for counties?

Total Votes Received	
(In Figures)	
Yes	2,825
No	2,643

QUESTION 5. Shall the Constitution of Virginia be amended to authorize the General Assembly by general law to give local governments the option of eliminating, in whole or in part, either the business, professional or occupational license tax or the merchants' capital tax or both?

Total Votes Received	
(In Figures)	
Yes	3,623
No	1,869

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 3, 1998, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for and against the proposed amendments to the Constitution of Virginia.

Given under our hands this 4th day of November, 1998.

A copy teste:
Electoral Board
(SEAL)

/s/ Charles B. Phillips Chairman
/s/ Geoffrey G. Davidson Vice Chairman
/s/ Kenneth D. McCauley Secretary

/s/ Kenneth D. McCauley Secretary, Electoral Board

Mayor Tarpley reported that this date and time had been set to hold a public hearing to consider the request of Michael O. Garst, property owner, for the issuance of a Zoning and Use Permit to allow a two-family dwelling on the property located at 900 Craig Avenue; and

WHEREAS, the Clerk of Council reported that notice of such public hearing had been published in the November 5 and 11, 1998, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, the Planning Commission of the City of Salem at its regular meeting held on November 11, 1998, recommended to the Council of the City of Salem that the request for a Zoning and Use Permit be denied; and

WHEREAS, the staff noted the following: this is a very deep lot with frontage on Craig Avenue; several new single family residences have been constructed in the area within the last few years; other duplexes built by this developer have been completed as promised and without incident; the petitioner intends to sell each half of this two-family dwelling thus requiring the subdivision of the lot which would be subject to the approval of the duplex request; and

WHEREAS, no one appeared before the Council representing the petitioner or in support of said Zoning and Use Permit; and

WHEREAS, George Clemons of 935 Craig Avenue and representing the neighbors in the area appeared before the Council in opposition to the request due to problems that would be created if this request is approved; and Mr. Clemons presented a petition signed by the neighbors in the area in opposition to said Zoning and Use Permit;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, the request of Michael O. Garst, property owner, for the issuance of a Zoning and Use Permit to allow a two-family dwelling on the property located at 900 Craig Avenue is hereby denied -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley reported that this date and time had been set to hold a public hearing to consider the request of Lance B. and Debra L. Duncan, property owners, for rezoning the property located at 1145 and 1149 Easton Road (corner of Easton and Midland Roads) from Residential District R-2 to Residential Business District R-B; and

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WHEREAS, the Clerk of Council reported that notice of such public hearing had been published in the November 5 and 11, 1998, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, the Planning Commission of the City of Salem at its regular meeting held on November 11, 1998, recommended to the Council of the City of Salem that the request for rezoning be denied; and

WHEREAS, the staff noted the following: these two lots with a house are situated on the corner of Midland and Easton Roads across the street from Intervale Industrial Park; the future land use plan identifies this property for future industrial use; this rezoning request, while not seeking an industrial use, will continue to utilize the house as a residence while operating a framing business there also; immediately to the northeast of this property is an apartment complex which is a grandfathered, nonconforming use; Residential Business District R-B zoning also allows those uses allowed in R-4 zoning, which is the proper zoning for the apartments; and this rezoning if approved moves the property a little closer to the future land use plan's industrial designation; and

WHEREAS, it was noted that the petitioners have sent a letter to Council requesting that this rezoning request be allowed to be withdrawn without prejudice;

THEREUPON, the request of Lance B. and Debra L. Duncan, property owners, for rezoning the property located at 1145 and 1149 Easton Road (corner of Easton and Midland Roads) from Residential District R-2 to Residential Business District R-B is hereby allowed to be withdrawn without prejudice.

Mayor Tarpley reported that this date and time had been set to hold a public hearing to consider the request of Appalachian Power Company, property owner, and Triton PCS Property Company, lessee, for rezoning a .057 acre parcel located in the 2000 block of Apperson Drive from Business District B-3 to Business Commerce District B-C and for a Zoning and Use Permit to allow a telecommunications tower facility; and

WHEREAS, the Clerk of Council reported that notice of such public hearing had been published in the November 5 and 11, 1998, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, the Planning Commission of the City of Salem at its regular meeting held on November 11, 1998, recommended to the Council of the City of Salem that the request for rezoning and the request for a Zoning and Use Permit be approved without the requested waiver pertaining to landscaping; and

WHEREAS, the staff noted the following: in order to construct a telecommunications tower, three main conditions must be met: (1) the tower must be located within an industrial zoning district, (2) a Zoning and Use Permit must be approved for the tower, and (3) the tower must be at least 500 feet from residentially-zoned property; this request includes the provision that the tower, if approved, will be able to accommodate multiple users; and the petitioner is requesting that the provision in the City ordinance requiring landscaping around the tower site be waived, and the basis for the waiver is because the location of the site is not visible from Apperson Drive; and

WHEREAS, Jim Hale of Gentry, Locke, Rakes and Moore, representing the lessee, appeared before the Council explaining that Triton PCS is a digital telecommunications company licensed by the FCC to develop a digital telecommunications network from northern Virginia to Georgia and a joint venturer with AT&T; Triton has identified 24 sites through the Roanoke Valley to form its communications ring and 16 of which have been secured; each of these locations is critically linked to the other in order to provide coverage for the entire ring, and without any one of these, the network will have a gap, which is unacceptable to the FCC, Triton, and AT&T; Salem is a critical component to Triton's network and wherever possible, Triton desires to locate on existing towers or structures to minimize the proliferation of towers; Triton has leased space on an existing tower at Salem Bank & Trust on Main Street to provide coverage for a portion of the Salem ring; the Hancock Substation is currently used by Appalachian Power Company for electric transmission and zoned Business District B-3; APCO would lease .057 acres to AEP communications and AEP would be responsible for building the tower to lease to Triton; the tower would have the opportunity to co-locate three providers of wireless communications systems; Appalachian Power Company has filed its application to rezone the tract from Business District B-3 to Business Commerce District B-C and for the issuance of a Zoning and Use Permit to allow the operation of the tower; the proposed tower is a lattice type construction which is 199 feet including antenna and complies with BOCA and ANIS standards and would withstand winds of 80 miles per hour and 1/2 inch of ice; it is based on a 50 foot by 50 foot concrete platform surrounded by 7 foot chain link fence with 12 inches of barbed wire on top; the site would be assessable by a 20-foot right of way roadway easement from Appalachian Power Company leading to Apperson Drive; lighting will likely not be required as the tower is under 200 feet in height; however, Appalachian has filed a "notice of proposed construction" with the FAA, and if the FAA requires lighting, then it will be lighted; the facility would be unmanned, and there are adequate means for provision of utilities and drainage; the proposed tower site is not visible from Apperson Drive and is well in excess of 500 feet from any residential district; the property to the east is bordered by the Aztec Rental Store and Lee-Hi Business Center, to the north

by the railroad with the VA Center in the distance, and to the south by unimproved land and railroad tracks; telecommunications towers are not allowed by right in Business District B-3 zoning; due to the property's existing use, the adjoining uses, and its Comprehensive Plan designation, it is a very appropriate location for a cellular telecommunications tower; requirements in respect to this proposal either have been or will be met; the lessee is requesting that the ordinance requirement related to landscaping around the base of the tower be waived as this buffer will serve no purpose given the location of the site and the existing use on the remainder of the tract; and

WHEREAS, a discussion was held concerning said request, and it was noted that Council does not desire to waive the landscaping requirement for this request;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, an ordinance entitled "AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA," was duly passed on first reading; a Zoning and Use Permit is hereby granted to Appalachian Power Company, property owner, and Triton PCS Property Company, lessee, to allow a telecommunications tower facility on the .057 acre parcel located in the 2000 block of Apperson Drive; and the request for a waiver for the landscaping buffer requirements at this location is hereby denied -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council receive a presentation from The Honorable H. Morgan Griffith concerning his 1999 legislative agenda and consider compiling a list of concerns to be incorporated into a Resolution to be forwarded to Salem's representatives in the General Assembly; and

WHEREAS, H. Morgan Griffith, Member of the House of Delegates for the 8th District, appeared before the Council stating that, in August, a group of legislators got together among the leadership corps in the House and Senate and decided to create a group to start studying what can be done with the upcoming budget for the State, included in the group are Bo Trumbo and himself; the concerns of Salem City Council and other local governments are being discussed; as a result, last week proposals were put forth by both the Governor and the caucus group; those proposals include the return of lottery monies to local governments for use in the education process through the Standards of Quality Formula based on the composite index and a weighted ADM; this ultimately means that the State will be spending \$123,000,000 additional dollars on education in the Commonwealth of Virginia; for the City of Salem, this will mean \$488,385 in the fiscal year 1999 for Salem and \$475,892 in the fiscal year 2000; the fiscal year 1999 monies will become available in late April or May; then on July 1, the fiscal year 2000 monies will become available; for Deputy Sheriff's salaries, there will be a two step increase or a 9.3% pay increase, which will generate \$23,550 for the City of Salem indirectly through its sheriff's deputies; in the fiscal year 2000, House Bill 599 monies for Salem represents \$271,896; the legislature is recommitting to the idea that if a promise is made to local governments, the promise will be kept; as a result, these proposals have been made; this means that an additional \$1,200,000 will be received by the City of Salem between now and the end of fiscal year 2000; he is requesting that the City take a look at this proposal and support the proposal; there may be strings attached to these monies; localities should come on record as being in favor of the concepts proposed but particularly emphasizing that the localities want local control over the monies sent by the State; the fact that there may be a reduction in sales tax on food or groceries was discussed; the State Compensation Board determination that sheriff's deputies are not needed in the courtroom on matters involving domestic relations was discussed; another concept he is proposing in the future is interest on income tax refunds; another bill he considers important is to study sexually violent predators similar to the bills of the State of Washington and State of Kansas wherein a pedophile once convicted and having served their sentence would be reviewed strictly as to whether they are a danger or a threat to the community; if you have an auto accident while driving under the influence and you do not have insurance that covers the amount of the judgment, even if the judgment is over \$25,000, it is proposed that you cannot obtain a drivers license unless a payment plan presented to the Judge is in place on which to pay the victims of the judgment arising out of an accident; etc.; and

WHEREAS, a discussion was held concerning House Bill 1211 that surfaced when the City was having problems with Interstate 81 and Interstate 73 with a provision stating that, upon the filing of a petition with the Board, a hearing before the full board can be granted to the governing body of any county or city being affected; and House Bill 599 was discussed;

THEREUPON, the presentation of Morgan Griffith was received.

Mayor Tarpley reported that this date and time had been set to hold a public hearing to consider the request of the City of Salem, property owner, for rezoning a 4.950 acre parcel on Idaho Street from Residential District R-2 to Business District B-3 with conditions and rezoning a 46.996 acre parcel on Texas Street/Idaho Street/Lynchburg Turnpike from Residential District R-2 to Business Commerce District B-C with conditions; and

WHEREAS, the Clerk of Council reported that notice of such public hearing had been published in the November 5 and 11, 1998, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

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meeting held on November 11, 1998, recommended to the Council of the City of Salem that the request of City of Salem, property owner, for rezoning a 4.950 acre parcel located on Idaho Street from Residential District R-2 to Business District B-3 be approved with the voluntarily proffered conditions; and the request of City of Salem, property owner, be amended to provide for rezoning of a 35.758 acre parcel located on Idaho Street and Texas Street from Residential District R-2 to Business Commerce District B-C be approved with the voluntarily proffered conditions; and the remainder of the parcel located on Lynchburg Turnpike remain Residential District R-2 zoning; and

WHEREAS, the Planning Commission of the City of Salem at its regular meeting held on November 11, 1998, further approved a subdivision of the City's property which created the 4.950 acre tract that Council has voted to sell to Sterling House Corporation for an assisted living development contingent on the successful rezoning; and further, the Planning Commission of the City of Salem recommended that the Comprehensive Plan be amended for the land use designation of the tract on Idaho Street from Institutional to Commercial as required by State Code in order for the City to sale this property; and the Code provides that whenever public property changes hands, its land use designation changes and the Comprehensive Plan must be amended to reflect that change; and

WHEREAS, the staff noted the following: briefly, the City purchased a 52-acre portion of the property formerly owned by the Lutheran Church from Roanoke College in 1996; Roanoke College kept the former buildings which housed the Lutheran Children's Home and renamed it the Elizabeth Campus; that portion of the property is being maintained and used by Roanoke College as well as the northwesterly portion, which is currently being developed as athletic fields; the City purchased the Lutheran Home's recreational building and the southern and eastern portions of the original tract; the former recreational building is currently being leased to the YMCA; since purchasing the property from Roanoke College, the City has cautiously and carefully, through several public hearings and forums, arrived at the current position of needing to rezone a portion of the property from R-2 to B-3 to allow the sale of approximately 4.950 acres on Idaho Street for the purpose of operating a life care facility for older adults; the remainder of the property is to be rezoned from R-2 to B-C at the request of City Council to allow for development according to the Preliminary Concept Plan prepared by Kinsey, Shane & Associates Architects; and this preliminary plan was selected from several different plans by City Council at its work session held on October 9, 1998; and

WHEREAS, the rezoning of the 4.950 acre tract on Idaho Street from R-2 to B-3 should be subject to the following conditions: (1) the exteriors of the proposed life care facility buildings must be constructed of red brick, the construction will be in conformance with the site plan prepared by Rivers and Associates dated November 5, 1998, and the prototype rendering done by Eppstein Uhen Architects, submitted at the November 11, 1998, meeting of the City of Salem Planning Commission; (2) parking for both buildings should be situated, as much as possible, to the rear of the property; (3) ingress and egress for the property should be aligned with Elizabeth Avenue and its intersection with Idaho Street; (4) landscaping for the proposed development shall exceed the current landscaping standards of The Code of the City of Salem; and (5) the only permitted use in the proposed Business District B-3 zoning shall be for an assisted living facility; and

WHEREAS, the request for rezoning from R-2 to B-C has been amended to include 28.0426 acres from R-2 to B-C and should be subject to the following conditions: (1) the areas on the west and east of the property along Texas Street, designated for stormwater management, shall be developed for use as public parks, in addition to the use for stormwater management; (2) the ancient grove of trees shown on the preliminary development plan and located on the eastern portion of the property midway between Texas Street and Lynchburg Turnpike shall be preserved; and (3) any development of the property on Texas Street shall be served by one connection to Texas Street as shown on the preliminary plan and may not be connected to Lynchburg Turnpike; and further, the remaining 18.9537 acres will remain Residential District R-2; and

WHEREAS, the Director of Planning and Development reported that the proposed rezoning and sale of the 4.950 acre tract on Idaho Street for an assisted living center is the first step toward achieving the overall development plan selected for the City's property; this action is necessary for two reasons: 1) the assisted living center is an appropriate buffer for the residential uses across from the property on Idaho Street because it provides a low impact, residential in nature, land use between the existing houses and apartments and the City's proposed development on Texas Street; and 2) the sale generates approximately \$420,000 toward the cost of the property and the cost to complete the proposed walking trails, utilities, stormwater management facilities and street improvements necessary for the remaining development; the two rezonings represent the required zonings to proceed toward the ultimate development plan as shown on the concept plan that was selected by Council at its work session in October; the Planning Commission recommended amending the City's request for its remaining property and has recommended that the area along Lynchburg Turnpike and south to Texas Street on the eastern portion of the property remain zoned R-2; the rezoning of the proposed development area is the key to not only allowing the staff to begin preparing the necessary engineering plans for the improvements called for on the plan but also to guide the production of a marketing strategy for this development; the creation of correctly zoned property and a plan that shows how this property will be developed allows the staff to professionally entertain inquiries from prospective companies; studies prove that companies are more willing to invest in areas with high standards and strict

development requirements because they know that their investment will be protected; the development of the remainder of the City's property will take time, but it will be worth the time and investment; and

WHEREAS, Jim Walker of Rivers & Associates, Inc., representing Sterling House, appeared before the Council explaining the proposed rezoning request; he presented a site plan (Exhibit "A") of the proposed facility and an architectural rendering of the buildings (Exhibit "B"); he stated that this site was chosen because of the adjacent activities such as the Salem Fair and the Horse Show; the developers feel that the facility will be a great buffer between the existing residential area west of this property and the proposed development by the City of Salem east of this property; he discussed a traffic study of assisted living residences outlining traffic generation and parking requirements; his firm is agreeable to all the proffered conditions stated above; they intend to incorporate this development into the walking trails and other areas of this development in order to fit into the overall concept of the remaining development; the building has a built-in security system; there will be safe ingress and egress to this property; the Sterling Cottage will be an Alzheimer's patient facility; and

WHEREAS, Pete Russell, 1233 Second Street in Sarasota, Florida, developer representing Alternative Living Services and Sterling House, appeared before the Council stating that Sterling Cottage is a memory-care facility and Sterling House is an assisted living facility; he stated that the rendering depicts the red brick and the site plan shows as much parking as possible to the rear and sides of the buildings; and the area is heavily landscaped to screen the property from the street; and

WHEREAS, Ed Hrinya, 130 Rutledge Drive, Apartment 4 and a Senior at Salem High School, appeared before the Council stating that he was Captain of the Cross Country Track Team, the Cross Country Track Course was around Elizabeth Campus, he has an affiliation with the Environmental Club at the High School, and he presented a petition with 86 signatures requesting that Salem City Council not rezone the Elizabeth Campus property in order to save the land for a future park for their children and themselves; and

WHEREAS, Vice Mayor Brown questioned whether Mr. Hrinya is aware that the City is proposing to construct a paved and a grass Cross Country Track Course around the property; and Mr. Hrinya stated he and the Cross Country Track Team were not aware of this concept; and further, he stated that the Track Coach was not aware of this proposed construction; and

WHEREAS, it was noted that the Track Coach was at a meeting when this proposed course was discussed and he is aware of the proposal; and

WHEREAS, Megan LaBiosa, 1407 North Mill Road, appeared before the Council stating she is of the opinion that Elizabeth Campus should not be turned into mainly businesses; she would like to see something for recreational purposes for example to stay the way it is, a park with tennis courts, picnic area, or teen center; Roanoke County has a teen center to keep teens off the streets and maybe this could bring in money for Salem; and she presented a petition signed by other individuals to show that she is not alone in her thoughts; and

WHEREAS, Scott Hurst, 929 Lynchburg Turnpike, appeared before the Council stating he is an architect and campus planner; he is opposed to the rezoning at this time because there has not been enough effort to engage the City's citizens in a broader visioning process to understand how this piece of property should fit into the future of Salem and the development of Salem as a whole; a broader set of goals needs to be established for the City and a solid framework needs to be formed for planning and development decisions; without such a framework that can only be developed through consensus, it is impossible to assess whether the proposed rezoning of this property is the right decision; the City's land use decisions should not be made in a piecemeal fashion or should be considered as opportunistic; and he requested that the action pertaining to rezoning should be delayed in order to assure that the approach to using the property embraces a sustainable pattern of development and resource stewardship for the entire City; and

WHEREAS, Betty Wilson, 929 Lynchburg Turnpike, appeared before the Council stating that as a teacher she has found that when people do not process information one way, if you can give it to them another way in a different manner, they understand it a little bit better; she requests that Council slow down; what is the rush; she does not think an appropriate process has been followed; everyone wants what is best for this property; allow everyone time to build the consensus and make the commitment how the property can best be used; if the State commits more money to the City, maybe that will change the economic need for this property and maybe nothing will have to be done at this point; she is requesting that the rezoning be stopped now, be visionary, trust the people of the City who voted Council into office, and put the matter up for a referendum; and

WHEREAS, Buck Simmons, 1000 College Avenue, appeared before the Council stating that maybe Council is moving too fast; the best way to solve the entire problem is to put out a referendum; everyone in Salem is not present tonight; the people that are in favor of keeping the property green space should pay the cost for keeping the property green and the amount be added to the tax ticket of property owners supporting keeping the property green space; the individuals who do not want to keep the property green should not have to pay for the loss of tax monies for keeping the property green, this should be paid by the supporters of keeping the property green; and the referendum should say, if you want to keep the property green; and the have to pay for it, and the individuals who do not want it to remain green should not have to pay for keeping it green; and

WHEREAS, Robert Copenhaver, 116 Lewis Avenue, requested that the presentation be turned in order that everyone in attendance could see the drawings; he requested that the Director of Planning and Development briefly explain it again; he is of the opinion that he and Council have the good of Salem at heart; he is not a preservationist, he is a "green space cadet"; he is for developing it recreationally such as parks, picnic tables, arboretum, or possibly a lake and a pedestrian overpass from the Civic Center Parking Lot; and he cannot see light industry at this location; and

WHEREAS, Ben Williamson, 106 Eagle Drive, appeared before the Council stating he does not understand why just because we have a parcel of land that is being unused that we need to use it for industrial purposes; and it is his opinion that instead we should use the time, the money, and power to instead improve what we already have instead of trying to build new things which might or might not work; and

WHEREAS, Russell Haney, 656 Joan Circle, appeared before the Council stating he agrees with Ben Williamson; questioned why we should use this land when we have places in Salem that nobody uses; why can't we fix the other places or tear other buildings down and build new buildings there instead of wasting beautiful sites; and

WHEREAS, Bob Sumpter, 1145 Lynchburg Turnpike, appeared before the Council stating he is concerned about rezoning the entire 52 acres; and he desires to see in the ordinance that the property along the Turnpike will not be rezoned; and

WHEREAS, Mayor Tarpley stated it was never the intention of the City to rezone the entire 52 acres; and

WHEREAS, Robert Hunt, 709 Maryland Avenue, appeared before the Council stating that a poll was commissioned pertaining to this property; the question of whether the individual agrees to rezone the 52 acre property for light business and industry showed 32.7% agreed and 57.2% disagreed; the question pertaining to whether the individual agrees that all of the Elizabeth Campus should be left as green space showed 55.4% agreed and 32% disagreed; the question of whether the Elizabeth Campus should be developed as a combination of business and light industry with some green space showed 56.6% disagreed and 33.3% agreed; the question of whether the individual would be willing to pay an extra two and one-half percent in real estate taxes in order to preserve the Elizabeth Campus as green space showed 45.9% agreed and 45.7% disagreed; the question of whether an advisory referendum should be submitted to the voters before any development of the Elizabeth Campus property showed 84.7% voted yes and 12.1% voted no; the question of whether environmental concerns should be taken into consideration before issuing building permits such as trees to be cut down, green space remaining, road access, and appearance of buildings showed 89.1% voted yes and 7.2% voted no; the question of whether the 4.8 acres should be used for assisted living and dementia showed 63.4% voted yes; and

WHEREAS, Council questioned how the individuals wanted the assisted living and dementia facility without the rezoning; and

WHEREAS, Vice Mayor Brown questioned, if you had stated in your question would you consider rezoning 32 acres of the Lutheran Home Property to build a technology park that would employ approximately 300 people in high paying jobs, would the results have been different; it is his opinion that the way the question was presented seems to have a negative connotation from the beginning; and he is of the opinion that, if a question is posed in a positive way, a positive answer will be received, and if a question is posed in a negative way, a negative answer will probably be received; and

WHEREAS, Council is of the opinion that citizens of Salem do not want their taxes raised; and

WHEREAS, Mayor Tarpley reported that Mr. Givens received a call from the pollster who stated that the poll was sponsored by a group of concerned citizens and the City of Salem; however, the City of Salem did not have anything to do with this poll; and

WHEREAS, Vice Mayor Brown questioned why in the preamble it was stated that the City was proposing to rezone 32 acres for light business and leave approximately 20 acres green space, but in the question asked by the pollsters, the individuals were asked about rezoning 52 acres for business; and he is of the opinion this is unfair; and

WHEREAS, Kevin Baker and Mark Lynch, BKL Polling Organization, appeared before the Council stating that the surveyor did not state the City of Salem was a sponsor; he explained how the poll was conducted; they tried to insure that the questions were as fair as possible by having the questions given to Council; from the information given to them, the rezoning was for all 52 acres; and

WHEREAS, Councilman Haskins questioned who paid for the poll; and

WHEREAS, Mr. Hunt stated that the individuals who are part of the group of citizens to maintain Elizabeth Campus as green space paid for the poll; and

WHEREAS, Councilman Haskins stated he questioned if this group is a political action group after the group had solicited, published, and distributed publications; and

WHEREAS, Mr. Hunt stated that the group is a political action group; after being questioned by Councilman Haskins, the political action group was registered in Richmond; it is hoped that, after this conflict is over, the citizens can get back to being good neighbors as he does not like conflict; he feels that the poll indicates that the majority of the people in Salem want the property left undeveloped and not rezoned, that they are willing to pay more taxes, and they would like a referendum if the Council is still proposing development; it is his opinion that it would be a big mistake to rezone this property as the City can accomplish more with the property as park land in developing it as an arboretum or another kind of park which would be an asset to the Civic Center; he implores Council to slow down the process or put it on hold as City finances may be looking up; if the money really needs to be recovered, consider selling the property to a charitable foundation; it is his opinion that no portion of the property should be sold too soon; and

WHEREAS, Bill Modica, 1546 Creek Lane, appeared before the Council stating it is his opinion that the process of seeking citizen input and then taking the position that the views expressed by the citizens are not valid or representative of the citizens at large sets a dangerous precedent for Council to conclude that the citizens are like children and don't know what is in their best interests; citizens will not see the need to attend the meetings of Council if they feel their views are being disregarded by Council; as a real estate broker, he works with commercial and industrial clients; there are vacant sites available in various locations, including the new industrial park which was approved on Route 419 near the Quality Inn; why not focus attention on finding uses for existing properties before the beauty and green space of this site is sacrificed; he urged Council to reconsider and reject any premature proposals to rezone the Elizabeth Campus property at this time; and he suggests the matter be submitted to the citizens in a referendum to find out what the majority of citizens desire; and

WHEREAS, Mayor Tarpley questioned, from the profession of Mr. Modica, what percentage of land should a City have of green space as Salem currently has approximately 13% at the present time; and

WHEREAS, Vice Mayor Brown stated he agrees that green space is very important in Salem, but it is also very important that jobs be created; the existing industrial sites have been identified, and there are very few vacant industrial sites that can produce the kind of high-tech jobs Council is desiring to attract; and it was noted that Salem has previously attracted high-tech jobs on Apperson Drive; and

WHEREAS, Councilman Haskins noted that Salem is very interested in preserving as much green space as possible, and Council wants and needs citizen input; at the last Council meeting, Council received a report from the Greenway Commission concerning approximately 7.5 miles of trail running along the Roanoke River from Green Hill Park to the Roanoke City limits; there are only two or three people at this meeting that were present at the meeting when this Greenway presentation was made; and further, this proposed trail will be an asset to the City of Salem; and

WHEREAS, it was noted that the development at the Lutheran Home property will include an adequate amount of green space and trails as shown on the rendering; and

WHEREAS, Joyce Foster, 342 High Street, appeared before the Council stating green space along the Roanoke River is a good idea but it is speculative; the City now has green space at Elizabeth Campus; to develop the property piecemeal lessens the value of the entire parcel; she suggested that a referendum be issued to the City as a whole so the citizens can tell Council how they feel; and

WHEREAS, Jim Altizer, 604 High Street, appeared before the Council stating he is a retired teacher, and he has worked at retirement homes; he is of the opinion that the people working in this home will not be high paid; between 70 and 90% of the aides who work at these facilities move from place to place; these workers will probably not be buying houses in Salem; he cannot see that this will add to the City of Salem; he discussed the amounts of acreage and number of residents of other retirement homes; he questioned if there is a need for another assisted living center in the area and if this is sufficient acreage for this facility as it is his opinion that this is not progress; and he requested Council think more seriously about this facility; and

WHEREAS, Cynthia Munley, 425 Boulevard, appeared before the Council stating for the last three months she has been the coordinator and main spokesperson for citizens to maintain Elizabeth Campus green space; they would really like Council's vote; she stated she is a "green space cadet"; through the years Elizabeth Campus has gone by different names, but she has always had a presence among us; two years ago Salem purchased her from Roanoke College; she considers this an arranged marriage for Elizabeth; when the vote was taken at Oakey Field, Mayor Tarpley stated that he would have to take into account that Salem citizens very strongly want to have green space in the City, which would be taken into consideration in the future; concerning the future of Elizabeth, she and her family expect to have a major role in deciding her fate; she is the family pride and joy, she promises to play her role best as our "Miss Virginia" and she will win the beauty contest and the talent content and represent Salem superbly with her aristocratic poise; no City could ask for more than what we have in our hands with the 52 acres of Elizabeth Campus; it is critical that she remain whole to win her titles; she is unique and can put Salem on the map; we will build a park and people will come; people do not complain about the money spent to dress up

Lake Spring, everyone is proud of her; using land for the highest and best purpose is an awesome responsibility; it is understood that Council wants to pay the bills; while we are paying the bills, we also need to think about long-term investment for families and things that create good times for our loved ones; it is true that the City has Longwood Park not far from Elizabeth, which gets much use as it is a fantastic playground for children; it is time for Salem to have a first class sprawling park where entire families can ramble and everyone in the family have space; there are similar parks in cities throughout the world; we don't want to drive to the country or anywhere else for a sizeable park; no City can be really great without a sizeable park; Salem now has a good balance between industry and residential; her point is that much has been sacrificed by the good citizens of Salem in recent years without much protection; Oakey I was given up many years ago, then Intervale, then Apperson, then The Hill which was thought would always be in the vista; she stated The Hill was rezoned for residences; the people of Salem feel there is a way to have a park and pay the bills if given the time; it is her opinion that Council should build Elizabeth Park with the entire 52 acres; cities should use their land to express the community's highest values; our community highly values green space; the individuals present at this meeting tonight are a cross section of the community, their presence represents many others whose hearts are with them and cannot be present, and the crowd at the meeting also represents the best of the City who really love Salem; these people believe in democratic government and have not given up on fair representation in Salem; it is hoped that when it comes time for decisions, Council will do its job and represent Salem citizen's aspirations for this land so that some of the last green space can be maintained and also trust in our government; in a wholesome community, leaders are sensitive to the people; the people need the leaders, and the leaders need the people; it is her opinion that the highest and best use of this property is Elizabeth Park, where a whole community can enjoy it; as a park, the property will serve as a magnet to quality business in determining if Salem has something special to offer prior to locating in the City; because the property is desirable, the city needs to move slowly on developing this property; in September, a large majority of the citizens told the City industry was not wanted on this location; the attempt to put industry on Elizabeth Campus is driving a wedge through the community; etc.; and

WHEREAS, Council noted that The Hill was not rezoned as it was already zoned residential, which allowed the construction at is presently underway in this area; the sheet that was put out to citizens by the citizens group was not factual and contained errors; and

WHEREAS, Frank Munley, 425 Boulevard, appeared before the Council stating he is not questioning Council's motivations; he thinks Council is doing its best as Council sees it; he was involved in making up the questions for the poll; he stated at the time the poll was started all 52 acres were requested to be rezoned; in the preamble of the poll, Salem City Council's intention to develop 32 of its acres to light industry was noted; he questioned whether a cross country running track is shown on the maps; he requested that serious consideration be given to not rezoning the property at this time; it is his opinion that the city will not make the money it is anticipating on this property; the center for high-tech industry is in the New River Valley and not in Salem; and it is a serious mistake and misleading to try to sell the projected jobs as jobs for Salemites as there is no guarantee the jobs will go to Salem citizens; and

WHEREAS, it was noted that there will be a cross country running track located on the property, which will be nicer than the existing track; and

WHEREAS, Marty Woodward, 330 North Broad Street, appeared before the Council stating it is her opinion that the City is a City of Champions and a great place to live; in recent months she has spent time in Charlottesville, she thinks Salem can learn from looking at other cities and towns; in Charlottesville, there are a number of parks; she does not have statistics on the number of parks, but almost every neighborhood has a park; this has happened through long-range planning as the parks have hugh trees since the time of Jefferson; she would like for Council to think about how to make our City look as wonderful as it is in terms of being a City of Champions; she would like to say to everyone in Virginia that Salem is a City that is as beautiful as it is filled with quality people; she is of the opinion that we need to compare our City with other cities to see what we can do; she is of the opinion that Salem needs more than the three parks it presently has; and the green space and park concept is what makes a great City; and

WHEREAS, it was noted that Salem has 18 parks within its corporate limits; and

WHEREAS, Lee Eubanks, 329 Boulevard, appeared before the Council stating that all people have to do is walk through Salem and look at everything in Salem that you have and can participate in; the people in Salem want to whine about the acreage being developed in Salem; people in Salem are spoiled; Salem didn't get to be the City that it is by referendums; Salem has a referendum every time City Councilmen are elected; if you think this is about Elizabeth and about parks and green spaces, you are wrong; this is about individuals running for office; he is surprised there were no announcements for candidacy for office at this meeting; this discussion is about referendums and running this City differently from the way it has always been run; people go to the polls to elect City Councilmen they trust to make the tough decisions for all the citizens in Salem, not just special interest groups; Council has made a mistake in appointing someone to the Planning Commission who represents a special interest group; he goes to the Lutheran Home property every morning and in the afternoon to look around, and he has

not seen anyone on this property; he has seen individuals walking around the roads at Roanoke College and a couple joggers on the cross country trail; he talked to someone who has lived in the neighborhood for 35 years and in that time he has seen 6 people walking on this property; this is not about saving green space, but it is about establishing a platform to run for Council; the will of the people is the reason Council is sitting in the chairs at this meeting; all he has asked of Council is to make the right decision for all the people of Salem; if Council does not make the right decision tonight, then the citizens will have to make a choice at election time; it is his choice as a citizen to not vote for you the next time elections are held if he does not agree with decisions of Council; and Salem got the way it is because Council has always made great decisions; and

WHEREAS, J. David Robbins, 620 High Street, appeared before the Council stating he is a green space cadet and a tree hugger; he is concerned that the citizens will loose what we have; we need to lure more businesses to the City; if you look at referendums and planning magazines, they are redoing brown spaces and keeping green spaces; this is vision; what is best for the City; it is his opinion that, if Salem truly wanted to save the golf course, it would be put in a land conservation; there was a plan for Elizabeth Campus prior to the elections being held; he was of the opinion originally that the property would be green space; he was disappointed that Council did not let the citizens know what was going on prior to elections; then when the election was over, the plans are back on the agenda for development; Council is moving too fast; when the motion was made, it was stated that the matter would be sent back to the Planning Commission to, at its leisure, study the use of this land and come up with a plan to use whatever resources they deem necessary and to include it with the Comprehensive Plan; if an outside consultant is needed, the assistance of a consultant should be obtained; before the matter got to the Planning Commission and before the Planning Commission was even asked to get involved, Council hired an outside consultant; the consultant group brought in a plan they had developed with the City's input, and the plan was then presented to the Planning Commission; Planning Commission didn't have time to plan; the majority of the City feels a little more planning should be done; he questioned why a motion was made and the next day a consultant was hired without sending the matter to the Planning Commission; he stated he was of the opinion that Council presented the plan rather than let the Planning Commission make the plan; he questioned the amount of salaries for Noble-Met; how can Council guarantee the type of jobs; it is not necessarily true that he has a political agenda; he stated he is outspoken because he does not make a living in Salem, and he can stand up and doesn't have to worry about offending people; he is concerned about the loss of the quality of life; the revenue is needed, but the City has to look at other ways to get this money; and

WHEREAS, Mayor Tarpley noted that Mr. Robbins' statement that the plan was not considered by Council prior to the election because of the election was not true; Mayor Tarpley stated that at the Council meeting it was his opinion that good instructions were not given, and he asked for a work session like Planning Commission holds to come up with ideas for the property to present to the Planning Commission and for Council's consideration; the Planning Commission could have taken as much time as possible to study the plan presented, or the Planning Commission could have sent the plan back to Council; and it was noted that the Planning Commission was not given a timetable to return the plan to Council, but they approved the plan at the meeting at which it was presented; the average salary at Noble-Met is \$53,000 to \$57,000 per year; Council will be selective as to the company that locates at this location, and if the right party does not come forward, the land may never be sold; the proper zoning is necessary to entertain an offer from a quality firm; and

WHEREAS, Vice Mayor Brown noted the Planning Commission voted 3-1 to rezone this property, and he thinks that most members of this Council have reiterated from time to time that they intend to rezone this property and develop a technology park at this location; he finds it interesting that when the plan was presented the vote was eight to one in support of the plan and would probably have been nine to one in support of the plan had Commission Member Robertson, who probably would have voted for this plan, not been out of the City at the time of the Planning Commission meeting; and he noted that the people who voted for this plan are good strong Salem citizens who are of the opinion that this rezoning should be accomplished; and

WHEREAS, Council stated they have never tried to intimidate anyone in their careers on Council; and

WHEREAS, Stella Reinhard, 213 North Broad Street (Evans-Webber House), appeared before the Council stating that individuals in Salem took their time and money to hire an outside group to take a fair poll; if Council has a problem with a couple points of the questions, the group at least attempted to contact Council beforehand to get Council's input; her impression is that the poll was a fair poll; she has read in the paper that Council has stated that there is a silent majority in Salem in favor of the rezoning of this property for the purposes of mixed industry, including light industry; she has been told that this proposed development is the same as the industry on Apperson Drive although the facade will be brick and the property will be landscaped; she stated she is part of the silent majority as she has only attended one Planning Commission meeting, but she does not agree with Council's statements as she is not in favor of light industry being put on Elizabeth Campus; the attempt of the people was to get an honest assessment for Council to listen to, and she thinks the last question should have been written better and could have been misinterpreted; there were very definite results on the outside poll taken except for the last question, and it is her

opinion that Council should listen to the results especially the one pertaining to a referendum on the issue prior to anything being done on Elizabeth Campus; she respects Council and has voted for Council, and she respects Council as her representative; she takes exception to what Mr. Eubanks said that Council should be allowed to do anything they want; the point of this meeting is to allow citizens to let Council know what they want; there were only two people in favor of Council's plan for development of Elizabeth Campus at the Planning Commission meeting; she questioned why Council did not take a poll; why claim there is a silent majority but not back yourselves up; and why is Council holding off on holding a referendum on this matter; and

WHEREAS, Councilman Packett stated he will not vote for a referendum, he will not make his choice based on results of on a referendum, he will not make his choice on a poll by anyone, he will make his choice on what he is of the opinion is the best for the City of Salem from his perspective; and if he ever runs again and the people do not like what he has done, they can vote against him; and

WHEREAS, Mayor Tarpley stated he called for a referendum once in his life, and there is not a human in this room that won't silently criticize him for the cost of the stadium; at the time he called for the referendum, he had discussed the construction with architects, had visited other similar stadiums, and the committee had done everything possible to know what the cost of the stadium would be; the matter was put to referendum, and the stadium costs were twice the anticipated amount; and he does not believe in governing by referendum; and

WHEREAS, Vice Mayor Brown stated he will vote his convictions of what he thinks is right for the City of Salem and the entire population of Salem; and Ms. Reinhard is saying everyone in this room agrees with her, but that is not true; and

WHEREAS, Mayor Tarpley stated that the flier that went into the newspaper had a circulation of 7,000 to 8,000; the individual who formed the flier did not check with him and put his 82 year old parent's telephone number on the flier; he thought his parents would have received numerous calls, but his parents got seven telephone calls with two calls in support of the development; and that is the reason he finds a lack of creditability to the flier and survey; and

WHEREAS, Mrs. Reinhard stated that, if Council gives this matter time, Council will get a growing response; there has been an independent poll taken that shows that nearly 60% of people in Salem are against the plan; she thinks that Council is our representative, and Council is not there just to do what it thinks is right; if enough people tell you what is right, it is your duty to listen to us; she has not asked for a referendum on every issue; she had heard why weren't there more people out when Council was taking about the greenway, she likes the way the greenway is going, and she approves of what Council is doing there; from what she understands, no monies have been offered to that project as yet, but Salem is supporting the project; she is glad Salem is supporting the greenway project; the poll shows there is no silent majority, in fact, it shows the opposite; the newspaper stated recently that Elizabeth Campus is no Peaks of Otter, but for Salem Elizabeth Campus has advantages over Peaks of Otter and also a disadvantage; Elizabeth Campus is in Salem's midst and can be reached in a matter of minutes; the Peaks of Otter is one mountain among many, and Elizabeth Campus is surrounded by development; this development makes Elizabeth Campus serenity twice as noticeable and necessary to Salem; for Salem, while offering much for formal sports, lacks a large park for everyone's use--a rambling place; this is a place to wander such as Central Park in New York City; this park, even more than a ballpark, may determine whether or not Salem is ready to enter the big leagues in the next millennium; the only three parks that she has noticed are Lake Spring Park, Longwood Park, and the Salem Golf Course; Elizabeth Campus, the last of the farm of General Andrew Lewis, is the only place left in Salem to locate such a large park which is centrally located between old Main Street historical neighborhoods and the Salem Civic Center Complex; this is the perfect place to help create a town center; the beauty of the Peaks of Otter is guaranteed for generations to come, but the Elizabeth Campus is not protected; she relayed the fact that Washington's boyhood farm was saved and Elizabeth Campus can also be saved; Andrew Lewis is Salem's George Washington; find a better spot for the assisted living center than at the farm of Andrew Lewis; it has been stated that those who want to keep Elizabeth Campus Green will not compromise; she does not think that is the case as there are many options Salem residents would accept; one compromise might be to develop Elizabeth Campus as a regional botanical garden attracting tourists and bringing in year around admission charges; botanical gardens and amphitheaters can be popular as there are two gardens in London, Cypress Gardens in Florida, and the Biltmore Estate Gardens; it is her opinion that, if the group is given two years, they would be able to develop the options and impact on Salem; please give them time; before rezoning is considered, an architectural review board should be instituted to be able to oversee this project and any future project in Salem; before any part of Elizabeth Campus is parceled off, a referendum is needed as in the poll 85% requested a referendum; the City voted on the ballpark, and this is equally important if not a more important issue; Salem citizens are all co-owners of Elizabeth; she related a story about the kitchen she has just recently completed in her home, which she purchased four years ago; this was a historical home, and as she did not see a vision of this kitchen right away, she was able to let ideas gel in her mind and think of different options by waiting to put in that kitchen; she was able to use some existing architectural features such as columns, high ceilings, and brick walls; she did not hurry and put the wrong kitchen in the Evans-Webber House; she

requested that Council not hurry and put the wrong kitchen on Elizabeth Campus; and

WHEREAS, Dr. Arindam Choudhury, 730 Maryland Avenue, appeared before the Council stating he works for the Veterans Administration Hospital; he is not against the development of this property; he is against the speed of this development; he comes from a little town in India about like Salem; he is of the opinion that Council is attempting to construct an assisted living facility in an area that everyone in Salem uses and enjoys; there will be problems that will occur with Alzheimers patients and dementia patients in this area; the City is attempting to attract national people with the NCAA tournaments in Salem; if any of these Alzheimers or dementia patients get hurt in any of these events, the national publicity would hurt Salem; he is of the opinion that using old people and dementia people as a buffer between the residential and light industrial areas is not good; and he questioned parking for the facility during events at the Salem Civic Center; and

WHEREAS, it was noted that representatives for the assisted living center are aware of the problems during events at the Salem Civic Center; and

WHEREAS, Dr. James Reinhard, 213 Broad Street, appeared before the Council stating he and he family moved to Salem approximately five years ago; he and his family considered several locations and chose Virginia because of the history, geography, climate, and excellent higher education opportunities; they chose Salem because of the mountains, weather, school system, historic houses, sports, job opportunities, etc.; they chose Salem because it was not a big City; he does not consider himself a tree hugger or a cadet; he is a physician, a business person, and currently in charge of two State hospitals with over 1,200 employees and over 500 severely mental ill patients and a budget of over \$60,000,000; his experience has been that the important decisions are best made by consensus even if it is more time consuming and difficult; he asks that Council keep being consensus builders on the issue of the outcome of the Elizabeth Campus; and

WHEREAS, Joe Miller, 2812 Longview Avenue, Roanoke, and owner of business and property in Salem, appeared before the Council commending the Council on the job done by Council, the Planning Commission, and planning staff by developing an industrial site of 52 acres with 20 acres preserved for open space and green space is something that is not seen often; a walking trail and jogging trail throughout the park is another amenity that is not seen frequently; Council should be commended for the amount of green space being preserved, the stand of trees, the landscaping that is being required; and

WHEREAS, Lon Savage, 228 Richfield Avenue, appeared before the Council urging Council to go slowly and take your time; Council should ask why is it necessary for all of this speed to take place; when he came to the meeting on September 28, 1998, he did not speak on the issue but he shared the concerns of the individuals who wanted to keep the property green; he also saw the other side of the question; this is a classic conflict, which calls for a classic resolution of compromise, discussion, and planning; during the September session, he heard from Council that there would be planning, deliberation, involvement, careful consideration, and time would be taken for a decision; even though the vote did not go as he desired, he was convinced there was emphasis on time, deliberation, planning, and compromise; then later he read in the paper about the proposed plan; he questioned what has been decided; there has not been time; and he requested Council give the citizens time, deliberation, involvement, and planning; he questioned if there is an urgency for a decision tonight; if this is approved at this meeting, the action is low-tech industry with the assisted living center; he is requesting that this request for rezoning be defeated or to postpone or delay the action tonight--don't approve it tonight; the public hearing has given input, and it has been overwhelmingly against the rezoning; and he requested that Council not rush into a decision at this meeting; and

WHEREAS, Mayor Tarpley stated that he has fielded numerous requests for this property for the two and one-half years the City has had the property; it was Council's opinion to choose a direction for this property; if the property is rezoned at this meeting, there is no one in mind other than the assisted living center at the present time; under a new law in the State of Virginia, the City cannot sell a piece of any property it owns without a public hearing; anytime a parcel of the property is sold, a public hearing will be held with citizen input; and

WHEREAS, Dr. Karen Barnhart, 736 Virginia Avenue, appeared before the Council stating she walks on the Elizabeth Campus property with her dogs; she walks the streets of Salem, in Craig County, in Franklin County, and there is no place in Salem that equals the beauty, the peace, and the aerobic workout that you can get on this property; she encourages her patients to get out and walk; this property is valuable even if it is kept as a place to walk; and she questioned whether the streets in the City would get more sidewalks if the trail is taken away; and

WHEREAS, Michael Bentley, 312 North Broad Street, appeared before the Council stating he has taken walks and taken his children to Elizabeth Campus; he is opposed to rezoning this property for light industry and for the nursing home; he urges Council to consider creative ways to use this property to enhance the recreational and aesthetic value of Salem for the future; and he submitted a letter signed by he and his wife urging this position; and

WHEREAS, Marlene Beckner, 844 Boulevard, appeared before the Council stating her front door opens onto this property so she sees it all the time; she would like the property to stay as it is or be enhanced by creating a park-like atmosphere; therefore, she would request that the property not be rezoned, but she appreciates individuals coming from other areas of Salem to express their views and she appreciates their help on this issue; she appeared at the Planning Commission meeting and has written a letter to the editor, and she felt she had adequately expressed her opinion on this matter; she is very concerned that she senses hostility at this meeting; she would like to think that she spoke her heart and made a difference; and she hopes that Council will vote not to rezone this property; and

WHEREAS, Joseph Balbalian, 2252 Medford Road, appeared before the Council stating he advocates for General Andrew Lewis; for a sports-minded City like Salem, there are bragging rights; this site has been selected as a historic area for preservation; what is the hurry to desecrate the last vestige of the heritage of General Andrew Lewis in our City with a beautiful vista that would provide many beneficial activities as others have pointed out; why are we in a hurry for this rezoning; there is no definition by Council as to the time span for a leisurely consideration of something; and he requested a referendum be allowed in order for the citizens of Salem to make their wishes known, and he is of the opinion that this is an obligation for Council; and

WHEREAS, Vice Mayor Brown stated that the City has turned down a request by a furniture manufacturer for use of this property, and Salem has been criticized by other individuals for not allowing this industry to purchase this property; and further, he stated that, if Thomas Jefferson and George Washington had held referendums, we probably would not be sitting here in the positions we are at the present time; and

WHEREAS, Vice Mayor Brown stated that he does not believe in holding a referendum as it is his opinion that a referendum is held every two years when there is a City Council election; and it is his opinion that Virginia does not hold a binding referendum as Virginia only holds advisory referendum; and

WHEREAS, Mr. Balbalian stated that the referendum would clear up the claim that has been made by some members of Council that there is a silent majority in favor of Council going ahead with the development and the industrialization of this property; it is his opinion that a fair hearing would be in the form of a referendum; and

WHEREAS, Vice Mayor Brown stated that the independent poll taken was of 403 people in Salem and a little more than half said they wanted to leave the property as it is; it is his opinion that a group as small as 200 people should not decide what is done with this property; and

WHEREAS, it was noted that Council cannot place a moratorium on a parcel of land; the longest a Council could place a moratorium on a parcel of land would be until the next election; and this Council cannot bind a future Council by placing a moratorium on a parcel of land; and

WHEREAS, Jean Pollard, 607 Idaho Street, appeared before the Council stating, when she first came to the Roanoke Valley, she lived in Roanoke, and she made many trips through Salem; she later moved to Salem; her concern is that the assisted living facility will be at her front door; if you sell a portion of this property as an assisted living facility on Elizabeth Campus, that is the first step to doing away with the entire campus, and Salem would be losing one of the prettiest things it has; it is her opinion that more time should be given to thinking the matter over; Salem should not do anything in a hurry; it is her opinion that this has been handled in a hurry; and Salem should take time, think about it, and consider the thoughts and feelings of the people at this meeting; and

WHEREAS, Cabell Brand, 701 West Main Street, appeared before the Council stating he has an office on the Elizabeth Campus; on September 28 he made three suggestions; he suggested Council get alternative comprehensive plans (one has been received); he suggested alternatives and competition; he offered to help pay for this; he suggested a detailed inventory be made of all available industrial sites in Salem for jobs--not just land Salem owns, but land that could be developed for jobs; he suggested that Council take its time, think it through, don't be pressured, and don't do it piecemeal; he has a vested interest as whatever is done he will be looking at it from his office; since that night, he has read and heard from many sources that there was a disagreement as to whether or not the people who attended the meetings were representative of the majority of the people or if this group is a special interest group or a group with a hidden agenda; he participated in paying for the poll to determine what the people wanted at this location; this poll was not to influence Council, but in case there was any disagreement about what the majority of the people thought, he thought Council had the right to know; the most professional people that could perform this poll quickly were hired to perform the poll, and the poll was done professionally; the questions may not have been right according to Council, and the results may not be convincing to Council; if not, then Council can do the poll again, take your time, and ask your own questions; he will help pay for the poll again; he sees no reason to rush this as he sees lots of reasons not to rush the decision; he encourages Council to look at the cross section of people present at this meeting tonight; there is one question on the poll that is critically important, he requests the administrative staff and City Council to consider this question, and the question is "Do you think there should be a review of environmental concerns before building permits are issued?"; it is his opinion that the environment,

life, and quality of life should be considered before Salem rushes into any kind of development; and

WHEREAS, Mayor Tarpley stated that, as a banker, his bank makes no commercial loans without environmental testing; and

WHEREAS, Mr. Brand stated he is talking about environmental concerns that develop our way of life; and

WHEREAS, Emily Paine Brady, 335 North Broad Street, appeared before the Council stating she does not like hostility and conflict; this is not about politics; she has supported Council in the past, and is hoping Council will listen to her; she feels we are selling our birthright and our children's birthright for a bowl of porridge; this development is worse than binding the hands of future Councils because once it is gone it is gone; development is forever and preservation is for a little while; this property helps her serenity just driving by this property even if she is not hiking on the property; this is a wonderful area; loss of this space would make her feel embarrassed; she has been at the planning meetings for the Roanoke River Greenways, but she did not attend the Council meeting at which it was discussed; she stated she hopes Council is not making them make a choice between greenways officially or this unofficial greenway; she is concerned about Interstate 73; we are all concerned about quality of life and the really long-term interests of the City; she hopes that Council has not already made up its mind; and is there anything Council would like to hear to help change their minds; and

WHEREAS, Dr. Robert Paine, 808 Cherrywood Road, appeared before the Council stating he is concerned about how the various industries will be getting in and out without running over people on the cross country track; he is also concerned about water; Salem gets its drinking water mostly from the Roanoke River; there is not a lot of water in the river; he questioned the location of the water tower; he contacted several assisted living facilities in the area and was told they use a lot of water; Salem should consider this usage in determining what to locate on this property; he stated he is indebted to Cabell Brand for dedicating a portion of his property for a small park, with the City participating in the maintenance; the referendum sounds like a good idea; he has had children and grandchildren educated in Salem Schools and considers the quality of life superior to most any other place; the tax dollars spent in our City are the best ones used; the individuals who voted for removal of the car tax should have seen that the other taxes were inevitable; now we are trying to find revenues to replace these monies; etc.; and

WHEREAS, Frances Robbins, 620 High Street, appeared before the Council questioning why are we doing this in a two to three month timeframe; she questioned whether Council has considered purchasing and redeveloping existing ugly unused tracts of land; and

WHEREAS, Councilman Givens stated that at the present time Council is only considering rezoning this parcel of land to allow the sale of this piece of property in the future; and

WHEREAS, Councilman Packett stated that the City purchased this property two and one-half years ago; Council has been considering possible development of this property since that time and, it is time Council makes a decision pertaining to this property; and he questioned where the ugly tracts of land in Salem are located; and

WHEREAS, Mrs. Robbins stated that the ugly tracts are almost all of the property on Fourth Street; and

WHEREAS, Councilman Haskins stated that it is his opinion that Council needs to be in a position that Salem can entertain a valid offer from a high-tech company for location on a portion of this property; the zoning is not in place now to consider this; he is in favor of a mixed use for this property with a great deal of the property reserved for green space; and it is his opinion that the City can have the best of two worlds at this location; and

WHEREAS, Vice Mayor Brown stated Council is trying to set the pace for this property; Council is reserving approximately twenty acres on the eastern end of the property to be used for natural green space with a small retention area; and

WHEREAS, Mrs. Robbins questioned the definition of high-tech jobs; and

WHEREAS, Vice Mayor Brown stated that the best example is Noble-Met on Apperson Drive; they manufacture microscopic tubing used in catheterizations medically and in the industrial field in other ways; this is a very innovative company employing between seventy-five and eighty people with an average salary of \$53,000 per year; they came to Salem because they liked the atmosphere in Salem; another industry is Tele-path Industries, which has a similar operation; and

WHEREAS, Mrs. Robbins stated that the more commercial and industrial areas that are added, the more problems will have to be dealt with; and further, some things such as Elizabeth Campus need to stay the way they are; and

WHEREAS, Councilman Packett questioned whether the individuals present at this meeting would rather see 150 to 200 homes on this property; and he noted that the property is zoned to allow this development; and

WHEREAS, Mrs. Robbins stated that homes take tax monies away from the community; she would prefer to have a park at this location even though the City would have to use tax monies to mow the property; she did attend the Roanoke River Greenway meeting; she is of the opinion that this is a very worthy project; it is hoped that they would not have to choose between a Roanoke River Greenway and preserving a green space like Elizabeth Campus that is in the middle of a residential neighborhood; etc.; and

WHEREAS, it was noted that Texas Street is designated a truck route; and

WHEREAS, William Finn, 821 Virginia Avenue, appeared before the Council questioning whether the assisted living center will be strictly for a senior citizen facility or will there be other dementia patients at this facility; he questioned the wisdom and ethics of using seniors as a buffer; he requested the unemployment rate for the City of Salem; he questioned why Salem needs to generate the revenue; etc.; and

WHEREAS, it was noted that the unemployment rate in Salem is 2.3; the company for which Mr. Finn works talked with Mayor Tarpley looking for a location for offices in Salem; the company was told that Salem possibly had a location that was not zoned properly, and the company said they would not go through the rezoning process for corporate offices; the company went to Valley Pointe; the potential at this location could also be for corporate offices, which could mean a lot for the economy of the City; and

WHEREAS, a full and lengthy discussion was held concerning said request; and Council noted they do not have a vested interest in this property, but they are trying to do what is best for all the citizens of Salem;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, an ordinance entitled "AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA," was duly passed on first reading rezoning a 4.950 acre parcel of land located on Idaho Street from Residential District R-2 to Business District B-3 with the conditions voluntarily proffered by the City of Salem; and the Comprehensive Plan is hereby amended to reflect the change in zoning of this 4.950 acre parcel of land to allow the proposed use -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - nay; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, an ordinance entitled "AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA," was duly passed on first reading rezoning a 28.0426 acre parcel of land located on Texas Street and Idaho Street from Residential District R-2 to Business Commerce District B-C with the conditions voluntarily proffered by the City of Salem; and the remainder of the property will remain zoned Residential District R-2 and remain in green space -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley stated that he appreciates the comments of everyone at the meeting tonight, he has taken the comments seriously, he has talked to a consultant about this situation, the consultant stated that it is his opinion that the compromise by Council is more than a compromising Council.

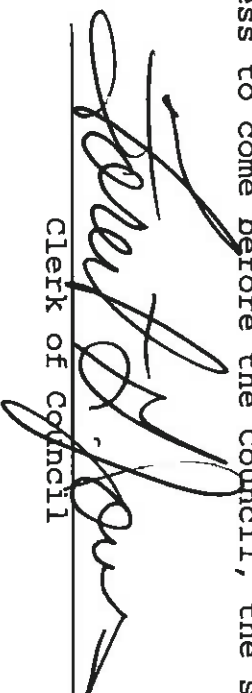
Mayor Tarpley requested that Council consider an ordinance on first reading amending Chapter 86, Article VI, Division 6, of The Code of the City of Salem, Virginia, by adding Section 86-229 pertaining to detours; and

WHEREAS, it was noted that this amendment will give the City Manager the authority to detour motor trucks over any City street when, in his judgment, such detour is necessitated by construction or repair of any City street or bridge or by any emergency; and

WHEREAS, a discussion was held pertaining to this amendment and no one appeared in opposition to said amendment;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, an ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 86, ARTICLE VI, DIVISION 6, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, BY ADDING SECTION 86-229 PERTAINING TO DETOURS" was passed on first reading -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

There being no further business to come before the Council, the same on motion adjourned at 11:52 P.M.


Clerk of Council


Mayor

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December 14, 1998

A regular meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on December 14, 1998, at 7:30 p.m., there being present all the members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, Howard C. Packett, John C. Givens, and Harry T. Haskins, Jr.; with Carl E. Tarpley, Jr., Mayor, presiding; together with Randolph M. Smith, City Manager; Forest G. Jones, Assistant City Manager and Clerk of Council; Frank P. Turk, Director of Finance; James E. Taliaferro, II, City Engineer; Joseph E. Yates, Jr., Director of Planning and Development; and William C. Maxwell, Assistant City Attorney; and the following business was transacted:

The minutes of the special meeting of November 20, 1998, and regular meeting of November 23, 1998, were approved as written.

The report by the City Manager of the City's activities for the month of October, 1998, was received and ordered filed.

Mayor Tarpley reported that Council at its regular meeting held on November 23, 1998, held a public hearing in accordance with Section 22.1-29.1 of the Code of Virginia, 1950, as amended to date, to receive views of citizens and candidates regarding appointments to fill the expiring terms of two members of the City of Salem School Board (Sarah "Sally" W. Southard and William Sinkler); and

WHEREAS, it was noted that Council only received applications from Sarah "Sally" W. Southard and William Sinkler; and

WHEREAS, it was further noted by Council that Mrs. Southard and Mr. Sinkler have done an excellent job on this board in previous years; and Council really appreciates their intelligence and leadership over the previous years;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, Sarah "Sally" W. Southard and William Sinkler are hereby reappointed to the City of Salem School Board for three-year terms, said terms will expire December 31, 2001 -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council receive a report from the Finance Director and representatives of Brown, Edwards, & Company regarding the fiscal year ended June 30, 1998, Comprehensive Annual Financial Report; and

WHEREAS, the Director of Finance appeared before the Council presenting the Comprehensive Annual Financial Report for the fiscal year ended June 30, 1998; the report was prepared by the Finance Department and Audited by Brown, Edwards and Company; Jonathan Fredin took the photograph for the front cover of the report; and

WHEREAS, it was noted that a new state law was passed that requires that the report be formally presented to Council with the Auditors present to make any comments that the Auditors deem appropriate; and

WHEREAS, John Aldridge, representing Brown, Edwards and Company, appeared before the Council thanking Council for having them as the City's Auditors; thanking the Director of Finance and his staff for all the assistance given to the Auditors during the Annual Audit; stating that an Audit Committee Letter has been issued to Frank Turk, which outlines their scope as auditors; stating that they are pleased to report that they had to make no significant audit adjustments this year to the records furnished by Frank Turk, that there were no disagreements with management, and that there were no difficulties encountered during the audit; stating that the City has received the Certificate of Excellence in Financial Reporting for the June 30, 1998, audit; this award is the highest level of award that a financial statement of a municipality can obtain and noted that everything is looked at from the cover of the report to the last page and, by receiving this, they are saying that everything that should be disclosed as a locality pertaining to finances has been disclosed; Brown, Edwards and Company gave Salem an unqualified opinion, which is the highest level of assurance placed on financial reports; the report is similar to the report of last year, and the revenues and expenditures are similar; etc.; and

WHEREAS, Council thanked the Director of Finance and his staff for their work over the past years;

THEREUPON, said report was received and ordered filed.

Mayor Tarpley reported that Council at its regular meeting held on November 23, 1998, passed an ordinance on first reading rezoning the property of the Appalachian Power Company, property owner, and Triton PCS Property Company, lessee, being a .057 acre parcel located in the 2000 block of Apperson Drive from Business District B-3 to Business Commerce District B-C; and

WHEREAS, no one appeared in opposition to said rezoning;

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

SARAH
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SOUTHARD
WILLIAM
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REPORT OF
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BROWN,
EDWARDS,
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AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Section 106-7, Article I, Chapter 106 of The Code of the City of Salem, Virginia, relating to building district boundary lines be amended in the following particular and no other, viz:

That the following described property in the City of Salem, being property of Appalachian Power Company, property owner, and Triton PCS Property Company, lessee, being a .057 acre parcel located in the 2000 block of Apperson Drive, be and the same is hereby changed from Business District B-3 to Business Commerce District B-C, and the map referred to shall be changed in this respect and no other, said property being described as follows:

BEGINNING at an iron pin found in the north right of way line of U. S. Route 11 (variable width right of way) and the division line between Appalachian Power Company and the land of William Brown, Jr., tax parcel 282-4-2; thence with said division line N. 24° 09' 00" E. a distance of 454.07 feet to an iron pin; thence S. 65° 51' 00" E. along the northern line of Brown a distance of 230.63 feet to a point; thence with a line through the property of Appalachian Power Company N. 24° 09' 00" E. a distance of 120.03 feet to an iron pin, the TRUE POINT OF BEGINNING; thence with four new lines: N. 65° 51' 00" W. a distance of 50.00 feet to an iron pin; thence N. 24° 09' 00" E. a distance of 50.00 feet to an iron pin; thence S. 65° 51' 00" E. a distance of 50.00 feet to an iron pin; thence S. 24° 09' 00" W. a distance of 50.00 feet more or less to the TRUE POINT OF BEGINNING, containing 2,500 square feet or 0.057 acres, more or less, as shown on a plat of survey prepared by Franklin County Land Surveying, Inc., titled "Plat Prepared For Appalachian Power Company" and dated October 2, 1998.

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

This ordinance shall be in full force and effect ten (10) days after its final passage.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Passed: December 14, 1998
Effective: December 24, 1998


Mayor

Mayor Tarpley reported that Council at its regular meeting held on November 23, 1998, passed an ordinance on first reading amending Chapter 86, Article VI, Division 6, of The Code of the City of Salem, Virginia, by adding Section 86-229 pertaining to detours; and

WHEREAS, no one appeared in opposition to said rezoning;

ON MOTION MADE BY COUNCILMAN GIVENS, SECONDED BY VICE MAYOR BROWN, AND DULY CARRIED, the following ordinance was duly passed and adopted on second reading:

AN ORDINANCE TO AMEND CHAPTER 86, ARTICLE VI, DIVISION 6, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, BY ADDING SECTION 86-229 PERTAINING TO DETOURS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Chapter 86, Article VI, Division 6, of The Code of the City of Salem, Virginia, be amended, revised, and reordained by adding Section 86-229 to read as follows:

ARTICLE VI. OPERATION OF VEHICLES
DIVISION 6. THROUGH TRUCKS

Section 86-229. Detours.

Notwithstanding the foregoing provisions of this Article, the City Manager shall have full power and authority to detour motor trucks over any City street when, in his judgment, such detour is necessitated by construction or repair of any City street or bridge or by any emergency.

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

This ordinance shall be in full force and effect ten (10) days after its final passage.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Passed: December 14, 1998
Effective: December 24, 1998



Mayor

Mayor Tarpley reported that Council at its regular meeting held on November 23, 1998, passed an ordinance on first reading rezoning a 4.950 acre parcel of land located on Idaho Street from Residential District R-2 to Business District B-3 with the conditions voluntarily proffered by the City of Salem and passed an ordinance on first reading rezoning a 28.0426 acre parcel of land located on Texas Street and Idaho Street from Residential District R-2 to Business Commerce District B-C with the conditions voluntarily proffered by the City of Salem; and

WHEREAS, it was noted that an 18.9537 acre parcel of the original tract will remain zoned Residential District R-2 and will remain green space; and

WHEREAS, Mayor Tarpley stated that he does not remember any other rezoning matter that has been debated as much as the rezoning of this 52 acre parcel of land; and

WHEREAS, Council is of the opinion that the debate relative to this rezoning should be limited to 30 minutes; and

WHEREAS, Robert Hunt, 709 Maryland Avenue, appeared before the Council stating that his group would like to offer to buy the property from the City of Salem, put a conservation easement on the property to hold it as parkland, and give the property back to the City; if giving the property back to the City would incur expenses for maintenance of the property as a park, they would also be willing to undertake the establishment of a fund to maintain the property as a park in order for the City to have the land back free and clear; and it is their opinion that they will be able to raise the money especially to purchase the five-acre tract within the next thirty days, and the rest of the tract would take longer to raise the requisite amount of money; and

WHEREAS, the Assistant City Attorney stated that the City has already held a public hearing and approved the sale of the 4.950 acre parcel of land; and

WHEREAS, Mr. Hunt stated that the sale of the 4.950 acre parcel of land is contingent on the rezoning; and if Council did not rezone the property, the contract would become void because that is a condition of the sale; and further, Mr. Hunt stated a geologist will speak at this meeting concerning the karst nature of the underlying rock at this location and whether or not the soil and conditions are proper for building; and

WHEREAS, Cynthia Munley, 425 Boulevard, appeared before the Council stating that to limit citizens to only 30 minutes to speak at the second reading of the ordinance is not in keeping with the tradition of the Salem City Council; and she made a plea that, even though Council has had several hearings pertaining to this matter, this is a very important issue to them, and this is unfair to limit their voice to 30 minutes; and

WHEREAS, Mayor Tarpley stated that Council has previously listened to the individuals pertaining to this matter without placing any limits; and Council has heard most of the arguments against this matter; and

WHEREAS, Earnst Kastning, Professor of Hydrogeology at Radford University and specialist in karst soil conditions, appeared before the Council stating that he has looked at the parcel of land that is being discussed; they have made a site visit and in addition referred to the published information on the geology of this site; having studied karst soil conditions in excess of 30 years, particularly 15 years in this area, he would have to categorically state that the site is karst, meaning that there are features on the land that indicate that there is considerable flow of water into the subsurface through a number of large sinkholes in this particular case; the sinkholes are visible on the topographic (the geologic maps); his concern is that there are times when karst topography is very much a problem with construction; when he looks at this land, which has considerable relief on it--high and low spots--to make this property usable for industrial or commercial use would mean having to level the property; and in so doing, there is no way to avoid causing problems with the fairly sizeable sinkholes on the land such as flooding from runoff from the buildings and parking lots; and he believes that, if anything is built there, it may be fine for a decade or two; typically when you fill in sinkholes which might be what would have to be done there in order to make it usable for industrial or commercial purposes, 20 or 30 years down the line that kind of a problem will resurface with damage to structures with the sinking, etc.; there is a best management practice scheme of things related to karst; as a certified hydrogeologist, he can see that it would pose a problem geologically; he is coming at this now totally from a professional standpoint; he is of the opinion that the water tank is high up away from the sinkholes; the water tank in his estimation is not a problem other than aesthetically, but geologically the water tank probably is on fairly sound

rock; he has not seen the proposed plans for the property in detail yet; he knows that if the land is used as densely as he has been told it will be used, then there probably will be difficulties in the future; that is a concern he has with it; sometimes it is not a problem and sometimes it is; this one in particular he finds is not conducive to that kind of land use; it is his understanding that the land is to be developed with buildings and parking lots; if you are going to make use of nearly the entire site or even a large part of the site, you will be changing the runoff characteristics; engineering designs and studies will probably come up with runoff characteristics, but the runoff will in all likelihood be going to the low spots of the property unless you want to pump the water offsite; the retention areas will probably affect the internal ability or inability for that land to percolate properly with sinkholes; and

WHEREAS, a discussion was held pertaining to the detention ponds that are going to be built, area to remain green space, etc.; and

WHEREAS, Council questioned whether sinkholes have developed on properties in the City of Salem or adjacent areas; and

WHEREAS, Mr. Kastning discussed the sinkholes and his concerns pertaining to the sinkholes; he stated that he is not aware of any sinkholes in the City of Salem; the rock formation is the same as in Radford, and there have been problems in Radford; and

WHEREAS, Council noted that this situation would not be unique on this particular parcel of land, but that this could happen anywhere in Salem; and

WHEREAS, Tony Williams, 2816 West Club Drive, appeared before the Council stating that it is his opinion that this has been rehashed numerous times; he suggested remarks be kept brief; he stated that the City of Salem is a wonderful place to live and everyone agrees with this; this community is close knit with a family-like atmosphere, and the City of Salem is envied throughout Virginia; it has disturbed him and disappointed him to have the rezoning hearings decline into a mean-spirited campaign with personal attacks on members of Council and the administration; he has the highest regard for the City Administration and Council; he has complete confidence in Council; the men who have been attacked are the men who have made it possible for Salem to be such a wonderful place to live; some decisions have to be made that are not always what is wanted but are in the best interests of the City; this Council has bent over backwards to hear everyone pertaining to this matter and weigh all the aspects of this request; this is why Council was elected to have all the facts, all the research, and all the information to make a decision in the best interests of all the citizens of Salem; and he has confidence that this will be done; and

WHEREAS, Whitwell Kelley, 775 Virginia Avenue, appeared before the Council stating he enjoys living in Salem when he is in the country, and he hopes to move back to Salem someday; he enjoys the beauty of Salem and the fact that it is a well run City; he is of the opinion that the City of Salem is rushing into this due to the fact that the City needs to recoup some of its investment, and he has heard \$300,000 is the amount that will be recouped; and

WHEREAS, Mr. Kelley stated he and his wife hope to settle in Salem longterm in the future, and he cautioned that the matter should be studied further; and

WHEREAS, Vice Mayor Brown stated that it is hoped that this development will create approximately 300 or more high-tech jobs similar to Noble-Met, which has an average salary of \$53,000; this is the real benefit for this rezoning; and the City does not have anyone in mind at the present time to purchase this property, and this property is being rezoned in order that a vision can be had for this parcel of land to allow the City to be able to find a high-tech business to locate on this property; and

WHEREAS, a discussion was held concerning the amount of taxes and income that would be received from businesses on this property similar to Telepath and Noble-Met on Apperson Drive; and

WHEREAS, Adam Reinhard, 213 North Broad Street, appeared before the Council presenting a petition pertaining to this matter; he is of the opinion that the people signing this petition are the people of the future generations, and they do not want the rezoning; and

WHEREAS, Councilman Packett stated that he would love to see the students signing the petition to be able to stay in Salem; but in order for them to stay in Salem, jobs must be created, or they will have to leave Salem as his sons had to do; and

WHEREAS, John Miller, 340 Pennsylvania Avenue, appeared before the Council stating that he would like to go on record as being opposed to the action taken to date by Council on this subject; prior to the November 23, 1998, meeting, a packet of information was forwarded to Council members containing 17 articles from Virginia as well as other localities in the United States; these articles concerned issues of maintaining green space and the revitalization of abandoned and not utilized sites; he felt that Council should be aware of the fact of our wish to maintain the green space on the Elizabeth Campus was not a local issue, but a similar issue that is permeating the country; in some cases, the citizens and governments are working together to accomplish great things with maintaining green space and revitalization of brown space; in other areas the citizens are pleading with their Councils just as they are doing; on December 11, a packet was forwarded to Council containing 120 pages pertaining to deficiencies found in 12 Sterling House operations in the State of Kansas; the information also

contained a press release stating that the Kansas Department of Health and Environment had issued an order assessing a civil penalty of \$4,200 against Sterling House of Lawrence, Kansas, for violating State Nursing Home regulations; and he is concerned the City has not done enough to gather information regarding the proposed facility on the Elizabeth Campus nor has it investigated alternatives for developing this green space to light industry; and

WHEREAS, Vice Mayor Brown noted that the City did call the Kansas Department of Health and Environment and talked with the Supervisor of Facility Inspectors; and she stated that Sterling House had a rocky start, but Sterling House was one of the better assisted living centers that does business in Kansas; and

WHEREAS, Councilman Packett stated he knows a lot of people in the extended care business, and he talked with as many of these individuals as possible; and all the individuals said that Sterling was a fine company and was operated very well; and

WHEREAS, Cynthia Munley, 425 Boulevard, appeared before the Council stating that the main point that needs to be considered is what the City is proposing going to be worth the sacrifice of our most beautiful green space; what kind of capital needs do you project in the coming years; she understands that the City will make approximately \$300,000 a year income from this property; she is looking to see how much the development of this property industrially is going to fulfill the needs; it is her opinion that this will do very little; she is seeing Council time and again take a green space, one after another, and use that to raise money, but how many green spaces is it going to take and where are you going to go after this green space; this green space is only going to give you \$300,000 a year; where is the City going to go after that; she was very disconcerted talking with one member of Council when the mention of the Baptist Children's Home was brought up as the next space; we don't have many left; if Salem is truly landlocked, then we have put a finger on the real crisis that this City is facing, and therefore, our land is limited and a policy of developing green spaces to fulfill our fiscal needs is a bankrupt policy as it will not work forever; maybe it would be smart to accept that right now and figure out what needs to be done if we truly are landlocked; there has to be some other direction; she is not sure that the Council has what it takes to figure it out from what she has seen so far; where are you going from here; what will be next; and Salem is not going to shrink and die; and

WHEREAS, Mayor Tarpley stated that the future needed capital expenses are approximately \$45,000,000, consisting of schools, water, and sewer; and

WHEREAS, Councilman Packett stated there is a move towards regional industrial development; there were two amendments to the Constitution this year that were defeated that would give localities the opportunity to go out and join with other municipalities for development of industrial parks; this will be back before the legislature in the future, and he urges citizens to back this legislation; and

WHEREAS, Mrs. Munley stated that the most critical thing tonight is to address the assisted living facility as this is the most immediate endangerment of this beautiful piece of property; she thinks that the arguments against the assisted living facility are very powerful and are as follows: the neighborhood does not want it, Council is proposing to put a buffer there when there is nothing on the other side to protect the residents from, let's see what is going there to see if we need a buffer, maybe that will be a few years down the line, the property will only become more valuable as time goes by, there is no need to hurry on the five acres, the development is going to cause all kinds of traffic in the neighborhood, and it is going to cause some truck traffic; the thing that is really valued in Salem is the peace of our neighborhoods; we are fighting to preserve the peace and character of our neighborhoods; this is important to us in Salem, and it is hoped the leaders will listen; the assisted living facility is low tech; the assisted living facilities already in Salem are not full; this is a fad and somewhat speculative and not the soundest fiscal investment at this time; some of the best land will be wasted if such a facility is allowed, and the facility will generate very little revenue; what if the land is needed for a school one day; that land should be used for a public good; her group conducted a professional poll; the 400 people polled represent the wishes of the City and you should listen to that; they thought they could believe Council when they said they would go slow, and that was wrong; it was thought that people skills would be called upon to bring together a consensus, which effort was not made; and if you vote for rezoning this incredibly beautiful property at this meeting, it will prove that you have not absorbed Salem citizens' call for green space preservation; etc.; and

WHEREAS, Jim Reeves, 735 Boon Street, appeared before the Council stating that he supports the green space, and if this Council were in New York City, Central Park would be gone;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the following ordinance was duly passed and adopted on second reading for rezoning a 4.950 acre parcel of land located on Idaho Street from Residential District R-2 to Business District B-3 with the conditions voluntarily proffered by the City of Salem:

AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA.

WHEREAS, the City of Salem, property owner, has heretofore petitioned to have a 4.950 acre parcel of land located on Idaho Street rezoned from Residential District R-2 to Business District B-3; and

WHEREAS, in said petition, the City of Salem, property owner, did proffer written conditions in addition to the regulations provided for in Business District B-3 into which this property is requested to be rezoned; and

WHEREAS, Council has reviewed the proposed conditions and is of the opinion that the requested rezoning without the proposed conditions would not be in the best interests of the City and that the conditions proffered will more closely comply with the intent of the Land Use Plan heretofore adopted; and

WHEREAS, Council has adopted the provisions of Chapter 320 of the 1978 Acts of the General Assembly of Virginia, Sections 15.1-491.1 through 15.1-491.6, relating to conditional zoning; and

WHEREAS, the Planning Commission at its regular meeting held on November 11, 1998, did recommend to Council after holding a public hearing that such rezoning be approved with the voluntarily proffered conditions; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Section 106-7, Article I, Chapter 106, of The Code of the City of Salem, be amended, revised, and reordained to read as follows and the map referred to shall be changed in this respect and no other:

Section 1. That the following described property, presently zoned Residential District R-2 in the City of Salem, be and the same is hereby changed from Residential District R-2 to Business District B-3 and the map referred to shall be changed in this respect and no other. However, in addition to the regulations for such zoning district as contained in Chapter 106 of The Code of the City of Salem, Virginia, there is hereby incorporated the conditions set forth in Section 2 of this ordinance to the same extent and purpose as though such conditions were herein fully set out at length:

Commencing at the point of intersection of the north right of way line of Texas Street and the east right of way line of Idaho Street; thence northwesterly along the eastern right of way line of Idaho Street approximately 800 feet to an iron pin, common corner with the James Coleman, Jr., property, point of BEGINNING; thence along the southern line of said Coleman property, N. 79° 50' 52" East 157.64 feet to an iron pin, common corner with the Roanoke College property; thence along southern line of said Roanoke College property N. 75° 07' 49" East 268.31 feet to an iron pin; thence leaving the southern line of Roanoke College S. 10° 03' 26" East 522.78 feet to an iron pin; thence S. 79° 56' 34" West 425.00 feet to an iron pin, eastern right of way line of Idaho Street; thence along the eastern right of way line of said street N. 10° 03' 36" West 500.00 feet to the point of BEGINNING and containing 4.950 acres and being a portion of the 51.946 acre tract granted to the City of Salem, Virginia, Plat Book 6, Page 47, said tract having been conveyed to the City of Salem, Virginia, by deed of record in Deed Book 254, page 654, of the records of the Clerk's Office of the Circuit Court for the City of Salem, Virginia.

Section 2. The following conditions voluntarily proffered by the City of Salem, property owner, shall apply in addition to the regulations contained in Chapter 106 of The Code of the City of Salem:

1. The exteriors of the proposed life care facility buildings must be constructed of red brick; the construction will be in conformance with the site plan prepared by Rivers and Associates dated November 5, 1998, and the prototype rendering done by Eppstein Uhen Architects, submitted at the November 11, 1998, meeting of the City of Salem Planning Commission.
2. Parking for both buildings should be situated, as much as possible, to the rear of the property.
3. Ingress and egress for the property should be aligned with Elizabeth Avenue and its intersection with Idaho Street.
4. Landscaping for the proposed development shall exceed the current landscaping standards of The Code of the City of Salem.
5. The only permitted use in the Proposed Business District B-3 zoning shall be for an assisted living facility.

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

This ordinance shall be in full force and effect ten (10) days after its final passage.

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

Harry T. Haskins, Jr. - Aye
 John C. Givens - Aye
 Howard C. Packett - Nay
 Alexander M. Brown - Aye
 Carl E. Tarpley, Jr. - Aye

Passed: December 14, 1998
 Effective: December 24, 1998


 Mayor

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the following ordinance was duly passed and adopted on second reading rezoning the 28.0426 acre parcel of land located on Texas Street and Idaho Street from Residential District R-2 to Business Commerce District B-C with the conditions voluntarily proffered by the City of Salem, and Council will take its time and work hard to find the right business for this property.

WHEREAS, Mrs. Munley again appeared before the Council demanding why Council would not accept the parcel as a park as proposed by Bob Hunt earlier in the meeting; and

WHEREAS, Mayor Tarpley ruled Mrs. Munley out of order repeatedly, due to the fact that a motion had already been made and seconded by Council members; WHEREUPON, Mrs. Munley continued to be disruptive and would not sit down or be quiet; and consequently, Mrs. Munley was escorted from the meeting in Council Chambers by a police officer.

-- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown stated that he is aware that emotions are running high, he hates the incident that has happened at this meeting, he has been a citizen of Salem for his entire life, he is a direct descendant of Andrew Lewis, and he is voting aye; Carl E. Tarpley, Jr. stated that Council has taken steps to work with Roanoke College to help meet the demands of the people at this meeting, the Planning Commission and City Council will work hard to do what is best for this property, and he is voting aye.

AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA.

WHEREAS, the City of Salem, property owner, has heretofore petitioned to have a 28.0426 acre parcel of land located on Texas Street and Idaho Street rezoned from Residential District R-2 to Business Commerce District B-C; and

WHEREAS, in said petition, the City of Salem, property owner, did proffer written conditions in addition to the regulations provided for in Business Commerce District B-C into which this property is requested to be rezoned; and

WHEREAS, Council has reviewed the proposed conditions and is of the opinion that the requested rezoning without the proposed conditions would not be in the best interests of the City and that the conditions proffered will more closely comply with the intent of the Land Use Plan heretofore adopted; and

WHEREAS, Council has adopted the provisions of Chapter 320 of the 1978 Acts of the General Assembly of Virginia, Sections 15.1-491.1 through 15.1-491.6, relating to conditional zoning; and

WHEREAS, the Planning Commission at its regular meeting held on November 11, 1998, did recommend to Council after holding a public hearing that such rezoning be approved with the voluntarily proffered conditions; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Section 106-7, Article I, Chapter 106, of The Code of the City of Salem, be amended, revised, and reordained to read as follows and the map referred to shall be changed in this respect and no other:

Section 1. That the following described property, presently zoned Residential District R-2 in the City of Salem, be and the same is hereby changed from Residential District R-2 to Business Commerce District B-C and the map referred to shall be changed in this respect and no other. However, in addition to the regulations for such zoning district as contained in Chapter 106 of The Code of the City of Salem, Virginia, there is hereby incorporated the conditions set forth in Section 2 of this ordinance to the same extent and purpose as though such conditions were herein fully set out at length:

Commencing at the intersection of the north right of way line of Texas Street and the east right of way line Idaho Street; thence in a northwesterly direction along the eastern right of way of Idaho Street approximately 300 feet to an iron pin, common corner to a 4.950 acre tract, the actual POINT OF BEGINNING; thence along the southern property line of said tract N. 79° 56' 34" E. 425.00 feet to an iron pin; thence along the eastern property line of said tract N. 10° 03' 26" W 577.78 feet to an iron pin, common corner to the Roanoke

College property; thence along the southern property line of Roanoke College N. 75° 07' 49" E. 862.53 feet to an iron pin; thence leaving the Roanoke College property with a new line across the City Of Salem property N. 71° 28' 34" E. 440.36 feet to a point; thence S. 17° 49' 28" E. 139.42 feet to a point; thence S. 84° 55' 56" E. 196.77 feet to a point; thence with a bearing DUE SOUTH 173.81 feet to a point; thence S. 27° 36' 11" E. 291.09 feet to a point on the northern right of way line of Texas Street (60 foot right of way); thence along the northern right of way line of Texas Street S. 62° 23' 49" W. 537.28 feet to a point; thence with the same with a curve to the right whose radius is 1535.53 feet and whose length is 495.65 feet (chord = S. 71° 38' 39" W. 493.50 feet) to a point; thence with the same S. 80° 53' 29" W. 337.53 feet to a point; thence with the same S. 69° 59' 59" W. 145.74 feet to a point; thence continuing with the same with a curve to the right whose radius is 2210.93 feet and whose length is 482.00 feet (chord = S. 73° 15' 05" W. 481.05 feet) to an iron pin; thence leaving Texas Street and with the easterly right of way line of Idaho Street (60 foot right of way) with a curve to the right whose radius is 25 feet and whose length is 40.93 feet (chord = N. 57° 18' 10" W. 36.51 feet) to an iron pin; thence with the same easterly right of way line of Idaho Street N. 10° 03' 36" W. 262.24 feet to the POINT OF BEGINNING, and containing 28.0426 acres.

Section 2. The following conditions voluntarily proffered by the City of Salem, property owner, shall apply in addition to the regulations contained in Chapter 106 of The Code of the City of Salem:

1. The areas on the west and east of the property along Texas Street, designated for stormwater management, shall be developed for use as public parks, in addition to the use for stormwater management.
2. The ancient grove of trees shown on the preliminary development plan and located on the eastern portion of the property midway between Texas Street and Lynchburg Turnpike shall be preserved.
3. Any development of the property on Texas Street shall be served by one connection to Texas Street as shown on the preliminary plan and may not be connected to Lynchburg Turnpike.

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

This ordinance shall be in full force and effect ten (10) days after its final passage.

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

Harry T. Haskins, Jr. - Aye
 John C. Givens - Aye
 Howard C. Packett - Aye
 Alexander M. Brown - Aye
 Carl E. Tarpley, Jr. - Aye

Passed: December 14, 1998
 Effective: December 24, 1998


 Mayor

Mayor Tarpley requested that Council consider adopting Resolution 912 regarding items to be forwarded to Salem's representatives in the 1999 General Assembly Session; and

WHEREAS, a discussion was held concerning items to be included in the Resolution; and

WHEREAS, Council is of the opinion that the following two items should be included in the resolution in accordance with a letter received from Governor Gilmore: House Bill 599, which was passed in 1979, will be fully funded; and the lottery funds will be returned to the localities to be used for education;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, Resolution 912 was duly passed and adopted with the following additions to this resolution: House Bill 599, which was passed in 1979, will be fully funded; and the lottery funds will be returned to the localities to be used for education;

WHEREAS, the Council of the City of Salem is concerned with certain specific issues that may come before the 1999 session of the Virginia General Assembly; and

WHEREAS, Council is desirous of expressing to its representatives its official position on the following matters:

1. Request that the Business and Professional License (BPOL) Tax issue be left with local governments since this issue is actually local option and not a state-required tax.
2. Oppose collective bargaining and negotiation rights for public employees and teachers since the State Grievance Procedure covers same.
3. Oppose any legislation detrimental to the status of cities and/or further limiting annexation procedures;
4. Request the Governor or the General Assembly propose a budget amendment which adds \$2.8 million to the current State Aid to the Public Libraries' appropriation for fiscal year 1999/2000.
5. Support the Public Library Technology Plan developed by Library of Virginia staff and public library directors.
6. Support local control of Internet Access.
7. Consider positively recommendations made by the Salem School Board.
8. Request the General Assembly work to see that lottery proceeds are earmarked for education.
9. Council appreciates the General Assembly's pursuit of restoring full funding of HB 599 and hopes that in the future payments for amounts in arrears to localities can be brought up to date.
10. Cease all mandates on local governments that do not provide State funding to accomplish.
11. Carefully consider, in a positive light, those other recommendations set forth by the Virginia Municipal League in its 1999 VML Program.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Council doth hereby authorize the City Manager to forward certified copies of this Resolution to the Honorable Malfourd W. Trumbo, Senate of Virginia, and the Honorable H. Morgan Griffith, House of Delegates of Virginia, so they will be aware of the desires and opinions of Salem City Council on the above issues; and

BE IT FURTHER RESOLVED that for information purposes certified copies of this Resolution be forwarded to those members of the General Assembly that represent the City of Roanoke, County of Roanoke, and Town of Vinton.

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

Harry T. Haskins, Jr. - Aye
 John C. Givens - Aye
 Howard C. Packett - Aye
 Alexander M. Brown - Aye
 Carl E. Tarpley, Jr. - Aye

Mayor Tarpley requested that Council consider adopting Resolution 913 approving Amendment Number 2 to the City's Flexible Benefits Program; and

WHEREAS, the Director of Finance reported that several years ago a Flexible Benefits Program was established under Section 125 of the Internal Revenue Service Code that allows employees to defer taxable salary/wages in exchange for health and dependent care benefits which are not taxable; over the years, between the City of Salem and Schools, almost \$2,000,000 a year goes into the fund and saves the employees and City monies; from time to time changes are made in the Code which require changes in the City's plan; this amendment brings our plan up to date with IRS Code and deals primarily with "Family Status Changes" and what qualifies, non-discrimination requirements for dependent care, and inclusion of references for the "Health Insurance Portability and Accountability Act";

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, Resolution 913 was duly passed and adopted:

RESOLUTION 913

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Amendment Number Two to the Flexible Benefits Plan effective October 1, 1999, presented at this meeting is hereby approved and adopted and that the proper officers of the City are hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the amendment;

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that the proper officers of the City shall act as soon as possible to notify

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employees of the City of the adoption of this Amendment Number Two to the Flexible Benefits Plan by delivering to each employee a copy of the summary description of the changes to the Plan in the form of the Summary Plan Description - Material Modification presented at this meeting, which form is hereby approved.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Mayor Tarpley requested that Council consider setting bond for physical improvements for the development of property in the 1300 block of Southside Drive; and

WHEREAS, Vice Mayor Brown, Chairman of Council's Audit-Finance Committee, reported that the Committee has reviewed the bond for erosion and sediment control for T & R Property Management, Inc., in the 1300 block of Southside Drive with the City Engineer; and it is the recommendation of the Committee that bond should be set at \$3,350 for erosion and sediment control for T & R Property Management, Inc., in the 1300 block of Southside Drive with a time limit for completion of 12 months;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, bond is hereby set at \$3,350 for erosion and sediment control for T & R Property Management, Inc., in the 1300 block of Southside Drive with a time limit for completion of 12 months -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider adopting Resolution 914 recognizing the Salem Spartans for completing an undefeated season and winning the 1998 State AA Division 4, Football Championship;

ON MOTION MADE BY COUNCILMAN GIVENS, SECONDED BY VICE MAYOR BROWN, AND DULY CARRIED, Resolution 914 was duly passed and adopted:

RESOLUTION 914

WHEREAS, the City of Salem has always strived to strongly support the development of its youth both academically and athletically in becoming well-rounded citizens; and

WHEREAS, a scholastic football team instills in its participants the significance of teamwork and creates concord and purpose among the many citizens of its parent community; and

WHEREAS, the Salem High School Spartans Football Team has been followed with great interest by many residents of Salem and the Roanoke Valley and has distinguished itself, the school, and the entire community with diligent work, unselfish dedication, and excellent teamwork; and

WHEREAS, the Salem High School Spartans Football Team is comprised of the following players:

Spencer Christley	E. J. Thomas	Trey Shifflett	Mike Obenchain
Chris Schwizer	Nic Schmitt	Mike Loritsch	Joe Bender
Jamie Garst	Roger Waddell	Brooks Andrews	Russell Lane
Ryan Still	Ben Goodpasture	Eric Reynolds	A. J. Everett
Blake Bruce	Vance Overstreet	Ryan Poff	Derek Sower
Ivan Brewer	Allan Dalton	David Jones	Sam McKinney
Jeremie Shelor	Kirby Hamilton	Patrick Herndon	Matt Litz
Jacob Neathawk	Chris Gumaer	Aaron Williams	Josh Brown
Jason Mosser	Matt Anderson	Nathan Anderson	Brandon Covey
Andy Mullins	Manuel Lewis	Nat Joiner	Ryan Millard
Jason Buster	Jeremy Burns	Anton Jones	Steven Jefferson
J. R. Andrews	Dennis Haley	Josh Harlow	Gabril Bangura

Head Coach: Willis White; Assistant Coaches: Billy Miles, Jerry Scharnus, Marty Yuhas, Steve Oliver, John Hinkle, Danny Wheeling, Bobby Maynard, Larry Bradley, Dan Jones, Lyle McLaren, Chris Tucker, Chris King, Rudy Hann, and Tommy Barber; Manager: Johnny Jones, Ben Rutrough, Josh Young, Joel Hickerson, Chris Huffman, Kyle Wiebesiek, and David Moeller; Principal: Caleb L. Hall, Jr.; Assistant Principals: William Gerrol and Betsy McClearn; Director of Athletics: Sandra A. Hadaway; Superintendent of Schools: N. Wayne Tripp; Team Physicians: Dr. John Pendleton and Dr. Bertam Spetzler.

WHEREAS, Council is desirous of formally giving proper recognition to this dedicated group of athletes, students, managers, trainers, and coaches who can take pride in their 1998 record and their many achievements during this season; NOW, THEREFORE

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Council joins with the citizens of the City of Salem in saluting the great achievements of the Salem High School Spartans Football Team in completing an undefeated season with a 14-0 record and winning the 1998 STATE AA, DIVISION 4, FOOTBALL CHAMPIONSHIP.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be presented to the Salem High School Spartans Football Team.

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

519

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

It was noted that Councilman Brown, Assistant City Manager Jones, and Mr. Williams, who is attending this meeting of Council, had sons playing on this team.

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

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, Rodney P. Furr is hereby reappointed to the Blue Ridge Community Services Board of Directors for a three-year term, said term will expire on December 31, 2001; Rev. William J. Lee is hereby reappointed to the Blue Ridge Community Services Board of Directors an at large member for a three-year term subject to the concurrence of the other local jurisdictions, said term will expire on December 31, 2001; and John E. Beach is hereby reappointed to the Western Virginia Emergency Medical Services Council for a three-year term, said term will expire on January 31, 2002 -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

ON MOTION MADE BY COUNCILMAN HASKINS, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the Council of the City of Salem hereby recommends to the Judges of the Circuit Court for the City of Salem the reappointment of Paul F. Wiley to the Board of Equalization of Real Estate Assessments, said term will expire on November 30, 2001 -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Vice Mayor Brown noted that the City has hundreds of individuals who serve on boards and commissions and give Council input every day.

Mayor Tarpley reported that this has been a very trying time for Council, he regrets that anything like this has to happen, Roanoke College is working with the City to provide a better development, and Council will take its time in order to provide a development that will create pride for Salem citizens.

Vice Mayor Brown stated that Council does not agree with their policy of keeping the property green, it is the opinion of Council that a majority of the citizens in Salem feel that part of the property should be developed, and the entire property is not being developed.

It was noted that 18.9537 acres will remain zoned Residential District R-2.

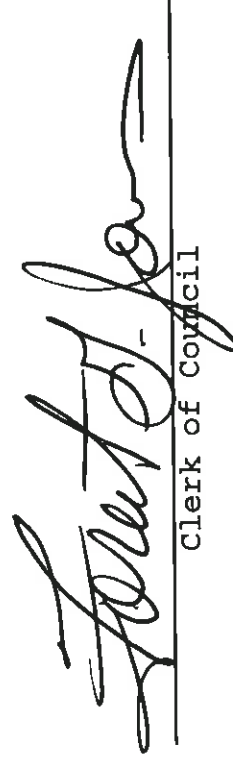
Mayor Tarpley stated that a memorandum has been received from the City Manager seeking final direction as to the location of the 2.5 million gallon water storage tank for the eastern zone of Salem; and

WHEREAS, it was noted that it is the complete recommendation of the architects, staff, and City administration that the better site for the 2.5 million gallon water storage tank is on the Lutheran Home property near the YMCA;

ON MOTION MADE BY COUNCILMAN GIVENS, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, the City is hereby authorized to locate the 2.5 million gallon water storage tank to serve the eastern sector of Salem on the Lutheran Children's Home property near the YMCA -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - nay; and Carl E. Tarpley, Jr. - aye.

There being no further business to come before the Council, the same on motion adjourned at 8:30 p.m.


Mayor


Clerk of Council

RODNEY P. FURR
REAPPOINTED TO BLUE RIDGE COMMUNITY SERVICES BOARD OF DIRECTORS; WILLIAM J. LEE REAPPOINTED TO BLUE RIDGE COMMUNITY SERVICES BOARD OF DIRECTORS AT LARGE MEMBER; JOHN C. GIVENS REAPPOINTED TO WESTERN VIRGINIA BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENT; F. WILEY REAPPOINTED TO JUDGES REAPPOINTMENT OF PI

2.5 MILLION GALLON WATER STORAGE TANK TO SERVE EASTERN SECTOR OF SALEM AUTHORIZED TO BE CONSTRUCTED ON THE LUTHERAN CHILDREN'S HOME PROPERTY NEAR THE YMCA

January 11, 1999

A regular meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on January 11, 1999, at 7:30 p.m., there being present all the members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, Howard C. Packett, John C. Givens, and Harry T. Haskins, Jr.; with Carl E. Tarpley, Jr., Mayor, presiding; together with Randolph M. Smith, City Manager; Forest G. Jones, Assistant City Manager and Clerk of Council; Frank P. Turk, Director of Finance; James E. Taliaferro, II, City Engineer; Joseph E. Yates, Jr., Director of Planning and Development; and Stephen M. Yost, City Attorney; and the following business was transacted:

The minutes of the regular meeting of December 14, 1998, were approved as written.

The report by the Director of Finance of the City's activities for the month of November, 1998, was received and ordered filed.

Mayor Tarpley requested that Council receive a presentation from Total Action Against Poverty in the Roanoke Valley concerning the Economic Impact Statement and Annual Report; and

WHEREAS, Cleo Simms, Director of Head Start & Program Coordinator for TAP, appeared before the Council thanking Council for its previous support of the Head Start Program; TAP has a first class Head Start Center, which is due in part to the ongoing support of the City; and she presented a copy of the Economic Impact Statement and Annual Report;

THEREUPON, said presentation was received.

Mayor Tarpley reported that this date and time had been set to hold a public hearing to consider the request of Edward W. Davis, property owner, for rezoning the property located at 627, 629, & 631 W. Fourth Street/222 Maple Street from Business District B-3 to Residential Business District R-B; and

WHEREAS, the Clerk of Council reported that notice of such public hearing has been published in the December 24 and 31, 1998, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, the Planning Commission of the City of Salem at its regular meeting held on December 16, 1998, recommended to Council that the rezoning be approved; and

WHEREAS, the staff noted the following: the largest of these buildings was formerly "Jackie's Place," a restaurant/bar type establishment, which was eventually closed and converted into several different business ventures; the smaller building housed a barber shop but has also been used as a produce stand; "Jackie's Place" also contained an apartment where the owner, Jackie, lived; in January, 1994, approval of a Zoning and Use Permit was granted to allow two residential apartments on the premises; the current owners have now converted the property into six apartments; rezoning the property is necessary to allow this conversion; while this property is located within the Fourth Street commercial corridor, it abuts residential property on Maple Street; the proposed use of the existing buildings is a viable alternative to their potential for commercial businesses; and the R-B zoning will still allow some commercial uses should the ownership change; and

WHEREAS, Whitman and Shirley Davis, property owners, appeared before the Council explaining the proposed rezoning request, which will allow them to complete the renovation of the buildings into apartments; and

WHEREAS, no one appeared in opposition to said rezoning;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, an ordinance entitled "AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA," was duly passed on first reading -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley reported that this date and time had been set to hold a public hearing to consider the request of William D. and Carole U. Brackman, property owners, for rezoning the property located at 1201 & 1203 Texas Street from Residential Business District R-B to Business Commerce District B-C; and

WHEREAS, the Clerk of Council reported that notice of such public hearing has been published in the December 24 and 31, 1998, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, Mayor Tarpley reported that the petitioners have withdrawn the request for rezoning;

THEREUPON, the rezoning request is hereby allowed to be withdrawn without prejudice, and Council authorized the \$350 rezoning fee be refunded to Mr. and Mrs. Brackman.

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Mayor Tarpley requested that Council consider setting a date for a public hearing for the sale of a 0.50 acre parcel of land on South Yorkshire Street;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, January 25, 1999, at 7:30 p.m. in the Council Chambers, City Hall, 114 North Broad Street, is hereby set as the date, place, and time for a public hearing to consider the sale of a 0.50 acre parcel of land on South Yorkshire Street -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

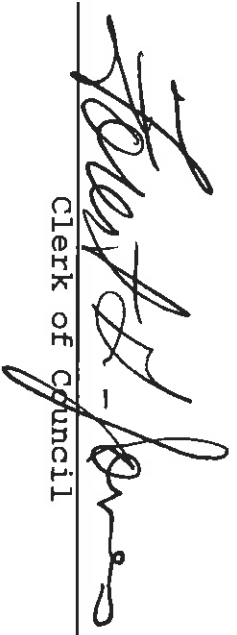
Mayor Tarpley requested that Council receive a report of the City Manager concerning the December 24, 1998, Christmas holiday; and

WHEREAS, the City Manager reported that, in accordance with the resolution adopted by Council declaring 10 holidays for City employees, he is hereby notifying Council that he declared an additional holiday for City employees on December 24, 1998;

THEREUPON, said report was received by Council.

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, Thomas F. Farrell, Sr., is hereby reappointed to the Board of Appeals (BOCA) for a five-year term, said term will expire on January 1, 2004; and W. Rivers Claytor, Jr., is hereby reappointed to the Personnel Board for a two-year term, said term will expire on January 28, 2001 -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

There being no further business to come before the Council, the same on motion adjourned at 7:37 p.m.


Clerk of Council


Mayor

January 25, 1999

A regular meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on January 25, 1999, at 7:30 p.m., there being present all the members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, Howard C. Packett, John C. Givens, and Harry T. Haskins, Jr.; with Carl E. Tarpley, Jr., Mayor, presiding; together with Randolph M. Smith, City Manager; Forest G. Jones, Assistant City Manager and Clerk of Council; Frank P. Turk, Director of Finance; James E. Taliaferro, II, City Engineer; Joseph E. Yates, Jr., Director of Planning and Development; and William C. Maxwell, Assistant City Attorney; and the following business was transacted:

The minutes of the regular meeting of January 11, 1999, were approved as written.

The report by the City Manager of the City's activities for the month of November, 1998, was received and ordered filed.

The report by the Director of Finance of the City's financial status for the six month period ending December 31, 1998, was received and ordered filed.

Councilman Haskins introduced Malory Orahoad, a seventh grader at Andrew Lewis Middle School, who is attending this meeting of Council to fulfill her civics project.

Mayor Tarpley reported that Council at its regular meeting held on January 11, 1999, passed an ordinance on first reading rezoning the property of Edward W. Davis, property owner, located at 627, 629, & 631 W. Fourth Street/222 Maple Street from Business District B-3 to Residential Business District R-B; and

WHEREAS, no one appeared in opposition to said rezoning;

ON MOTION MADE BY COUNCILMAN GIVENS, SECONDED BY VICE MAYOR BROWN, AND DULY CARRIED, the following ordinance was duly passed and adopted on second reading:

AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Section 106-7, Article I, Chapter 106 of The Code of the City of Salem, Virginia, relating to building district boundary lines be amended in the following particular and no other, viz:

That the following described property in the City of Salem, being property of Edward W. Davis, property owner, located at 627, 629, and 631 West Fourth Street/222 Maple Street, be and the same is hereby changed from Business District B-3 to Residential Business District R-B, and the map referred to shall be changed in this respect and no other, said property being described as follows:

BEGINNING at an iron pin set at the northeast intersection of 4th Street and Maple Street; thence with the east side of Maple Street N. 1° 00' 00" West 39.71 feet to a set iron pin; thence leaving Maple Street and with the division line between Lots 8 and 9, Map of the West End Land Co., N. 89° 00' 00" E. 160.00 feet to an old iron pin on the west side of an alley; thence with the west side of said alley S. 1° 00' 00" E. 158.92 feet to an iron pin set on the present northerly side of 4th Street; thence with the northerly side of 4th Street, N. 59° 31' 30" W. 111.20 feet to a set iron pin; thence N. 55° 07' 35" W. 65.19 feet to a set iron pin; thence N. 29° 15' 39" W. 26.06 feet to the PLACE OF BEGINNING, and being the remaining portion of Lots 5, 6, 7, and 8, Map of the West End Land Co., recorded in the Circuit Court Clerk's Office of Roanoke County in Deed Book "X," Page 318, and being further shown on Map of "Survey for Edward Davis" by Jack G. Bess, Land Surveyor, dated December 8, 1997.

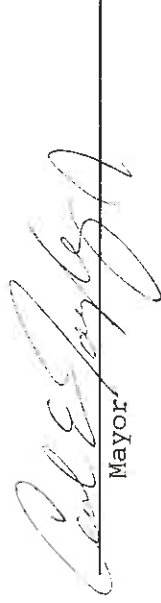
All ordinances or parts of ordinances in conflict with the provisions of this ordinance be and the same are hereby repealed.

This ordinance shall be in full force and effect ten (10) days after its final passage.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Passed: January 25, 1999
Effective: February 4, 1999


Mayor

Mayor Tarpley reported that Council at its regular meeting held on January 11, 1999, set this date, place, and time for a public hearing to consider the sale of an approximate 0.50 acre piece of property located on South Yorkshire Street; and

WHEREAS, the Clerk of Council reported that notice of such public hearing had been published in the January 14, 1999, issue of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, the Director of Planning and Development stated that Noble Met, Limited, is located at the corner of South Yorkshire Street and Apperson Drive and is hiring additional personnel for the expansion of their company, which requires additional parking spaces; they would like to move their parking on top of the City's storm drain ditch at the back of their building; this would require Noble Met, Limited, to install pipe in order that the ditch not be blocked and fill over top of the ditch and pipe; the property is actually owned by the City and is presently an easement containing an open ditch; State law requires anytime City property is sold a public hearing must be held; a 30-inch pipe would be required to be installed in this ditch; and representatives of Noble Met are present at this meeting to answer any questions of Council; and

WHEREAS, no one appeared in opposition to the sale of this property on South Yorkshire Street;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the City is hereby authorized to sell an approximate 0.50 acre piece of City owned property on South Yorkshire Street for \$1.00, with Noble Met bearing the costs of all the necessary improvements on this piece of property -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council receive a presentation from North Salem Development, L.L.C., proposing the sale of 3.871 acres located on the north end of Highfield Road and being part of Phase II of The Hill Subdivision to the City of Salem; and

WHEREAS, F. Van Lane, Jr., Manager of North Salem Development, L.L.C., appeared before the Council stating they are proposing to sell the City a greenspace area recently developed as a part of Phase II of The Hill Subdivision (more commonly known as The Lawn); the greenspace area contains 3.81 acres, it has a paved walking trail with a wooden foot bridge constructed across the spillway of the retention pond built for the subdivision, and it is designated as a bird sanctuary; other than the described work, the area has remained undisturbed; and

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WHEREAS, according to the letter from Mr. Lane, they are proposing the sale of this property to the City for \$117,500 plus any necessary costs for engineering and subdivision requirements needed to complete the transfer in order that the area can be enjoyed by all residents of the City; it is their opinion that this is the fair price covering the costs of this land, the construction of the bridge, paving the walking path and grading and restoration of the area; it has been brought to their attention by their attorney, that if ownership is retained by The Lawn Homeowner's Association, there is a liability issue which neither the developers nor the Homeowner's Association want to be exposed to and/or be required to insure themselves against; if the greenspace ownership is retained, it will be necessary to restrict the use of the greenspace to only residents of The Lawn Subdivision; the only stipulation for the sale is that any future proposed changes or alterations in the use of this property other than as a greenspace and walking path will have to be with the concurrence of The Lawn Homeowner's Association; and the greenspace offered to the City bounds the lots in The Lawn Subdivision with the exception of the retention pond lot; and

WHEREAS, it was noted that this area is located within the 100-year floodway; the retention pond would not be included in this area, but an easement would have to be granted across this property; the Homeowner's Association would continue to be responsible for maintaining the lot with the retention pond; and

WHEREAS, Vice Mayor Brown noted that this is a high price for floodway property; and

WHEREAS, a discussion was held concerning the opinion of the owners of property in the subdivision pertaining to this land being a public area; the fact that only 2 out of 23 lots have been sold in this subdivision; the fact that, if the property remained a private area, it would be more desirable to the property owners; etc.; and

WHEREAS, Mayor Tarpley stated he has a problem with the City purchasing this property and assuming the liability for this property; etc.;

WHEREAS, Vice Mayor Brown stated it is his opinion that the City should not purchase this floodway property for the amount offered by North Salem Development, L.L.C.; the property would not be accessible for very many residents of Salem; and

WHEREAS, Councilman Packett stated that the property is overbuilt for the City's purposes for a greenspace, and the cost is high for this area; and

WHEREAS, Mr. Lane stated that, if the property is not purchased by the City, the property will be restricted to residents of The Lawn Subdivision only; and

WHEREAS, Mayor Tarpley stated that this property would be a liability to the City, maintenance for this property would be high due to the fact that flooding could wash out the paved walkways since it is located in the floodway of the creek, the City would have to repave the area, etc.; and

THEREUPON, said request was received with no action being taken.

Mayor Tarpley requested that Council consider setting a public hearing in accordance with Section 98-94 of The Code of the City of Salem, Virginia, for issuance of Certificates of Public Convenience and Necessity for the next twelve months, beginning April 1, 1999;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, March 8, 1999, at 7:30 p.m., in the Council Chambers, City Hall, 114 North Broad Street, is hereby set as a public hearing to consider issuing Certificates of Public Convenience and Necessity for taxicabs in Salem in accordance with The Code of the City of Salem, Virginia -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council receive bids and consider awarding contract for Masons Creek bridge work on Route 419 near Lakeside; and

WHEREAS, Vice Mayor Brown, Chairman of Council's Audit-Finance Committee, reported that, due to the condition of the existing Masons Creek bridge structure on Route 419 near Lakeside, Schwartz and Associates designed a replacement last year; bids were requested and eight quotes have been received and reviewed by Schwartz and Associates, the City's Engineering Department, and this Committee; the bids ranged from \$1,239,153.50 to \$876,281.50; the Committee recommends the low bid meeting specifications be accepted from Fairfield Bridge Company, Inc., in the amount of \$876,281.50, said amount chargeable to the upcoming 1999 Public Improvement Bond Fund now in the process of being developed;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the low bid meeting specifications is hereby accepted from Fairfield Bridge Company, Inc., in the amount of \$876,281.50 for the bridge work on the Masons Creek Bridge on Route 419 near Lakeside, said amount chargeable to the upcoming 1999 Public Improvement Bond Fund now in the process of being developed -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider adopting Resolution 915 supporting the construction of an ambulatory surgical center in Salem at the Vistar Eye Center; and

WHEREAS, Dr. Frank Cotter, representing Vistar Eye Center, appeared before the Council stating that the doctors at Vistar Eye Center have been practicing in the area for many years; the doctors in Roanoke previously operated in Gill Memorial Hospital in Roanoke; several years ago, Carilion closed Gill Memorial and turned it into an office building; after that time, the surgeries had to be performed in the hospital; the patient costs increased with surgeries in the hospital; the average hospital charges for cataract surgery (a ten to fifteen minute operation) amounted to \$4,000; the average charge for an ambulatory surgery center is \$880 and is mandated by the government; the patient must pay 20% of the charges, which means in an ambulatory surgery center the patient cost is \$180 and in a hospital the patient cost would be \$800 per eye; the Roanoke/Salem area is the only metropolitan area in the State that does not have an eye ambulatory surgery center; it is inconvenient for individuals to use a hospital; the efficiency would be very good; this would shorten the waiting time for appointments; patients are leaving the Roanoke area to get eye surgery in other places such as Lynchburg and Greensboro because of lower costs to the patients; etc.; and

WHEREAS, a discussion was held concerning a bill to be introduced in the General Assembly pertaining to an ambulatory surgical center in Salem; this resolution is in support of this bill before the General Assembly; and

WHEREAS, Vice Mayor Brown stated that he is of the opinion that the ambulatory surgical center will create a substantial savings for laser and cataract surgeries;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, Resolution 915 was duly passed and adopted:

RESOLUTION 915

WHEREAS, the Southwest Virginia Health Service Agency Board voted 22 to 1 for the construction of a two-room ambulatory surgical center at Vistar Eye Center in Salem; and individuals in the Health Department in Richmond overturned this decision; and

WHEREAS, the City of Salem supports the construction of the two-room ambulatory surgical center at Vistar Eye Center for the following reasons: the center will increase the quality and convenience of eye care delivered to patients in Salem; the cost of eye surgery will drastically be reduced for the citizens of Salem; the development of that portion of Main Street is vital to the continuing upgrade of the Salem neighborhoods; and nine high paying jobs will be generated by the construction of this center; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that the Council of the City of Salem hereby requests the Virginia General Assembly to pass legislation to grant a waiver of the Certificate of Need Law to allow the construction of a two-room ambulatory surgery center at Vistar Eye Center in the City of Salem;

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the members of the Virginia General Assembly representing the City of Salem, Roanoke County, and Roanoke City.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Abstaining
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, in accordance with Section 2.1-344 (A) of the Code of Virginia, 1950 as amended to date, Council convened to Executive Session at 8:00 p.m. for the purpose of discussing the following specific matters:

- (1) Discussion of a real estate matter pertaining to property the City may desire to sell, which is authorized by Section 2.1-344 (A) (3) of the Code of Virginia, 1950 as amended to date; and
- (2) Discussion of a legal or contractual matter to receive briefing from legal counsel regarding possible litigation, which is authorized by Section 2.1-344 (A) (7) of the Code of Virginia, 1950 as amended to date;

-- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Upon reconvening at 8:34 p.m.;

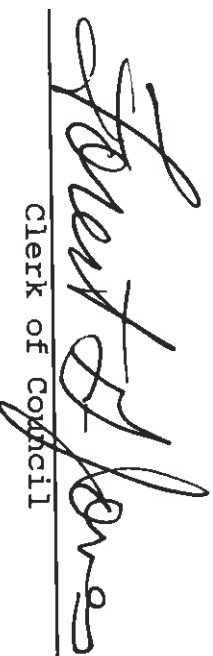
ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, in accordance with Section 2.1-344.1 (D) of the Code of Virginia, 1950 as amended to date, Council hereby certifies that in Executive Session only items lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such items identified in the motion by which the Executive Session was convened were heard, discussed, or considered by the Council -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

COMMENTS OF
JUDGES OF
CIRCUIT
CURRAN TO
POINTMENT
PAUL
ARRAN TO
BOARD OF
EQUALIZATION
REAL
STATE
ASSESSMENTS
HE WILL
CEPT
LILIAM E.
YNOLDS, K.
VID BOTTS,
D JOHN R.
LDEBRAND
APPOINTED
BOARD OF
PEALS
OCA) AS
TERNATES;
IEF OF
LEM RESCUE
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APPOINTED
SALEM
NSPORTA-
ON SAFETY
MMISSION;
MMY W.
BERTSON
APPOINTED
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ON MOTION MADE BY COUNCILMAN FARNELL, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, the Council of the City of Salem doth recommend to the Judges of the Circuit Court for the City of Salem the appointment of Paul Curran to the Board of Equalization of Real Estate Assessments if he will accept the appointment -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, William E. Reynolds, K. David Botts, and John R. Hildebrand are hereby reappointed to the Board of Appeals (BOCA) as alternates for five year terms, said terms will expire on February 12, 2004; the Chief of the Salem Rescue Squad is hereby reappointed to the Salem Transportation Safety Commission for a four-year term, said term will expire on February 12, 2003; Jimmy W. Robertson is hereby reappointed to the Real Estate Tax Relief Review Board for a three-year term, said term will expire on February 14, 2002; and Morris A. Flam is hereby reappointed to the Industrial Development Authority of the City of Salem for a four-year term, said term will expire on March 9, 2003 -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

There being no further business to come before the Council, the same on motion adjourned at 8:38 p.m.


Clerk of Council


Mayor

February 8, 1999

A regular meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on February 8, 1999, at 7:30 p.m., there being present all the members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, Howard C. Packett, John C. Givens, and Harry T. Haskins, Jr.; with Carl E. Tarpley, Jr., Mayor, presiding; together with Randolph M. Smith, City Manager; Joyce C. Bailey, Deputy Clerk of Council; Frank P. Turk, Director of Finance; James E. Taliaferro, II, City Engineer; Joseph E. Yates, Jr., Director of Planning and Development; and Stephen M. Yost, City Attorney; and the following business was transacted:

The minutes of the regular meeting of January 25, 1999, were approved as written.

Mayor Tarpley requested that Council consider adopting Resolution 916 recognizing Daisy W. Hylton for her eighteen years of dedicated service on the Board of Equalization of Real Estate Assessments; and

WHEREAS, Mayor Tarpley noted that on January 12, 1981, Council presented Resolution 395 to Mrs. Hylton for her years of service in the capacities of Election Official, Chief Election Official (the first Election Official in the City of Salem after Salem became a City January 1, 1968), and a member of the Board of Equalization of Real Estate Assessments;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, Resolution 916 was duly passed and adopted:

RESOLUTION 916

WHEREAS, Council has heretofore recognized contributions of individuals by Resolution for outstanding services to the City of Salem; and

WHEREAS, Daisy W. Hylton was recommended for appointment to the Board of Equalization of Real Estate Assessments of the City of Salem by Salem City Council and was subsequently appointed to this Board by the Judges of the Circuit Court for the City of Salem on May 30, 1980; and

WHEREAS, Daisy W. Hylton served continuously on the Board of Equalization of Real Estate Assessments for the City of Salem until her resignation on September 24, 1998; and

WHEREAS, with visible distinction and dignity, Daisy W. Hylton gave unselfishly of her time and efforts to the citizens of Salem while serving on the Board of Equalization of Real Estate Assessments; and

WHEREAS, during the tenure of Mrs. Hylton many important and far-reaching decisions were made by this Board; and

WHEREAS, the Council of the City of Salem is desirous of honoring this individual for her years of dedicated, loyal, and faithful service to the citizens of the City of Salem; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that the Council of the City of Salem doth commend Daisy W. Hylton for her contributions and long-standing service to the citizens of the City of Salem while a member of the Board of Equalization of Real Estate Assessments and doth express its sincere appreciation for her constant devotion to local government; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be presented to Daisy W. Hylton.

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

- Harry T. Haskins, Jr. - Aye
- John C. Givens - Aye
- Howard C. Packett - Aye
- Alexander M. Brown - Aye
- Carl E. Tarpley, Jr. - Aye

Mayor Tarpley requested that Council receive presentation of annual report of the Roanoke Valley Economic Development Partnership by Elizabeth Doughty, Executive Director; and

WHEREAS, Elizabeth Doughty, Executive Director, appeared before the Council stating that, over the past year, the Partnership filled 857 inquiries on the Roanoke Valley, which is a 12% increase from 1997; the inquiries from advertising, direct mail, internet website, and trade show activities were up 25%; 34 prospects visited the Roanoke Valley, which is the third highest annual total in the Partnership's sixteen year history; of the 34 prospects, 2/3 are generated directly from the Partnership's efforts, and 1/3 are generated as a result of the Partnership's alliance with the Virginia Economic Development Partnership in Richmond; the majority of the prospects originate in the southern part of the United States, however, the international prospect activity makes up 1/4 of the total prospect activity, which was a 5% increase over 1997; 6 of the 34 prospects that visited the Valley considered Salem, which was a 3% increase over 1997; the total visits for prospects was up 10%; overall in 1998, the Partnership assisted with six expansions and relocations resulting in about 250 direct new jobs; this year the Partnership begins its sixteenth year promoting the region to create jobs and investments; Salem has been a partner since the beginning in 1983; during that time, the Partnership has helped sixty new companies, expansions, and relocations (half a billion dollars in investment), 16,000 new direct and indirect jobs, 224 million dollars in annual payroll from these jobs, etc.; and

WHEREAS, Council thanked Beth Doughty for her hard work over the past Year;

THEREUPON, said presentation was received.

Mayor Tarpley requested that Council consider the request of the Salem-Roanoke County Chamber of Commerce; and

WHEREAS, Mayor Tarpley noted legislation went into effect July 1, 1998, that prior to any action pertaining to leasing of City owned property, a public hearing must be held prior to a decision being made pertaining to the requested lease of this property; and

WHEREAS, Richard L. Jones, Jr., President of the Salem-Roanoke County Chamber of Commerce, appeared before the Council discussing the proposal to lease the Carriage House at Longwood Park for the offices of the Chamber of Commerce; the Chamber of Commerce is growing and has outgrown its present space; the Chamber has been looking for a location to relocate its offices; this prospect in the Chamber's opinion is a good solution for both the City and the Chamber; and the existing Carriage House building needs upgrading; and

WHEREAS, Mr. Jones stated the Chamber desires to maintain the architectural integrity of the Carriage House; a long term lease is proposed in which the Chamber of Commerce would be responsible for additions and renovations to the facility; the Chamber would be responsible for any utilities, general maintenance, and operating expenses for the facility; he presented a rendering of a proposed addition and refurbishing of the existing Carriage House to allow for additional office spaces; the addition would be approximately 1,500 square feet to be added to the approximately 1,000 square feet of space that is existing in the Carriage House; the existing trees will be saved as much as possible on the site; the City would be able to continue to use the lower portion of the Carriage House for storage, but the Chamber would restore the doors to a Carriage House entrance appearance; the Chamber is proposing, according to its preliminary estimates, for the renovation of the existing facility and addition to cost between \$150,000 and \$170,000; there have been no environmental studies accomplished for this project; etc.; and

WHEREAS, Council questioned whether the facility would have a common room that the City could use as a Voting Precinct, as the current Voting Precinct for this Precinct is located with special permission from the State Electoral Board at the Salem Civic Center and is not currently located in this precinct; and

WHEREAS, Mr. Jones stated the Chamber would be willing to look at the voting regulations to determine what space would be required to allow the Voting Precinct to be moved to this location; and

PRESENTATI
OF ANNUAL
REPORT OF
THE ROANOK
VALLEY
ECONOMIC
DEVELOPMEN
PARTNERSHI
BY ELIZABE
DOUGHTY,
EXECUTIVE
DIRECTOR

PUBLIC
HEARING SE
TO CONSIDE
THE LEASE
CARRIAGE
HOUSE AND
ADJACENT
PROPERTY I
LONGWOOD
PARK AT 60
EAST MAIN
STREET FOR
THE PURPOS
OF
RESTORATIO
EXPANSION,
AND
CONVERSION
OF OFFICES
FOR THE
SALEM-
ROANOKE
COUNTY
CHAMBER OF
COMMERCE

WHEREAS, a discussion was held concerning the possibility of restoring the original windows, it was noted that local artists have previously offered to repair the leaded windows in the existing Carriage House at no cost to the City except for the materials to perform the work, it was noted that the windows in the addition are proposed to be the same as in the existing Carriage House; the columns on the existing Carriage House are salvageable and cosmetically can be repaired with the same type look being matched for the proposed addition, etc.;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, February 22, 1999, at 7:30 p.m., in the Council Chambers, City Hall, is hereby set as a date, place, and time for a public hearing to consider the lease of the Carriage House and the adjacent property in Longwood Park located at 601 East Main Street (P/O Tax Map #107-3-1) for the purpose of restoration, expansion, and conversion of offices for the Salem-Roanoke County Chamber of Commerce -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council receive a report from the Director of Finance and consider ratifying revisions to the Blue Ridge Community Services By-Laws; and

WHEREAS, the Director of Finance reported that in August, 1998, Council adopted Resolution 908 establishing the preference for designating Blue Ridge Community Services as an "Operating Board," which was required by the Commonwealth of Virginia to determine the type of operating structure for Blue Ridge Community Services; Blue Ridge Community Services is now requesting that the local jurisdictions approve by-laws in order to allow the "Operating Board" to be implemented; he has reviewed the proposed by-laws and had several minor questions pertaining to the by-laws; he is of the opinion that the by-laws should be approved; etc.;

ON MOTION MADE BY COUNCILMAN PACKETT, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, the City of Salem concurred with the ratification of the changes in the Blue Ridge Community Services By-Laws as required by regulations promulgated under Title 37.1, Chapter 10, of the Code of Virginia, 1950 as amended to date -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council receive a report from the Director of Finance and consider adopting Resolution 917 regarding reimbursement of costs for the proposed 1999 Public Improvement Bonds; and

WHEREAS, the Director of Finance explained the proposed resolution to Council which allows the City to recoup any costs advanced for the proposed bond issue; and

WHEREAS, Vice Mayor Brown, Chairman of Council's Audit-Finance Committee, reported that there are several important City projects that need to be completed that have been included in a proposed 1999 Public Improvement Bond Issue; the projects include: completion of Regional Sewage Treatment projects, water tank and lines, Salem High School Science Wing, South Salem Elementary Library, Andrew Lewis Middle School bleachers, Route 419 bridge replacement, Animal Shelter, and Middleton Gardens storm drain work; and the Committee has reviewed the list and recommends Council adopt the Resolution expressing intent to reimburse the City for any costs incurred for the projects; and

WHEREAS, Mayor Tarpley noted that the City was previously told that its portion of the costs for the Regional Sewage Treatment Plant improvements would amount to \$6,000,000, and the costs to the City at the present time are estimated to be \$13,000,000;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, Resolution 917 was duly passed and adopted:

RESOLUTION 917

RESOLUTION OF OFFICIAL INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF A BORROWING.

WHEREAS, the City of Salem, Virginia (the "Borrower"), intends to acquire, construct and equip various capital improvement projects, including regional sewage treatment projects, a water tank and transmission lines, school facilities, a bridge replacement, animal shelter facilities, and storm drains (collectively, the "Project"); and

WHEREAS, plans for the Project have advanced and the Borrower expects to advance its own funds to pay expenditures related to the Project (the "Expenditures") prior to incurring indebtedness and to receive reimbursement for such Expenditures from proceeds of tax-exempt bonds or taxable debt, or both;

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

1. The Borrower intends to utilize the proceeds of tax-exempt bonds (the "Bonds"), or to incur other debt, to pay the costs of the Project in an amount not currently expected to exceed \$17,000,000.

2. The Borrower intends that the proceeds of the Bonds be used to reimburse the Borrower for Expenditures with respect to the Project made on or after December 10, 1998, which date is no more than 60 days prior to the date hereof. The Borrower reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Bonds or other debt.

CITY OF
SALEM
CONCURRED
WITH THE
AFFIRMATION
OF THE
CHANGES IN
THE BLUE
RIDGE
COMMUNITY
SERVICES BY-
LAWS
RESOLUTION
917 ADOPTED
REGARDING
REIMBURSE-
MENT OF
COSTS FOR
THE PROPOSED
1999 PUBLIC
IMPROVEMENT
BONDS

3. Each Expenditure was or will be, unless otherwise approved by bond counsel, either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditure), (b) a cost of issuance with respect to the Bonds, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the Borrower so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the Borrower.

4. The Borrower intends to make a reimbursement allocation, which is a written allocation by the Borrower that evidences the Borrower's use of proceeds of the Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The Borrower recognizes that exceptions are available for certain "preliminary expenditures," costs of issuance, certain de minimis amounts, expenditures by "small issuers" (based on the year of issuance and not the year of expenditure) and expenditures for construction of at least five years.

5. The Borrower intends that the adoption of this resolution confirms the "official intent" within the meaning of Treasury Regulations Section 1.150-2 promulgated under the Internal Revenue Code of 1986, as amended.

6. This Resolution shall take effect immediately upon its passage.

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

- Harry T. Haskins, Jr. - Aye
- John C. Givens - Aye
- Howard C. Packett - Aye
- Alexander M. Brown - Aye
- Carl E. Tarpley, Jr. - Aye

Mayor Tarpley requested that Council hold a public hearing and consider amending the 1998-1999 Budget; and

WHEREAS, Vice Mayor Brown, Chairman of Council's Audit-Finance Committee, reported that the Committee has reviewed the list of amendments to the 1998-1999 General and Enterprise Fund budgets, as well as the request of the Salem School Board for the School's Operating and School Cafeteria Fund Budgets; the adjustments are mainly categorized as housekeeping and reflect an overall net change of less than one-tenth of one percent; and it is the Committee's recommendation that the proposed budget amendments for 1998-1999 be approved;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the budget amendments for 1998-1999 are hereby approved as follows:

APPROVAL
BUDGET
AMENDMENT
FOR 1998-
1999 BUDG

CITY OF SALEM, VIRGINIA
ENTERPRISE FUND
MID YEAR BUDGET AMENDMENTS
FOR FISCAL YEAR 1998-99

REVENUES	CURRENT BUDGET	AMENDMENTS	AMENDED BUDGET
Electric	\$ 18,174,698	\$ 0	\$ 18,174,698
Water	3,336,501	0	3,336,501
Sewer	3,318,421	0	3,318,421
Salem Civic Center	1,645,285	0	1,645,285
Catering and Concessions	715,000	0	715,000
Total Revenues	<u>\$ 27,189,905</u>	<u>\$ 0</u>	<u>\$ 27,189,905</u>

EXPENDITURES	CURRENT BUDGET	AMENDMENTS	AMENDED BUDGET
Utility Billing & Collections	\$ 826	\$ 0	\$ 826
Salem Civic Center	1,945,285	25,000	1,970,285
Catering and Concessions	669,119	0	669,119
Electric	16,001,012	0	16,001,012
Water Productions	1,777,989	0	1,777,989
Water Distribution	1,558,565	0	1,558,565
Sewer	3,249,045	0	3,249,045
Subtotal	\$ 25,201,841	\$ 25,000	\$ 25,226,841
Unappropriated Balance	1,223,064	(25,000)	1,198,064
Transfers	765,000	0	765,000
Total Expenditures	<u>\$ 27,189,905</u>	<u>\$ 0</u>	<u>\$ 27,189,905</u>

CITY OF SALEM, VIRGINIA
SCHOOL OPERATING FUND
MID-YEAR BUDGET AMENDMENTS SUMMARY
FOR FISCAL YEAR 1998-99

REVENUES:	CURRENT BUDGET	AMENDMENTS	AMENDED BUDGET
State Aid	\$ 10,900,761	\$ 9,158	\$ 10,909,919
Federal Programs	617,109	56,336	673,445
Local Revenue	14,502,036	0	14,502,036
Other Local Revenue	224,310	8,000	232,310
Total Revenues	<u>\$ 26,244,216</u>	<u>\$ 73,494</u>	<u>\$ 26,317,710</u>

<u>EXPENDITURES:</u>						
Central Administration	\$	635,511	\$	21,950	\$	657,461
Centralized Costs-Instructional		2,202,264		32,458		2,234,722
Salem High School		6,735,291	(	5,125)		6,730,166
Andrew Lewis Middle School		4,557,775	(	12,525)		4,545,250
G. W. Carver Elementary		2,134,853	(	2,000)		2,132,853
West Salem Elementary		2,124,956		6,850		2,131,806
South Salem Elementary		2,030,223	(	3,875)		2,026,348
East Salem Elementary		2,235,725	(	25,575)		2,210,150
Attendance and Health Services		264,601		0		264,601
Transportation		696,082	(	1,500)		694,582
Special Programs		50,907		6,000		56,907
Federal Programs		523,202		56,336		579,538
Fixed Charges		96,583		500		97,083
Non-Departmental		1,956,243		0		1,956,243
Total Operating Expenditures	<u>\$</u>	<u>25,065,776</u>		<u>269,216</u>		<u>\$ 25,334,992</u>

CITY OF SALEM, VIRGINIA
GENERAL FUND
MID YEAR BUDGET AMENDMENTS
FOR FISCAL YEAR 1998-99

	CURRENT		AMENDED	
	BUDGET	AMENDMENTS	BUDGET	AMENDED
<u>REVENUES:</u>				
Beginning Balance - 7-01-98	\$	459,486	\$	459,486
General Property Taxes		22,184,200		22,191,900
Other Local Taxes		11,511,768		11,511,768
Permits and Licenses		225,500		225,500
Fines and Forfeitures		97,000		97,000
Revenue from Use of Money and Property		479,500		547,000
Charges for Services		2,255,900	(	205,000)
Miscellaneous Revenue		7,000		86,000
Payment in Lieu of Taxes		774,000		774,000
Non-Categorical Aid		177,183		177,183
Shared Expenses		1,284,446		1,284,446
Categorical Aid		2,526,715		2,621,815
Non-Revenue Receipts		7,000		7,000
Total Revenues	<u>\$</u>	<u>41,989,698</u>		<u>\$ 42,033,998</u>

<u>EXPENDITURES:</u>						
General Government and Administration	\$	2,868,169	\$	171,450	\$	3,039,619
Judicial Administration		1,051,817		35,033		1,076,850
Public Safety		8,043,170	(	39,960)		8,003,210
Public Works		7,944,484		54,900		7,999,384
Health and Welfare		806,498		0		806,498
Education		14,294,608		0		14,294,608
Parks, Recreation, and Cultural		2,814,025		31,600		2,845,625
Community Development		210,790		45,600		256,390
Non-Departmental		3,393,830		50,000		3,443,830
Subtotal	\$	41,427,391	\$	338,623	\$	41,766,014
Unappropriated Balance		562,307	(	294,323)		267,984
Transfer to Capital Projects		0		0		0
Total Expenditures	<u>\$</u>	<u>41,989,698</u>		<u>44,300</u>		<u>\$ 42,033,998</u>

CITY OF SALEM, VIRGINIA
SCHOOL CAFETERIA FUND
MID-YEAR BUDGET AMENDMENTS SUMMARY
FOR FISCAL YEAR 1998-99

	CURRENT		AMENDED	
	BUDGET	AMENDMENTS	BUDGET	AMENDED
<u>REVENUES:</u>				
Beginning Balance - 7-01-98	\$	45,256	\$	49,332
Sale of Lunches		678,816		678,816
Federal Aid		308,000		308,000
State Aid		23,000		23,000
Interest Income		10,400		10,400
Rebates		900		900
Miscellaneous Income		11,500		11,500
Total Revenues	<u>\$</u>	<u>1,077,872</u>		<u>\$ 1,081,948</u>

<u>EXPENDITURES:</u>				
Compensation - Staff	\$	390,410	\$	390,410
Compensation - Sub Cafeteria		15,000		15,000
Early Retirees		10,006		10,006
Benefits-FICA		31,505		31,505
Benefits-VSRS/Pension		37,800		37,800
Benefits-VSRS/Life		0		0
Benefits-Health Insurance		37,440		37,440
Maintenance of Cash Registers		1,800		1,800
Dietitian Services		2,455		2,455
Repair/Replacement-Equipment		8,800		8,800
Storage of Commodities		6,650		6,650
Cost of Food		463,500		463,500
Costs-Special Events		5,000		5,000
Uniforms		3,050		3,050
Miscellaneous Supplies		19,200		19,200
New Equipment		45,256		49,332
Total Expenditures	<u>\$</u>	<u>1,077,872</u>		<u>\$ 1,081,948</u>

-- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, in accordance with Section 2.1-344 (A) of the Code of Virginia, 1950 as amended to date, Council convened to Executive Session at 7:58 p.m. for the purpose of discussing the following specific matters:

- (1) Discussion of a real estate matter pertaining to property the City may desire to sell, which is authorized by Section 2.1-344 (A) (3) of the Code of Virginia, 1950 as amended to date; and
- (2) Discussion of a legal or contractual matter pertaining to pending litigation, which is authorized by Section 2.1-344 (A) (7) of the Code of Virginia, 1950 as amended to date;

-- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

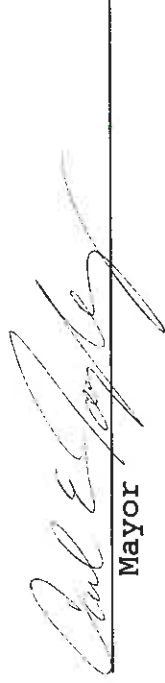
Upon reconvening at 8:24 p.m.;

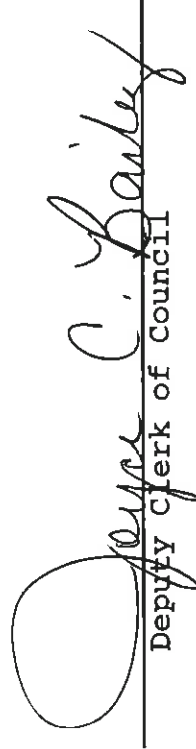
ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, in accordance with Section 2.1-344.1 (D) of the Code of Virginia, 1950 as amended to date, Council hereby certifies that in Executive Session only items lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such items identified in the motion by which the Executive Session was convened were heard, discussed, or considered by the Council -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the Council of the City of Salem doth recommend to the Judges of the Circuit Court for the City of Salem the appointment of Andrew F. Hoback, 232 Lewis Avenue, to the Board of Equalization of Real Estate Assessments to fill the unexpired term of Nancy Duffy, said term will expire on November 30, 2000 -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

ON MOTION MADE BY COUNCILMAN GIVENS, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, this meeting of Salem City Council is hereby continued to February 16, 1999, at 7:30 p.m., at the Salem School Board Office for a joint meeting with the City of Salem School Board Members -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

There being no further business to come before the Council, the same on motion continued at 8:25 p.m. to February 16, 1999, at 7:30 p.m. in the Salem School Board Office.


Mayor


Deputy Clerk of Council

February 16, 1999

A continued meeting of the Council of the City of Salem, Virginia, as a joint meeting with the City of Salem School Board was held in the School Administration Office, 510 South College Avenue, Salem, Virginia, on February 16, 1999, at 7:30 p.m., there being present all the members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, Howard C. Packett, John C. Givens, and Harry T. Haskins, Jr.; with Carl E. Tarpley, Jr., Mayor, presiding; together with Randolph M. Smith, City Manager; Forest G. Jones, Assistant City Manager and Clerk of Council; and Frank P. Turk, Director of Finance; and the following business was transacted:

It was noted that all members of the City of Salem School Board were present at this meeting; and

WHEREAS, the meeting opened with the Pledge of Allegiance to the Flag, led by the School Board Chairperson; and

WHEREAS, Sarah W. "Sally" Southard, Chairperson of the City of Salem School Board called the meeting to order for the City of Salem School Board;

WHEREAS, Carl E. Tarpley, Jr, Mayor of the City of Salem, called the meeting to order for the Salem City Council; and

WHEREAS, the Agenda for this Joint Meeting of Salem City Council and the City of Salem School Board was approved; and

WHEREAS, Chairperson Southard welcomed Council to the joint meeting, thanked Council for the opportunity to have a joint meeting and for its past support, and stated the purpose of the meeting is to discuss the five-year capital needs program for the City of Salem School System; and

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COUNCIL
MEETING
CONTINUED
FEBRUARY 16
1999, AT
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WHEREAS, Dr. Walter R. "Topper" Franke, Jr., City of Salem School Board Member, presented needs for Salem High School, which included the addition of a science wing with laboratory space; and it was noted that Salem City Council has approved these needs in its 1999 Bond Issue; and

WHEREAS, C. Wayne Adkins, City of Salem School Board Member, presented needs for Andrew Lewis Middle School with a slide presentation showing the shortcomings at the school, especially concerning technology, a new library, a new cafeteria, classroom space, and wiring; and

WHEREAS, a discussion was held between Council and Board Members concerning funding for the Andrew Lewis Middle School project, which is estimated to be between \$14,000,000 and \$17,000,000; and

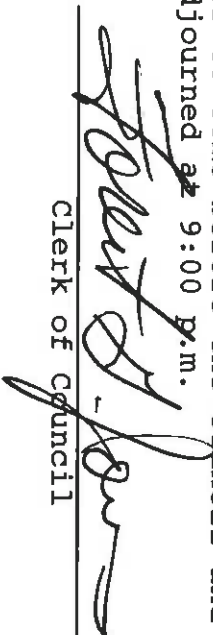
WHEREAS, the Director of Finance presented Council with a summary of the current debt service and also a scenario as to how a \$17,000,000 bond issue to either renovate or build a new Andrew Lewis Middle School could be accomplished; and

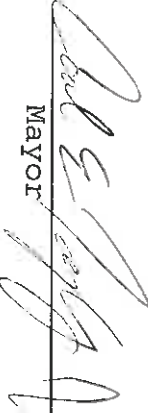
WHEREAS, Cindy Neathawk, City of Salem School Board Member, presented needs at East Salem Elementary School and South Salem Elementary School; and further, at South Salem Elementary School the primary needs are new a kindergarten wing and a new library, with these needs being a part of the City's 1999 Bond Issue; and

WHEREAS, William Sinkler, City of Salem School Board Member, presented roof repair/replacement needs at all schools, school system technology needs, and bus replacement needs; and

WHEREAS, a discussion about all items followed.

There being no further business to come before the Council and the School Board, the same on motion adjourned at 9:00 p.m.


Clerk of Council


Mayor

February 22, 1999

A regular meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on February 22, 1999, at 7:30 p.m., there being present all the members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, Howard C. Packett, John C. Givens, and Harry T. Haskins, Jr.; with Carl E. Tarpley, Jr., Mayor, presiding; together with Randolph M. Smith, City Manager; Forest G. Jones, Assistant City Manager and Clerk of Council; Frank P. Turk, Director of Finance; James E. Talianferro, II, City Engineer; Joseph E. Yates, Jr., Director of Planning and Development; and Stephen M. Yost, City Attorney; and the following business was transacted:

The minutes of the regular meeting of February 9, 1999, and continued meeting of February 16, 1999, were approved as written.

The report by the City Manager of the City's activities for the month of December, 1998, was received and ordered filed.

The report by the Director of Finance of the City's financial status for the month of January, 1999, was received and ordered filed.

It was noted that Kevin Campbell, a Seventh Grade student at Andrew Lewis Middle School, is present at this meeting of Council.

Mayor Tarpley requested that Council consider an ordinance on first reading authorizing the issuance of \$17,000,000 in General Obligation Bonds and consider adopting Resolution 919 providing for the Form Details and payment of the 1999 Public Improvement Bond; and

WHEREAS, the Director of Finance noted that at the last meeting of Council a public hearing was held pertaining to the proposed 1999 Public Improvement Bond Issue; Council adopted a reimbursement resolution regarding the proposed 1999 Public Improvement Bond Issue; it is requested that Council consider adopting an ordinance authorizing the issuance of the bonds; approval of the ordinance will begin the final timetable to the sale of the bonds on March 23, 1999; and it is requested that Council consider adopting Resolution 919, which provides for the issuance and sale of the bonds and prescribes the form and details of the bond issue; and

WHEREAS, a discussion was held concerning the proposed bond issue; it was noted that the ordinance and resolution have been prepared by the City's Bond Counsel; this bond issue is in the amount of \$17,000,000 and will include regional sewage treatment projects, a water tank and transmission lines, school facilities, a bridge replacement, animal shelter facilities, storm drains, and such other capital improvements as may be authorized from time to time;

ORDINANCE ON
FIRST
READING
AUTHORIZING
ISSUANCE OF
\$17,000,000
IN GENERAL
OBLIGATION
BONDS
RESOLUTION
919 ADOPTED
FOR THE FORM
DETAILS AND
PAYMENT OF
THE 1999
PUBLIC
IMPROVEMENT
BOND ISSUE

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, an ordinance entitled "ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS OF THE CITY OF SALEM, VIRGINIA, IN AN AMOUNT NOT TO EXCEED \$17,000,000," was duly passed on first reading -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, Resolution 919 was duly passed and adopted:

RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF \$17,000,000 GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES OF 1999, OF THE CITY OF SALEM, VIRGINIA, HERETOFORE AUTHORIZED, AND PROVIDING FOR THE FORM, DETAILS AND PAYMENT THEREOF

RESOLUTION 919

WHEREAS, the issuance of up to \$17,000,000 of bonds of the City of Salem, Virginia (the "City"), was authorized by an ordinance adopted by the Council of the City (the "Council") on March 8, 1999 (the "Authorizing Ordinance"), to pay for various capital improvement projects, including regional sewage treatment projects, a water tank and transmission lines, school facilities, a bridge replacement, animal shelter facilities and storm drains (collectively, the "Project") and such other capital improvements as may be authorized from time to time by the Council;

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

1. **Issuance and Sale.** There shall be issued, pursuant to the Constitution and statutes of the Commonwealth of Virginia, including the City Charter and the Public Finance Act of 1991, and sold general obligation public improvement bonds of the City (the "Bonds") in the principal amount of \$17,000,000, to provide funds to finance, in part, the Project and to pay costs incurred in connection with issuing the Bonds.
2. **Bond Details.** The Bonds shall be designated "General Obligation Public Improvement Bonds, Series of 1999," shall be dated April 1, 1999, shall be in registered form, in denominations of \$5,000 and multiples thereof and shall be numbered R-1 upward. Subject to Section 8, the issuance and sale of the Bonds are authorized on terms as shall be satisfactory to the City Manager; provided, however, that the Bonds (a) shall have a "true" or "Canadian" interest cost not to exceed 5.50% (taking into account any original issue discount or premium), (b) shall be sold at a price not less than 100% of the original aggregate principal amount thereof (excluding any original issue discount) and (c) shall mature, or be subject to mandatory sinking fund redemption, in annual installments beginning no later than the year 2000 and ending no later than the year 2019.
 Each Bond shall bear interest at such rate as shall be determined at the time of sale, calculated on the basis of a 360-day-year of twelve 30-day-months, and payable semiannually on dates determined by the City Manager. Principal and premium, if any, shall be payable to the registered owners upon surrender of Bonds as they become due at the office of the Registrar (as hereinafter defined). Interest shall be payable by check or draft mailed to the registered owners at their addresses as they appear on the registration books kept by the Registrar on the date prior to each interest payment date (the "Record Date") that shall be determined by the City Manager. Principal, premium, if any, and interest shall be payable in lawful money of the United States of America.

Initially, one Bond certificate for each maturity of the Bonds shall be issued to and registered in the name of The Depository Trust Company, New York, New York ("DTC"), or its nominee. The City shall enter into a Letter of Representations relating to a book-entry system to be maintained by DTC with respect to the Bonds. "Securities Depository" shall mean DTC or any other securities depository for the Bonds appointed pursuant to this Section.

In the event that (a) the Securities Depository determines not to continue to act as the securities depository for the Bonds by giving notice to the Registrar and the City discharges its responsibilities hereunder, or (b) the City in its sole discretion determines (i) that beneficial owners of Bonds shall be able to obtain certificated Bonds or (ii) to select a new Securities Depository, then its chief financial officer shall, at the direction of the City, attempt to locate another qualified securities depository to serve as Securities Depository and authenticate and deliver certificated Bonds to the Securities Depository or its nominee, or authenticate and deliver certificated Bonds to the beneficial owners or to the Securities Depository participants on behalf of beneficial owners substantially in the form provided for in Section 5; provided, however, that such form shall provide for interest on the Bonds to be payable (A) from the date of the Bonds if they are authenticated prior to the first interest payment date, or (B) otherwise from the interest payment date that is or immediately precedes the date on which the Bonds are authenticated (unless payment of interest thereon is in default, in which case interest on such Bonds shall be payable from the date to which interest has been paid). In delivering certificated Bonds, the chief financial officer shall be entitled to rely on the records of the Securities Depository as to the beneficial owners or the records of the Securities Depository participants acting on behalf of beneficial owners. Such certificated Bonds will then be registrable, transferable and exchangeable as set forth in Section 7.

So long as there is a Securities Depository for the Bonds (1) it or its nominee shall be the registered owner of the Bonds, (2) notwithstanding anything to the contrary in this Resolution, determinations of persons entitled to payment of principal, premium, if any, and interest, transfers of ownership and

exchanges and receipt of notices shall be the responsibility of the Securities Depository and shall be effected pursuant to rules and procedures established by such Securities Depository, (3) the Registrar and the City shall not be responsible or liable for maintaining, supervising or reviewing the records maintained by the Securities Depository, its participants or persons acting through such participants, (4) references in this Resolution to registered owners of the Bonds shall mean such Securities Depository or its nominee and shall not mean the beneficial owners of the Bonds, and (5) in the event of any inconsistency between the provisions of this Resolution and the provisions of the above-referenced Letter of Representations, such provisions of the Letter of Representations, except to the extent set forth in this paragraph and the next preceding paragraph, shall control.

3. Redemption Provisions. The Bonds may be subject to redemption prior to maturity at the option of the City on or after dates, if any, determined by the City Manager in whole or in part at any time, at a redemption price equal to the principal amount of the Bonds, together with any interest accrued to the redemption date, plus a redemption premium not to exceed 2% of the principal amount of the Bonds, such redemption premium to be determined by the City Manager.

Any term bonds may be subject to mandatory sinking fund redemption upon terms determined by the City Manager.

If less than all of the Bonds are called for redemption, the Bonds to be redeemed shall be selected by the chief financial officer of the City in such manner as he may determine to be in the best interest of the City. If less than all the Bonds of any maturity are called for redemption, the Bonds to be redeemed shall be selected by DTC or any successor securities depository pursuant to its rules and procedures or, if the book-entry system is discontinued, shall be selected by the Registrar by lot in such manner as the Registrar in its discretion may determine. In either case, (a) the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some integral multiple thereof and (b) in selecting Bonds for redemption, each Bond shall be considered as representing that number of Bonds that is obtained by dividing the principal amount of such Bond by \$5,000. The City shall cause notice of the call for redemption identifying the Bonds or portions thereof to be redeemed to be sent by facsimile transmission, registered or certified mail or overnight express delivery, not less than 30 nor more than 60 days prior to the redemption date, to the registered owner of the Bonds. The City shall not be responsible for giving notice of redemption to anyone other than DTC or another qualified securities depository or its nominee unless no qualified securities depository is the registered owner of the Bonds. If no qualified securities depository is the registered owner of the Bonds, notice of redemption shall be mailed to the registered owners of the Bonds. If a portion of a Bond is called for redemption, a new Bond in principal amount equal to the unredeemed portion thereof will be issued to the registered owner upon the surrender thereof.

4. Execution and Authentication. The Bonds shall be signed by the manual or facsimile signature of the Mayor of the City, and the City's seal shall be affixed thereto or a facsimile thereof printed thereon and attested by the manual or facsimile signature of the Clerk of Council; provided, however, that if both such signatures are facsimiles, no Bond shall be valid until it has been authenticated by the manual signature of an authorized designee, officer or employee of the Registrar and the date of authentication noted thereon.

5. Bond Form. The Bonds shall be in substantially the following form, with such completions, omissions, insertions and changes not inconsistent with this Resolution as may be approved by the officers signing the Bonds, whose approval shall be evidenced conclusively by the execution and delivery of the Bonds:

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the issuer or its agent for registration of transfer, exchange, or payment, and any certificate is registered in the name of Cede & Co., or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

REGISTERED REGISTERED
No. R-_____ \$ _____

UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA
CITY OF SALEM
General Obligation Public Improvement Bond
Series of 1999

INTEREST RATE _____ MATURITY DATE _____ DATED DATE CUSIP
_____ % _____, _____ April 1, 1999 _____

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT:

DOLLARS

The City of Salem, Virginia (the "City"), for value received, promises to pay, upon surrender hereof to the registered owner hereof, or registered assigns or legal representative, the principal sum stated above on the maturity date stated above, subject to prior redemption as hereinafter provided, and to pay interest hereon semiannually from its date on each _____ and _____, beginning _____, 1999, at the annual rate stated above, calculated on the basis of a 360-day year of twelve 30-day months. Principal, premium, if any, and interest are payable in lawful money of the United States of America by the City Treasurer, who has been appointed paying agent and registrar for the bonds, or at such bank or trust company as may be appointed as successor paying agent and registrar by the City (the "Registrar").

Notwithstanding any other provision hereof, this bond is subject to a book-entry system maintained by The Depository Trust Company ("DTC"), and the payment of principal and premium, if any, and interest, the providing of notices and other matters shall be made as described in the City's Letter of Representations to DTC.

The City may appoint a qualified bank or trust company as successor paying agent and registrar for the bonds.

This bond is one of an issue of \$17,000,000 General Obligation Public Improvement Bonds, Series of 1999, of like date and tenor, except as to number, denomination, rate of interest, privilege of redemption and maturity, is authorized by an ordinance adopted by the City Council of the City (the "City Council") on March 8, 1999, and is issued pursuant to the Constitution and statutes of the Commonwealth of Virginia, including the City Charter and the Public Finance Act of 1991, and a resolution adopted by the City Council on March 8, 1999, to provide funds to finance certain capital improvements for the City.

Bonds maturing on or before _____, _____, are not subject to redemption prior to maturity. Bonds maturing on or after _____, _____, are subject to redemption prior to maturity at the option of the City on or after _____, _____, in whole or in part at any time (in any multiple of \$5,000), upon payment of the following redemption prices (expressed as a percentage of principal amount of bonds to be redeemed) plus interest accrued and unpaid to the redemption date:

<u>Period During Which Redeemed</u> <u>(Both Dates Inclusive)</u>	<u>Redemption</u> <u>Price</u>
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If less than all of the bonds are called for redemption, the bonds to be redeemed shall be selected by the chief financial officer of the City in such manner as he may determine to be in the best interest of the City. If less than all the bonds of any maturity are called for redemption, the bonds to be redeemed shall be selected by DTC or any successor securities depository pursuant to its rules and procedures or, if the book-entry system is discontinued, shall be selected by the Registrar by lot in such manner as the Registrar in its discretion may determine. In either case, (a) the portion of any bond to be redeemed shall be in the principal amount of \$5,000 or some integral multiple thereof and (b) in selecting bonds for redemption, each bond shall be considered as representing that number of bonds that is obtained by dividing the principal amount of such bond by \$5,000. The City shall cause notice of the call for redemption identifying the bonds or portions thereof to be redeemed to be sent by facsimile transmission, registered or certified mail or overnight express delivery, not less than 30 nor more than 60 days prior to the redemption date, to the registered owner hereof. If a portion of this bond is called for redemption, a new bond in principal amount of the unredeemed portion hereof will be issued to the registered owner upon surrender hereof.

The full faith and credit of the City are irrevocably pledged for the payment of principal of and premium, if any, and interest on this bond.

The Registrar shall treat the registered owner of this bond as the person exclusively entitled to payment of principal of and premium, if any, and interest on this bond and the exercise of all other rights and powers of the owner, except that interest payments shall be made to the person shown as the owner on the registration books on the (15th) day of the month preceding each interest payment date.

All acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this bond have happened, exist and have been performed, and the issue of bonds of which this bond is one, together with all other indebtedness of the City, is within every debt and other limit prescribed by the Constitution and statutes of the Commonwealth of Virginia.

IN WITNESS WHEREOF, the City Council of the City of Salem, Virginia, has caused this bond to be issued in the name of the City of Salem, Virginia, to be signed by its Mayor, its seal to be affixed hereto and attested by the signature of its Clerk of Council, and this bond to be dated April 1, 1999.

Clerk of Council, City of Salem, Virginia
Mayor, City of Salem, Virginia

(SEAL)

ASSIGNMENT

FOR VALUE RECEIVED the undersigned sell(s), assign(s) and transfer(s) unto
(Please print or type name and address, including postal zip code, of
Transferee)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF TRANSFEREE:

:
:
:
:

the within bond and all rights thereunder, hereby irrevocably constituting and appointing

Attorney, to transfer said bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed

NOTICE: Signature(s) must be _____ (Signature of Registered Owner)

guaranteed by an Eligible
Guarantor Institution such
as a Commercial Bank,

Trust Company,
Securities Broker/Dealer,
Credit Union, or Savings
Association who is a member
a medallion program approved by The
Transfer Association, Inc.

NOTICE: The signature above must

correspond with the name of the
registered owner as it appears
on the front of this bond in of
in every particular, Securities
without alteration or
enlargement or any
change whatsoever.

6. **Pledge of Full Faith and Credit.** The full faith and credit of the City are irrevocably pledged for the payment of the principal of and premium, if any, and interest on the Bonds. Unless other funds are lawfully available and appropriated for timely payment of the Bonds, the Council shall levy and collect an annual ad valorem tax, over and above all other taxes authorized or limited by law and without limitation as to rate or amount, on all locally taxable property in the City sufficient to pay when due the principal of and premium, if any, and interest on the Bonds.

7. **Registration, Transfer and Owners of Bonds.** The City Treasurer is appointed paying agent and registrar of the Bonds (the "Registrar"). The City may appoint a qualified bank or trust company as successor paying agent and registrar of the Bonds. The Registrar shall maintain registration books for the registration and registration of transfers of Bonds. Upon presentation and surrender of any Bond at the office of the Registrar, together with an assignment duly executed by the registered owner or his duly authorized attorney or legal representative in such form as shall be satisfactory to the Registrar, the City shall execute, and the Registrar shall authenticate, if required by Section 4, and deliver a new Bond or Bonds having an equal aggregate principal amount, in authorized denominations, of the same form and maturity, bearing interest at the same rate and registered in the names as requested by the then registered owner or its duly authorized attorney or legal representative. Any such exchange shall be at the expense of the City, except that the Registrar may charge the person requesting such exchange the amount of any tax or governmental charge required to be paid with respect thereto.

The Registrar shall treat the registered owner as the person exclusively entitled to payment of principal, premium, if any, and interest and the exercise of all other rights and powers of the owner, except that interest payments shall be made to the person or entity shown as owner on the registration books on the Record Date.

8. **Sale of Bonds.** The Council approves the following terms of the sale of the Bonds. The Bonds shall be sold by competitive bid, and the City Manager shall receive bids for the Bonds and award the Bonds to the bidder providing the lowest "true" or "Canadian" interest cost, subject to the limitations set forth in paragraph 2. Following the sale of the Bonds, the City Manager shall file a certificate with the City Clerk setting forth the final interest rates, the purchase price and the redemption provisions of the Bonds. The actions of the City Manager in selling the Bonds shall be conclusive, and no further action with respect to the issuance and sale of the Bonds shall be necessary on the part of the Council.

9. **Notice of Sale.** The Director of Finance, in collaboration with Municipal Advisors, Incorporated, the City's financial advisor (the "Financial Advisor"), is authorized and directed to take all proper steps to advertise the Bonds for sale substantially in accordance with the form of Notice of Sale attached hereto, which is approved, provided that the Director of Finance, in collaboration with the Financial Advisor, may make such changes in the Notice of Sale not inconsistent with the provisions of this Resolution as he may consider

to be in the best interest of the City. The distribution of the Notice of Sale shall constitute conclusive evidence of the approval of the Director of Finance of any such changes.

10. Bond Insurance. The Council has determined that it may be advisable to obtain municipal bond insurance to ensure a favorable rating such that payment of principal and interest on the Bonds will result in an overall interest cost savings to the City. The Director of Finance, in collaboration with the Financial Advisor, is authorized and directed to take appropriate steps to determine whether a policy of municipal bond insurance is in the best interest of the City and, if so, to make arrangements for such insurance. The purchase of a policy of municipal bond insurance shall constitute conclusive evidence of the determination of the Director of Finance that such policy is in the best interest of the City.

11. Official Statement. The form of a Preliminary Official Statement describing the Bonds, copies of which have been provided to the members of the Council, is approved as the form of the Preliminary Official Statement by which the Bonds will be offered for sale, with such completions, omissions, insertions and changes not inconsistent with this Resolution as the City Manager, in collaboration with the Financial Advisor, may consider appropriate. The City Manager is authorized and directed to execute an Official Statement in final form and deliver it to the purchasers of the Bonds. The Official Statement shall be in substantially the form of the draft of the Preliminary Official Statement submitted to this meeting, with such completions, omissions, insertions and other changes as may be approved by the City Manager, in collaboration with the Financial Advisor, the execution thereof by the City Manager to constitute conclusive evidence of his approval of any such completions, omissions, insertions and changes. The City shall arrange for the delivery to the winning bidder of the Bonds of a reasonable number of copies of the final Official Statement, within seven business days after the Bonds have been awarded, for delivery to each potential investor requesting a copy of the Official Statement and to each person to whom the winning bidder initially sell Bonds.

12. Official Statement Deemed Final. The City Manager is authorized, on behalf of the City, to deem the Preliminary Official Statement and the Official Statement in final form, each to be final as of its date within the meaning of Rule 15c2-12 (the "Rule") of the Securities and Exchange Commission (the "SEC"), except for the omission in the Preliminary Official Statement of certain pricing and other information permitted to be omitted pursuant to such Rule. The distribution of the Preliminary Official Statement and the Official Statement in final form shall be conclusive evidence that each has been deemed final as of its date by the City, except for the omission in the Preliminary Official Statement of such pricing and other information permitted to be omitted pursuant to the Rule.

13. Preparation and Delivery of Bonds. After bids have been received and the Bonds have been awarded, the officers of the City are authorized and directed to take all proper steps to have the Bonds prepared and executed in accordance with their terms and to deliver the Bonds to the purchaser thereof upon payment therefor.

14. Arbitrage Covenants. The City covenants that it shall not take or omit to take any action the taking or omission of which will cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, and regulations issued pursuant thereto (the "Code"), or otherwise cause interest on the Bonds to be includable in the gross income of the registered owners thereof under existing law. Without limiting the generality of the foregoing, the City shall comply with any provision of law that may require the City at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds of the Bonds, unless the City receives an opinion of nationally recognized bond counsel that such compliance is not required to prevent interest on the Bonds from being includable in the gross income of the owners thereof under existing law. The City shall pay any such required rebate from its legally available funds.

15. Non-Arbitrage Certificate and Elections. Such officers of the City as may be requested are authorized and directed to execute an appropriate certificate setting forth the expected use and investment of the proceeds of the Bonds in order to show that such expected use and investment will not violate the provisions of Section 148 of the Code and any elections such officers deem desirable regarding rebate of earnings to the United States for purposes of complying with Section 148 of the Code. Such certificate shall be in such form as may be requested by bond counsel for the City.

16. Limitation on Private Use. The City covenants that it will comply with either (a) or (b) below and that it will comply with (c) and (d) below:

(a) it shall not permit both (i) the proceeds of the Bonds or the facilities financed with such proceeds to be used in any manner that would result in 5% or more of such proceeds or such facilities being used in a trade or business carried on by any person other than a governmental unit, as provided in Section 141(b) of the Code, and (ii) the payment of principal of, or the interest on, more than 5% of the proceeds of such issue to be directly or indirectly (A) secured by any interest in property used or to be used for a private business use or secured by any interest in payments in respect of such property or (B) derived from payments in respect of property, or borrowed money, used or to be used for a private business use;

(b) as long as any private use of Bond proceeds or the facilities financed with such proceeds is not unrelated to the public use of such proceeds and, if related, is not disproportionate, as provided in Section 141(b) of the Code, to the public use of the Bond proceeds, the City shall comply with (a) above, substituting 10% for 5% each place that it appears;

(c) AL SHALL NOT PERMIT THE PROCEEDS OF THE BONDS TO BE USED IN ANY MANNER THAT WOULD RESULT IN 5% OR MORE OF SUCH PROCEEDS OR THE FACILITIES FINANCED WITH SUCH PROCEEDS BEING USED WITH RESPECT TO ANY OUTPUT FACILITY (OTHER THAN A FACILITY FOR THE FURNISHING OF WATER), WITHIN THE MEANING OF SECTION 141(b)(4) OF THE CODE; OR

(d) it shall not permit the proceeds of the Bonds or the facilities financed with such proceeds to be used in any manner that would result in more than the lesser of \$5,000,000 or 5% of such proceeds being used directly or indirectly to make or finance loans to any persons other than a governmental unit, as provided in Section 141(c) of the Code; provided, however, that if the City receives an opinion of nationally recognized bond counsel that any such covenants need not be complied with to prevent the interest on the Bonds from being includable in the gross income for federal income tax purposes of the registered owners thereof under existing law, the City need not comply with such covenants.

17. **Continuing Disclosure Agreement.** The Mayor and the City Manager and such officer or officers of the City as either may designate are hereby authorized and directed to execute a continuing disclosure agreement setting forth the reports and notices to be filed by the City and containing such covenants as may be necessary to assist the purchaser of the Bonds in complying with the provisions of the Rule promulgated by the SEC. Such continuing disclosure agreement shall be substantially in the form provided to members of the Council, with such completions, omissions, insertions and changes that are not inconsistent with this Resolution.

18. **Other Actions.** All other actions of officers of the City and the Council in conformity with the purposes and intent of this Resolution and in furtherance of the issuance and sale of the Bonds are ratified, approved and confirmed. The officers of the City are authorized and directed to execute and deliver all certificates and instruments and to take all such further action as may be considered necessary or desirable in connection with the issuance, sale and delivery of the Bonds.

19. **Repeal of Conflicting Resolutions.** All resolutions or parts of resolutions in conflict herewith are repealed.

20. **Effective Date.** This Resolution shall take effect on the effective date of the Authorizing Ordinance.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Mayor Tarpley requested that Council consider the request of Jim Walter Homes, Inc., property owner, and Keith and Carolyn Baker, contract purchasers, for the rezoning of property located at 100 Wildwood Road from Industrial District M-1 and Business District B-3 to Business District B-3; and

WHEREAS, the Clerk of Council reported that notice of such public hearing had been published in the February 4 and 11, 1999, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, the City of Salem Planning Commission at its regular meeting held on February 10, 1999, recommended to Council approval of the requested rezoning; and

WHEREAS, Keith Baker, contract purchaser, appeared before the Council explaining the proposed request to rezone the entire tract of land to Business District B-3 zoning, which will allow for a retail antique business; and

WHEREAS, the staff noted the following: this property contains a portion of land that originally was part of a larger tract that served as a truck terminal operation; the southern portion of that property was purchased and rezoned during the development of the Food Lion Shopping Center; this residue M-1 land has been a part of the Jim Walter sales operation, and the rezoning will make the entire lot one zoning; and Business District B-3 zoning is in conformance with the commercial designation of the Future Land Use Plan portion of the comprehensive plan; and

WHEREAS, no one appeared in opposition to this rezoning request;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, an ordinance entitled "AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA," was duly passed on first reading -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

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Mayor Tarpley requested that Council receive the request of Ricky and Terriann May, property owners, for the issuance of a Zoning and Use Permit to allow a two-family dwelling on the property located at 408 Union Street; and

WHEREAS, the Clerk of Council reported that notice of such public hearing had been published in the February 4 and 11, 1999, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, the City of Salem Planning Commission at its regular meeting held on February 10, 1999, recommended to Council the approval of the requested Zoning and Use Permit; and

WHEREAS, the staff noted the following: the petitioner owns this lot and the adjoining lot to the south that contains a one-story, frame single-family dwelling; the lot has frontage on both Union and Chapman Streets; the proposed duplex will be adjacent to a four-unit apartment complex; this area of Union Street is comprised of many different housing types; there are no unusual issues related to this request; the City's policy regarding two-family dwellings requires asphalt parking areas being provided for each dwelling; and the proposed dwelling will have the appearance as a single-family dwelling from Union and Chapman Streets; and

WHEREAS, Ricky May, property owner, appeared before the Council explaining the proposed Zoning & Use Permit request, which would allow him to construct a two-family dwelling on his property; the house will have vinyl siding and have the appearance of a single-family dwelling; and

WHEREAS, no one appeared in opposition to said request;

ON MOTION MADE BY COUNCILMAN PACKETT, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, a Zoning and Use Permit is hereby granted to Ricky and Terriann May, property owners, to allow a two-family dwelling on the property located at 408 Union Street -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley reported that this date and time had been set to hold a public hearing to consider the lease of the Carriage House and adjacent property in Longwood Park, 601 East Main Street; and

WHEREAS, the Clerk of Council reported that notice of such public hearing had been published in the February 11, 1999, issue of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, the City Attorney stated that, effective July 1, 1998, anytime any governing body desires to sell or lease real property, it has to go through a public hearing process; this public hearing process is scheduled and has been advertised for this meeting of Council; in order to lease real property for a long-term lease in excess of five years, Council is also required to go through a franchise granting process similar to franchises granted to Adelpia, Roanoke Gas Company, Bell Atlantic, or AEP; if Council desires to look into granting of a lease to the Chamber of Commerce in excess of five years, it will be necessary to put the parcel out for lease contingent upon receiving an acceptable proposal through a franchise process; the franchise process must be advertised once a week for four successive weeks, any member of the public can come forward to make a proposal, and Council has the obligation to make a choice of proposals; an ordinance would have to be prepared also if Council desires to proceed further with the lease of the Carriage House; and additionally, if Council accepts a proposal that is commercial in nature, the property would have to go through a rezoning process; and

WHEREAS, a discussion was held concerning the possible lease for five years with renewal for additional five years, Council would have the discretion of not taking the high bid, Council can choose what it considers the most advantageous bid for the City of Salem; and

WHEREAS, Richard L. Jones, Jr., President of the Salem-Roanoke County Chamber of Commerce, appeared before the Council explaining the proposed request for lease of the Carriage House for use by the Chamber of Commerce; it is hoped that this would become a community-type facility; there will be a large meeting room in this facility; there was discussion about the possibility of moving the voting precinct to this location; etc.; and

WHEREAS, a discussion was held concerning this matter; and

WHEREAS, no one appeared in opposition to said matter;

ON MOTION MADE BY COUNCILMAN GIVENS, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, the City is hereby authorized to proceed to lease the parcel of land contingent on receiving an acceptable proposal in the franchise process, the staff is hereby authorized to proceed with the franchise process, and the staff is hereby directed to begin the process for rezoning of this parcel of land from Residential District R-2 to Business District B-2 -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

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Mayor Tarpley requested that Council consider adopting Resolution 918 closing Main Street on September 11, 1999, for Olde Salem Days festivities; and

WHEREAS, a discussion was held concerning said request;

ON MOTION MADE BY COUNCILMAN HASKINS, SECONDED BY VICE MAYOR BROWN, AND DULY CARRIED, Resolution 918 was duly passed and adopted:

RESOLUTION 918

WHEREAS, the Salem Jaycees have planned activities in the downtown area of Salem to involve citizens on September 11, 1999, from 7:00 a.m. to 6:00 p.m. that will require the closing of Main Street (Route 460) between Chestnut Street and Lewis Avenue to Thompson Memorial Drive; and

WHEREAS, Council concurs in the request from the Salem Jaycees for the closing of Main Street for this date and time and has developed alternate routing for traffic around the downtown area; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Council doth request the Virginia Department of Transportation to concur and approve Council's request to allow the closing of Main Street (Route 460) between Chestnut Street and Lewis Avenue to Thompson Memorial Drive on September 11, 1999;

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Virginia Department of Transportation.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

EXECUTIVE
SESSION FOR
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ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, in accordance with Section 2.1-344 (A) of the Code of Virginia, 1950 as amended to date, Council convened to Executive Session at 7:48 p.m. for the purpose of discussing the following specific matters:

(1) Discussion of a real estate matter to discuss property the City may desire to purchase, which is authorized by Section 2.1-344 (A) (3) of the Code of Virginia, 1950 as amended to date;

-- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Upon reconvening at 8:05 p.m.;

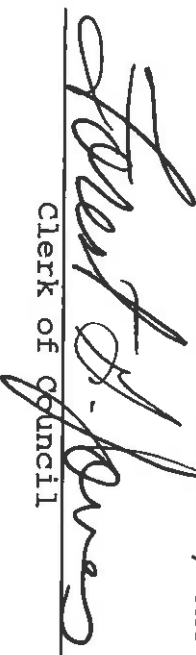
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ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, in accordance with Section 2.1-344.1 (D) of the Code of Virginia, 1950 as amended to date, Council hereby certifies that in Executive Session only items lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such items identified in the motion by which the Executive Session was convened were heard, discussed, or considered by the Council -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

A discussion was held concerning the Roanoke Valley Greenway Commission project and the possibility of appointing a citizen committee to contact various property owners to start acquiring certain parcels of land for the Greenway Project; and further, Council will bring a list of suggested names to the next meeting for appointment to this committee.

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, Anne Perrin, 708-B Hill Avenue, is hereby appointed to the Blue Ridge Community Services Board of Directors to fill the unexpired term of Pamela K. Cox, said term will expire on December 31, 1999 -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

There being no further business to come before the Council, the same on motion adjourned at 8:10 p.m.


Clerk of Council


Mayor

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March 8, 1999

A regular meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on March 8, 1999, at 7:30 p.m., there being present the following members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, Howard C. Packett, and John C. Givens (Harry T. Haskins, Jr. - absent); with Carl E. Tarpley, Jr., Mayor, presiding; together with Randolph M. Smith, City Manager; Forest G. Jones, Assistant City Manager and Clerk of Council; Frank P. Turk, Director of Finance; James E. Taliaferro, II, City Engineer; Joseph E. Yates, Jr., Director of Planning and Development; and Stephen M. Yost, City Attorney; and the following business was transacted:

The minutes of the regular meeting of February 22, 1999, were approved as written.

The report by the City Manager of the City's activities for the month of January, 1999, was received and ordered filed.

Mayor Tarpley requested that Council receive the year-end report on the progress of Virginia's Explore Park during 1998; and

WHEREAS, Roger F. Ellmore, Executive Director of Virginia's Explore Park, appeared before the Council and updated Council on the progress being made at the Park during 1998; the Explore Park continues to develop into a top-rate educational facility and anchor attraction for western Virginia; and he presented a slide presentation pertaining to the Explore Park; and

WHEREAS, a discussion was held concerning the Explore Park, the Brugh Tavern, church, frontier life area, special events, festivals, mill, future construction, funding, long range needs, etc.;

THEREUPON, said presentation was received.

Mayor Tarpley reported that Council at its regular meeting held on February 22, 1999, passed an ordinance on first reading rezoning the property of Jim Walter Homes, Inc., property owner, and Keith and Carolyn Baker, contract purchasers, located at 100 Wildwood Road from Industrial District M-1 and Business District B-3 to Business District B-3; and

WHEREAS, Mayor Tarpley reported that a letter has been received from Keith and Carolyn Baker stating that they have terminated the Contract to Purchase with Jim Walter Homes, Inc., and are requesting that this rezoning request be withdrawn without prejudice;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, the request for rezoning the property of Jim Walter Homes, Inc., property owner, and Keith and Carolyn Baker, contract purchasers, located at 100 Wildwood Road from Industrial District M-1 and Business District B-3 to Business District B-3 is hereby allowed to be withdrawn without prejudice -- the roll call vote being as follows: Harry T. Haskins, Jr. - absent; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley reported that Council at its regular meeting held on February 22, 1999, passed an ordinance on first reading authorizing the issuance of general obligation public improvement bonds of the City of Salem, Virginia, in an amount not to exceed \$17,000,000; and

WHEREAS, it was noted that the bond issue is necessary for the program of general public improvements including regional sewage treatment plant projects, a water tank and transmission mains, school facilities, a bridge replacement, animal shelter facilities, storm drains, and such other capital improvements as may be authorized from time to time; and

WHEREAS, Mayor Tarpley reported that the City has investigated every possibility for obtaining an additional water supply, including a possible purchase of water from Roanoke City or Roanoke County; and it has been determined that no matter whether water is obtained from another jurisdiction or at the City's water treatment plant, the 2 million gallon water storage tank will be needed;

ON MOTION VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the following ordinance was duly passed and adopted on second reading:

ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS OF THE CITY OF SALEM, VIRGINIA, IN AN AMOUNT NOT TO EXCEED \$17,000,000.

WHEREAS, acting pursuant to directions of the Council (the "Council") of the City of Salem, Virginia (the "City"), the City has undertaken a program of general public improvements, including, without limitation, regional sewage treatment plant projects, a water tank and transmission lines, school facilities, a bridge replacement, animal shelter facilities and storm drains (collectively, the "Project") and such other capital improvements as may be authorized from time to time by the Council and now desires to provide for financing the Project;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, THAT:

1. It is determined to be necessary and expedient for the City to undertake the Project, which will promote the development and general welfare of the City, to borrow money for such purpose and to issue the City's general obligation bonds therefor. The Council hereby accepts as sufficient for purposes of Section 8.2 of the City Charter, the determination that the probable

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WHEREAS, K. David Beardsley, Fischer & Company, a Real Estate firm representing RPS, Inc., appeared before the Council explaining the request for RPS to purchase the property on Cook Drive; he noted there will be doors surrounding the bays for the trucks, and there will be an office area; this facility will be a completely-enclosed facility that has air handling systems within the building; the initial employment will be approximately seventy people, and it is anticipated the employment will double in the future; it is the desire that this facility will be on-line as a functional facility by March, 2000; his firm can make a recommendation to RPS, but until final approval is received by Council, the RPS Board cannot consider approval of this sale; etc.; and

WHEREAS, the City Attorney stated that the State Code requires a public hearing prior to sale of any City-owned property; and if a contract cannot be entered into with RPS after this public hearing, the City will have met the public hearing requirements and would be free to sell this property in the future to another company without further public hearings being held; and

WHEREAS, Councilman Givens questioned whether the trucks working out of this facility will be titled in Virginia; and

WHEREAS, Brad Stanbery, representing RPS, Inc., stated the owners of the trucks are actually independent contractors, the trucks will be housed at the Cook Drive facility, and the trucks may be titled in another jurisdiction; and

WHEREAS, the City Attorney stated that, in the sale of any property for a commercial-type project, there has always been a provision in the contract and the deed that would allow the City to repurchase the property for the purchase price if the project is not built within a certain period of time; and further, it is his opinion this should be included in the proposed contract; and

WHEREAS, Vice Mayor Brown stated that this should be included in any contract in which the City enters into for the sale of any property; and

WHEREAS, no one appeared in opposition to the sale of this parcel of land;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, the sale of an approximate 10.622 acre parcel of land situated on Cook Drive is hereby approved in concept subject to a contract being formulated and returned to Council at a later date -- the roll call vote being as follows: Harry T. Haskins, Jr. - absent; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider authorizing the City Manager to employ legal counsel regarding the renewal of the Cable TV Franchise; and

WHEREAS, the City Manager requested that, since the cable tv franchise comes up for renewal in October of 1999, he be allowed to employ legal counsel to begin work on this franchise; the attorney is Douglas W. Harold, Jr., in Stephens City, Virginia; he has assisted the Counties of Bedford, Botetourt, and the City of Bedford with their negotiations; payment for his services may be something negotiated that the franchise holder pays; and the process takes approximately six months and work should begin on the renewal; and

WHEREAS, the City Attorney stated that this is a situation when specialized help is needed due to the numerous and everchanging Federal Communication Commission regulations; and

WHEREAS, a discussion was held concerning this matter;

ON MOTION MADE BY COUNCILMAN GIVENS, SECONDED BY VICE MAYOR BROWN, AND DULY CARRIED, the City Manager is hereby authorized to employ Douglas W. Harold, Jr., attorney, as legal counsel, for the negotiation of the renewal of a cable tv franchise for the City of Salem -- the roll call vote being as follows: Harry T. Haskins, Jr. - absent; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider appointments on various boards and commissions;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, the Council of the City of Salem doth recommend to the Judges of the Circuit Court for the City of Salem that Phyllis W. Throckmair, 601 Boulevard, be appointed to the Board of Equalization of Real Estate Assessments to fill the unexpired term of Cecil S. Eversole, Jr., said term will expire on November 30, 1999 -- the roll call vote being as follows: Harry T. Haskins, Jr. - absent; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

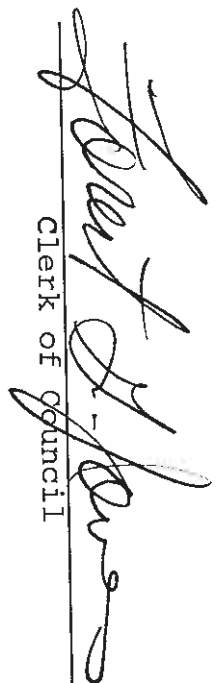
Mayor Tarpley requested that Council consider the possibility of a retreat prior to Council's budget work study sessions; and he suggested that Council consider holding a one-day retreat at Camp DARE;

THEREUPON, Council stated there would be no problem with holding a one-day retreat prior to budget work study sessions.

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Clerk of Council


Mayor

March 22, 1999

A regular meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on March 22, 1999, at 7:30 p.m., there being present all the members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, Howard C. Packett, John C. Givens, and Harry T. Haskins, Jr.; with Carl E. Tarpley, Jr., Mayor, presiding; together with Randolph M. Smith, City Manager; Forest G. Jones, Assistant City Manager and Clerk of Council; Frank P. Turk, Director of Finance; James E. Talaferro, II, City Engineer; Joseph E. Yates, Jr., Director of Planning and Development; and Stephen M. Yost, City Attorney; and the following business was transacted:

The minutes of the regular meeting of March 8, 1999, were approved as written.

The report by the Director of Finance of the City's financial status for the month of February, 1999, was received and ordered filed.

Vice Mayor Brown noted that Ken Cook, Thomas Hochkeppel, Harper McClung, Mike Hochkeppel, David Lindsay, and Ben Cook of Boy Scout Pack 54 from the Salem Presbyterian Church are present at this meeting of Council.

Mayor Tarpley reported that this date and time had been set to hold a public hearing to consider the request of Margaret G. Ferguson & Jean Monahan, et al, property owners, and D.J.'s Auto Sales and Service, lessee, for the issuance of a Zoning and Use Permit to allow a used car sales lot on the property located in the 600 block of Fourth Street at its intersection with Wilson Street; and

WHEREAS, the Clerk of Council reported that notice of such public hearing had been published in the March 4 and 11, 1999, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, the Planning Commission of the City of Salem at its regular meeting held on March 10, 1999, recommended to Council that the request for a Zoning and Use Permit be denied; and

WHEREAS, the staff noted the following: the petitioner owns a used car lot across Wilson Street from this lot; he also operates a garage and service facility, in addition to used car sales, and he has been parking repaired vehicles on this vacant lot; the Zoning Administrator, Jim Ninninger, has ruled that any use of the vacant lot for used car sales requires the issuance of a Zoning and Use Permit; the petitioner is not planning to make any physical improvements to this lot, and there are no known issues related to this request; and

WHEREAS, Richard Padgett, Attorney representing D.J.'s Auto Sales and Service, appeared before the Council explaining that Mr. Jones, owner of D.J.'s, has operated a repair and sales lot across the street from this lot for approximately ten years; Mr. Jones leases this property and the property across the street he is presently using as a sales lot; he explained the previous and proposed uses for this property; it is his opinion that there is no problem with visibility in either direction at this intersection; there is a City school bus that pulls out from Wilson Street onto Fourth Street, but there are no students getting on or off the bus at this intersection as the bus stops to pick up students at another location on Wilson Street; there is a bus carrying handicapped children that turns from Fourth Street onto Wilson Street, but this should create no problem at this intersection; he presented photographs of adjacent properties to this lot and sight views from a vehicle looking both directions at this intersection; it is his opinion that there is no safety hazard at this location; his client would like to store cars on this lot to be worked on and have cars parked on this lot for sale; Mr. Jones has a lease for both lots; Mr. Jones would be willing to comply with any setback requirements to allow better visibility; it is his opinion the fact that there might be underground tanks on this property is not relevant to this request; there has been an environmental study done on this lot, and the study shows there are no underground tanks on this lot; he is not aware of any major accidents at this intersection from vehicles entering Fourth Street from Wilson Street; Mr. Jones has maintained these lots for a number of years; it is his opinion that the proposed use is the best use for this property; etc.; and

WHEREAS, Mayor Tarpley noted that a petition was received at the Planning Commission meeting in opposition to the proposed Zoning and Use Permit; and

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WHEREAS, Councilman Packett stated he has been at this intersection several times, even on his bicycle one time, and he has not had a problem with sight distance at this intersection; and

WHEREAS, Councilman Givens stated his concern is the way Wilson Street cuts back at an angle; and if there is a car parked at the far corner, the view to the west would be hindered; and

WHEREAS, Mr. Padgett stated that his client would be willing to comply with a setback requirement, and he would proffer a ten-foot setback for parking vehicles on this lot; and

WHEREAS, Mary Fralin, 222 Wilson Street, resident of Wilson Street for 50 years, appeared before the Council in opposition to the proposed request; she stated there is a dangerous traffic problem in this area; her daughter was in an accident as she was turning from Fourth Street onto Wilson Street; there have been two fatal accidents on Fourth Street; it is a very bad intersection to have two car lots with one on each corner; there is a handicapped bus that stops in front of the lot that he wants to put the car lot on; the elementary school bus does stop on that corner some days; and

WHEREAS, it was noted that, if a Zoning and Use Permit is granted with conditions and the conditions are not adhered to, the City can revoke the permit for noncompliance; and

WHEREAS, Mrs. Fralin stated another car lot is not needed as it downs the value of her property; and she stated that the underground tanks have not been removed; and

WHEREAS, Charles K. Glass, 232 Wilson Street, appeared before the Council stating there are tanks on this property; there is a vision problem pulling out onto Fourth Street; there are enough car lots in this area; and

WHEREAS, Mr. Padgett noted that his client had previously been parking his vehicles on this lot without the knowledge that a permit was required to do so, and he noted that the adjacent property owners did not object to this use until the Building Official made Mr. Jones apply for a permit for use of this property for a used car sales lot; and he does not plan to pave the property as he is not the owner of this property; and

WHEREAS, a discussion was held concerning this request, the fact that there have been no fatal accidents at this intersection of Fourth Street, etc.;

ON MOTION MADE BY COUNCILMAN HASKINS, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, a Zoning and Use Permit is hereby granted to Margaret G. Ferguson & Jean Monahan, et al, property owners, and D.J.'s Auto Sales and Service, lessee, to allow a used car sales lot on the property located in the 600 block of Fourth Street at its intersection with Wilson Street with the condition that vehicles not be parked closer than ten feet to the property line -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley reported that this date and time had been set to hold a public hearing to consider the request of the City of Salem, property owner, for rezoning a portion of Longwood Park from Residential District R-2 to Business District B-2 for the purpose of restoring/expanding the Carriage House in order to be leased for an office; and

WHEREAS, the Clerk of Council reported that notice of such public hearing had been published in the March 4 and 11, 1999, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, the Planning Commission of the City of Salem at its regular meeting held on March 10, 1999, recommended to Council that the request for rezoning be approved with conditions; and

WHEREAS, the staff noted the following: the Carriage House was once an accessory building to the Longwood Mansion, which was destroyed by fire in 1968; the building was once used as an election polling place but has since fallen into deterioration and suffered from vandalism; the lower level of the building is being used as a storage area by the Police Department for recovered stolen bicycles; the Chamber of Commerce is proposing to restore the existing Carriage House structure and expand to the north to create suitable space for its offices; the desirability of this site because of its convenience, central location, and historic significance is obvious; the issues related to the terms of the lease and a franchise agreement are matters to be handled at a later date by City Council; however, in order to use this structure for an office it must be rezoned; B-2 zoning is the zoning for the City's central business district and does not require the provision of on-site parking; there is ample parking near the building now; the property being rezoned contains the existing structure, the proposed expansion, and a buffer area; and this rezoned area will remain city-owned property; and

WHEREAS, Joe Yates, Director of Planning and Development, appeared before the Council explaining the proposed rezoning request; he noted the Salem-Roanoke County Chamber of Commerce has been trying for several years to find a location for their offices that would also include a Boardroom without much success; it was suggested several years ago that the Carriage House would be a good location but nothing could be agreed upon; the proposed

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rezoning is for property approximately 90 feet by 120 feet with the building being located within this area; the Chamber of Commerce has offered to restore and expand the existing Carriage House building; the lease will be handled as a franchise because the City cannot lease property for more than five years without a franchise agreement; the proposed rezoning would allow the use of the property solely as a Chamber of Commerce or like facility with the construction including and incorporating the Carriage House being of the same design and materials; and

WHEREAS, Vice Mayor Brown stated that it is his opinion that the City should rezone the minimum property that would be needed for the facility as this is a public park; and

WHEREAS, it was suggested by Council that the rezoning should be ten feet on each side of the building; and

WHEREAS, it was noted that there are no setback requirements, minimum size lot requirements, or parking requirements for Business District B-2 zoning; and

WHEREAS, Jyke Jones, Jones & Jones Architects and President of the Salem-Roanoke County Chamber of Commerce, appeared before the Council explaining the proposed request; he is of the opinion that from a BOCA Code standpoint it would be more advantageous to rezone a fifteen foot perimeter around the building for fire lane access; the rezoning line is not critical to the Chamber of Commerce for its operation; the franchise agreement could specify precisely what property the Chamber of Commerce will be leasing; and

WHEREAS, it was noted that the City of Salem has voluntarily proffered the following conditions for this rezoning: the property will be used solely as an office facility for a not-for-profit public or semi-public interest group involved in the promotion of business, commerce, and the community such as a Chamber of Commerce or like entity; and all improvements shall incorporate the Longwood Carriage House, and the restoration thereof, and shall utilize like or similar design and materials as the Longwood Carriage House; and

WHEREAS, a discussion was held concerning the boundaries of the property to be rezoned; etc.;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, an ordinance entitled "AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA" was passed on first reading with the written conditions voluntarily proffered by the City of Salem and the rezoning to Business District B-2 will extend fifteen feet from the front of the building and ten feet from the north, east, and south sides of the building -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider approving a contract with RPS, Inc., for the purchase of a 10.622 plus or minus acre tract of land located on Cook Drive; and

WHEREAS, Mayor Tarpley stated that RPS, Inc., has requested that this matter be continued to the April 12, 1999, meeting of Council;

THEREUPON, this matter is hereby continued to the April 12, 1999, meeting of Council.

Mayor Tarpley requested that Council consider adopting Resolution 920 recognizing the Salem High School Spartans Basketball Team for winning the 1999 State AA, Division 4, Basketball Championship;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, Resolution 920 was duly passed and adopted:

RESOLUTION 920

WHEREAS, the City of Salem has always strived to strongly support the development of its youth both academically and athletically in becoming well-rounded citizens; and

WHEREAS, a scholastic basketball team instills in its participants the significance of teamwork and creates concord and purpose among the many citizens of its parent community; and

WHEREAS, the Salem High School Spartans Basketball Team has been followed with great interest by many residents of Salem and the Roanoke Valley and has distinguished itself, the school, and the entire community with diligent work, unselfish dedication, and excellent teamwork; and

WHEREAS, the Salem High School Spartans Basketball Team is comprised of the following players:

Reggie Brown
Troy Johnson
Adam Rutledge
Trey Shifflett
Andrae Via
Chris Conner
Chris Gunnaer

Travis Hale
Dennis Haley
Andy Mullins
Manuel Lewis
Keith Rochford
Andrew Rutledge
Jacob Street

Head Coach: Charlie Morgan; Assistant Coaches: Jimmy Fielder and Chuck Parker; Managers: Will Satterfield, Anthony Jackson, and Austin Casey; Trainers: Chris Tucker, Kyle Wiebesiek, and Jeff Ferguson; Superintendent of Schools: N. Wayne Tripp; Principal: Caleb L. Hall, Jr.; Assistant Principals: William Gerrol and Betsy McClearn; and Director of Athletics/Assistant Principal: Sandra Hadaway.

WHEREAS, Council is desirous of formally giving proper recognition to this dedicated group of athletes, students, managers, trainers, and coaches who can take pride in their 1999 record and their many achievements during this season; NOW, THEREFORE

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Council joins with the citizens of the City of Salem in saluting the great achievements of the Salem High School Spartans Basketball Team in completing a season with a 24-6 record and winning the 1999 STATE AA, DIVISION 4, BASKETBALL CHAMPIONSHIP.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be presented to the Salem High School Spartans Basketball Team.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Mayor Tarpley requested that Council consider adopting Resolution 921 requesting the Governor of Virginia amend House Bill 1601 as it refers to the local meals tax; and

WHEREAS, a full discussion was held concerning this matter, and the fact that this legislation could mean the City of Salem will lose approximately \$285,000 in meals tax funds;

ON MOTION MADE BY COUNCILMAN HASKINS, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, Resolution 921 was duly passed and adopted:

RESOLUTION 921

REQUESTING DELETION OF MEALS TAX RESTRICTIONS FROM FOOD TAX RELIEF BILL (HOUSE BILL 1601)

WHEREAS, Governor Jim Gilmore's proposal to reduce the state sales tax on food did not include any change in the local meals tax; and

WHEREAS, House Bill 1601 was amended to prohibit localities from levying their meals tax on items that meet the definition of "food for home consumption" as defined in the Food Stamp Act; and

WHEREAS, the meals tax restriction in House Bill 1601 will reduce by approximately \$285,000 the meals tax revenue collected by the City of Salem; and

WHEREAS, the budget passed by the 1999 General Assembly includes additional money for education but includes both a maintenance of effort requirement and a local match requirement, which means the many localities will have to spend additional local funds to benefit from the new state funding; and

WHEREAS, the 1999 General Assembly approved funds for a six percent teacher salary increase, provided that a locality can meet its local match requirement; and

WHEREAS, local governments are the providers of essential services in their communities, and reducing existing revenues adversely affects their ability to maintain services; and

WHEREAS, local governments routinely employ a variety of measures to limit the tax burden in their communities; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that the Council of the City of Salem requests that Governor Jim Gilmore amend House Bill 1601 to strike all references to the local meals tax.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to Governor James S. Gilmore, III, and to those members of the General Assembly that represent the City of Roanoke, City of Salem, County of Roanoke, and Town of Vinton.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, in accordance with Section 2.1-344 (A) of the Code of Virginia, 1950 as amended to date, Council convened to Executive Session at 8:13 p.m. for the purpose of discussing the following specific matters:

- (1) Discussion of a real estate matter pertaining to property the City may desire to purchase, which is authorized by Section 2.1-344 (A) (3) of the Code of Virginia, 1950 as amended to date;

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-- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Upon reconvening at 8:24 p.m.;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, in accordance with Section 2.1-344.1 (D) of the Code of Virginia, 1950 as amended to date, Council hereby certifies that in Executive Session only items lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such items identified in the motion by which the Executive Session was convened were heard, discussed, or considered by the Council -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

The City Attorney stated that Council at its regular meeting held on March 8, 1999, recommended to the Judges of the Circuit Court for the City of Salem the appointment of Phyllis W. Throckmartin to the Board of Equalization of Real Estate Assessments; and

WHEREAS, the City Attorney stated that there is a requirement that, prior to appointment of an individual to the Board of Equalization of Real Estate Assessments by the Judges of the Circuit Court, the individual must complete training provided by the Department of Taxation; Ms. Throckmartin was not available during the last hearings by this Board to take the classes; he has talked with the Department of Taxation and Wendel Ingram, the City's Real Estate Assessor, and it may be several months before Ms. Throckmartin is appointed due to the fact that the Department of Taxation will not be in this area in the near future to give Ms. Throckmartin the necessary classes; as soon as these class requirements are met, the Judges will enter an order appointing Ms. Throckmartin to this Board.

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the City is hereby authorized to purchase three parcels of land on Tidewater Street for the future construction of the City's Water Treatment Plant: 1214 Tidewater Street in the amount of \$58,300; 1222 Tidewater Street in the amount of \$34,200; and 1130 Tidewater Street in the amount of \$42,800 -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, Patricia F. Givens and Julie Bailey are hereby reappointed to the City of Salem Fine Arts Commission for four-year terms, said terms will expire on May 1, 2003 -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider continuing this meeting of Council until 11 a.m. on March 23, 1999, in order to receive bids on the City of Salem \$17,000,000 General Obligation Public Improvement Bond Issue;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, this meeting of Council is hereby continued until 11 a.m. on March 23, 1999, to receive bids on the City of Salem \$17,000,000 General Obligation Public Improvement Bond Issue -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

The Press is hereby notified by Council that Council will hold a retreat on May 5, 1999, at Camp DARE.

There being no further business to come before the Council, the same on motion continued at 8:32 p.m. until 11 a.m. on March 23, 1999.


Clerk of Council

March 23, 1999

A continued meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on March 23, 1999, at 11 a.m., there being present the following members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, Howard C. Packett, and Harry T. Haskins, Jr. (John C. Givens - absent); with Carl E. Tarpley, Jr., Mayor, presiding; together with Randolph M. Smith, City Manager; Forest G. Jones, Assistant City Manager and Clerk of Council; and Angela A. Sellers, Assistant Director of Finance; and the following business was transacted:

Mayor Tarpley reported that Council at its regular meeting held on March 22, 1999, continued its meeting to this date, place, and time in order to receive bids for the City of Salem \$17,000,000 General Obligation Public Improvement Bonds; and

WHEREAS, the City Manager reported to the Council that the following bids for the City's \$17,000,000 General Obligation Public Improvement Bonds, the issuance of which has been provided for by resolution adopted by the

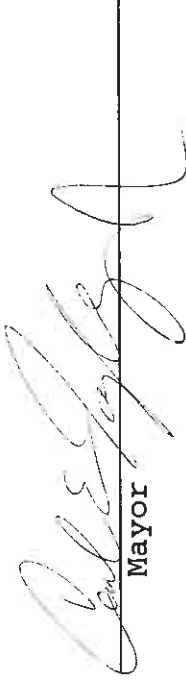
Council, were received at the office of Hunton & Williams, 20th Floor, Riverfront Plaza, East Tower, 951 East Byrd Street, Richmond, Virginia 23219, until 11 a.m., Local Time, on this date pursuant to the Notice of Sale approved by the Resolution, and each of the bids offered to pay par, a premium, as indicated, and accrued interest on the Bonds from the date of the Bonds to the date of delivery;

<u>NAME OF COMPANY</u>	<u>TRUE INTEREST COST</u>
Davenport & Company, LLC	4.52889%
J. C. Bradford & Co.	4.55155%
ABN AMRO, Incorporated	4.55405%
First Union Capital Markets	4.5644%
Painewebber, Inc.	4.5765%
Ferris, Baker Watts, Inc.	4.594364%
Merrill Lynch & Co.	4.6126%
Wachovia Capital Markets, Inc.	4.620%
Craigie, Incorporated	4.638254%

WHEREAS, the Director of Finance, after consultation with Municipal Advisors, Incorporated, the City's financial advisor reported that according to the interest rates shown on the bids, of the nine bids received, the bid of Davenport & Company, Inc., offered to buy the Bonds at the lowest interest cost to the City; and it was reported further that the Financial Advisor recommended acceptance of the bid of Davenport & Company, Inc.;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, the Bonds, the form and details of which have heretofore been prescribed by Resolution, are awarded to Davenport & Company, LLC, in accordance with the term of its bid and shall bear interest as set out in such bid -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - absent; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

There being no further business to come before the Council, the same on motion adjourned at 11:18 a.m.


Mayor


Clerk of Council

BID ACCEPTANCE OF DAVENPORT & COMPANY LLC, FOR \$17,000,000 GENERAL OBLIGATIO PUBLIC IMPROVEMENT BONDS OF 1999

April 12, 1999

A regular meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on April 12, 1999, at 7:30 p.m., there being present all the members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, Howard C. Packett, John C. Givens, and Harry T. Haskins, Jr.; with Carl E. Tarpley, Jr., Mayor, presiding; together with Randolph M. Smith, City Manager; Forest G. Jones, Assistant City Manager and Clerk of Council; Frank P. Turk, Director of Finance; James E. Taliaferro, II, City Engineer; Joseph E. Yates, Jr., Director of Planning and Development; and Stephen M. Yost, City Attorney; and the following business was transacted:

The minutes of the regular meeting of March 22, 1999, and continued meeting of March 23, 1999, were approved as written.

Mayor Tarpley reported that Council at its regular meeting held on March 22, 1999, passed an ordinance on first reading rezoning a portion of Longwood Park from Residential District R-2 to Business District B-2 for the purpose of restoring/expanding the Carriage House in order to be leased for an office; and

WHEREAS, Mayor Tarpley stated that the ordinance has been amended to provide for rezoning fifteen (15) feet on each side of the proposed building;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the following amended ordinance was duly passed and adopted on second reading:

AN ORDINANCE TO AMEND SECTION 106-7, ARTICLE I, CHAPTER 106, OF THE CODE OF THE CITY OF SALEM, VIRGINIA, RELATING TO ZONING AND DIVIDING THE CITY INTO BUILDING DISTRICTS AND ESTABLISHING DISTRICT BOUNDARY LINES ON THE ZONING MAP OF THE CITY OF SALEM, VIRGINIA.

WHEREAS, the City of Salem, property owner, has heretofore petitioned to have a portion of Longwood Park rezoned from Residential District R-2 to Business District B-2; and

WHEREAS, in said petition, the City of Salem, property owner, did voluntarily proffer written conditions in addition to the regulations provided for in Business District B-2 into which this property is requested to be rezoned; and

ORDINANCE PASSED ON SECOND READING REZONING PORTION OF LONGWOOD PARK FROM R-2 TO B-FOR THE PURPOSE OF RESTORING EXPANDING THE CARRIAGE HOUSE IN ORDER TO BE LEASED FOR AN OFFICE

WHEREAS, Council has reviewed the proposed conditions and is of the opinion that the requested rezoning without the proposed conditions would not be in the best interests of the City and that the conditions proffered will more closely comply with the intent of the Land Use Plan heretofore adopted; and

WHEREAS, Council has adopted the provisions of Chapter 320 of the 1978 Acts of the General Assembly of Virginia, Sections 15.2-2296 through 15.2-2302, relating to conditional zoning; and

WHEREAS, the Planning Commission at its regular meeting held on March 10, 1999, did recommend to Council after holding a public hearing that such rezoning be approved with a condition; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Section 106-7, Article I, Chapter 106, of The Code of the City of Salem, be amended, revised, and reordained to read as follows and the map referred to shall be changed in this respect and no other:

Section 1.

That the following described property, presently zoned Residential District R-2 in the City of Salem, be and the same is hereby changed from Residential District R-2 to Business District B-2 and the map referred to shall be changed in this respect and no other. However, in addition to the regulations for such zoning district as contained in Chapter 106 of The Code of the City of Salem, Virginia, there is hereby incorporated the conditions set forth in Section 2 of this ordinance to the same extent and purpose as though such conditions were herein fully set out at length:

COMMENCING at an iron pin on the northeast right-of-way corner of Monroe Street (currently a 40 ft. wide right-of-way) and Waverly Avenue (currently a 50 ft. wide right-of-way); thence along the northern right-of-way of Monroe Street, crossing Waverly Avenue, S. 81° 49' 00" W. 50.67 ft. to a railroad spike at the northwest right-of-way corner of Monroe Street and Waverly Avenue; thence crossing Monroe Street S. 19° 09' 26" W. 44.41 ft. to a concrete monument; thence S. 03° 07' 53" W. 328.27 ft. to an iron pin, the ACTUAL POINT OF BEGINNING; thence S. 10° 41' 41" E. 97.67 ft. to an iron pin; thence S. 79° 18' 19" W. 78.58 ft. to a P-K nail; thence N. 10° 41' 41" W. 97.67 ft. to an iron pin; thence N. 79° 18' 19" E. 78.58 ft. to the POINT OF BEGINNING, containing 7,674.9 square feet, or 0.176 acres, more or less.

Section 2.

The following conditions voluntarily proffered shall apply in addition to the regulations contained in Chapter 106 of The Code of the City of Salem:

1. The property will be used solely as an office facility for a not-for-profit public or semi-public interest group involved in the promotion of business, commerce, and the community such as a Chamber of Commerce or like entity.
2. All improvements shall incorporate the Longwood Carriage House, and the renovation thereof, and shall utilize like or similar design and materials as the Longwood Carriage House.

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

This ordinance shall be in full force and effect ten (10) days after its final passage.

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

- Harry F. Haskins, Jr. - Aye
- John C. Givens - Aye
- Howard C. Packett - Aye
- Alexander M. Brown - Aye
- Carl E. Tarpley, Jr. - Aye

Passed: April 12, 1999
Effective: April 22, 1999


Mayor

Mayor Tarpley requested that Council consider a request from the Salem Band Boosters, Inc., for approval of a fireworks display for the drum corps show on Tuesday, August 3, 1999; and

WHEREAS, Mayor Tarpley requested that the Council direct the administrative staff to designate a location for each display of fireworks on the Lutheran Children's Home Property as far away from residents as possible in order not to infringe on the neighborhoods; and

WHEREAS, Vice Mayor Brown stated that it is his opinion that the drum corps would like the fireworks display behind the Field House in the field in order for the display to be incorporated with the performing bands; and

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WHEREAS, a full discussion was held concerning the location for the fireworks display;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the request for a fireworks display for the Salem Band Boosters, Inc., to allow a fireworks display for the drum corps show on Tuesday, August 3, 1999, is hereby approved subject to the approval of a location for said fireworks display by the administrative staff and approval of a proper insurance certificate by the City Attorney -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider a request from the Salem Avalanche for approval of fireworks displays on May 22, June 16, and July 23, 1999; and

WHEREAS, a discussion was held concerning the requested displays; and it was noted that, if these displays are approved, the Salem Avalanche will not be approved for any additional displays for this year;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the request of Salem Avalanche for fireworks displays on May 22, June 16, and July 23, 1999, is hereby approved subject to the approval of a location for said fireworks displays by the administrative staff and approval of insurance certificates by the City Attorney for each display -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley reported that Council at its regular meeting held on March 22, 1999, continued consideration of approval of a contract with RPS, Inc., for the purchase of 10.622 plus or minus acres of City owned property located on Cook Drive; and

WHEREAS, it was noted that Council held a public hearing pertaining to the sale of this property at its March 8, 1999, meeting; and

WHEREAS, Mayor Tarpley reported that RPS, Inc., has contacted the Director of Planning and Development requesting that the following section of the contract which reads as follows: "Assignment" -- "The Buyer may not transfer or assign its interest in this contract without Seller's prior written consent, except that Buyer may assign its interest in this contract to an entity that is owned or controlled by Buyer or for sale and leaseback or other financing. An assignment allowed under this paragraph shall relieve the assignor from its obligations under this contract if the assignee specifically assumes in writing all obligations of the Buyer under this contract." -- be deleted from the contract as RPS, Inc., desires that another party build the building and lease the building to RPS, Inc.; and further, RPS, Inc., did not find any problems with the remainder of the contract; and

WHEREAS, Vice Mayor Brown stated that, as long as the City has the option to repurchase the property if RPS, Inc., does not develop the property within an eighteen-month period, he can see no problem with deleting the "Assignment" section of the contract; and

WHEREAS, the City Attorney stated that, for tax reasons, RPS, Inc., explained that their company will have a third party develop the property with RPS leasing the building from the developer; and he does not have a problem with the deletion of this section of the contract; and

WHEREAS, a discussion was held concerning this contract;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the contract with RPS, Inc., for the purchase of 10.622 plus or minus acres located on Cook Drive is hereby approved with the deletion of the section of the contract entitled "Assignment" -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider setting bond for erosion and sediment control and storm drain improvements for Noble-Met, Ltd., at 200 South Yorkshire Street; and

WHEREAS, Vice Mayor Brown, Chairman of Council's Audit-Finance Committee, reported that the Committee has reviewed the bond for erosion and sediment control and storm drainage work for Noble-Met, Ltd., at 200 South Yorkshire Street and recommends that bond be set at \$35,000 and a time limit for completion of said work be set at twelve months;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, bond is hereby set at \$35,000 for erosion and sediment control and storm drainage work for Noble-Met, Ltd., at 200 South Yorkshire Street; and a time limit of twelve months is hereby set for completion of the erosion and sediment control and storm drainage work -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

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23, 1999

CONTRACT
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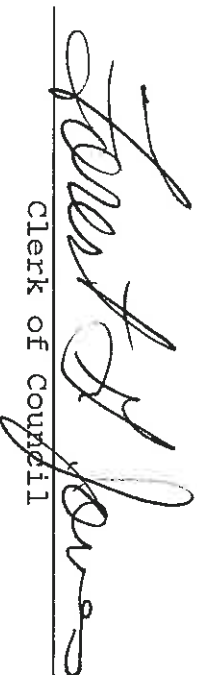
BOND AND
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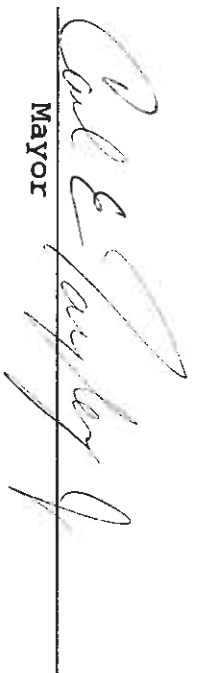
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Mayor Tarpley requested that Council consider appointments to various boards and commissions;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the Citizens Greenway Right of Way Acquisition Committee is hereby established and McMillian H. Johnson, IV, James T. Phipps, Vicki Daulton, and Rev. Robert T. Copenhaver are hereby appointed to this Committee -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packer - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

There being no further business to come before the Council, the same on motion adjourned at 7:43 p.m.


Clerk of Council


Mayor

April 23, 1999

A special meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on April 23, 1999, at 8:00 a.m., there being present the following members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, John C. Givens, and Harry T. Haskins, Jr. (Howard C. Packer - absent); with Carl E. Tarpley, Jr., Mayor, presiding; together with Randolph M. Smith, City Manager; Forest G. Jones, Assistant City Manager and Clerk of Council; Frank P. Turk, Director of Finance; and the following business was transacted:

Mayor Tarpley reported that this date, place, and time was set as a special meeting of Council, in accordance with Section 4.6 (b) of The Charter of the City of Salem, Virginia, in order for the City Manager to present the budget to Council for fiscal year 1999-2000 in accordance with Section 8.3 of The Charter of the City of Salem, Virginia, and for Council to set dates for the Budget Work Study Sessions for the 1999-2000 fiscal year budget; and

WHEREAS, members of the news media were notified of said meeting by letter mailed on April 20, 1999; and

WHEREAS, the City Manager presented the budget for the fiscal year 1999-2000 to Council with the following letter highlighting certain aspects of the budget:

April 23, 1999

Members of Council
City of Salem
Salem, VA 24153

Gentlemen:

In accordance with the provisions of Section 8.3 of the Charter of the City of Salem, I am presenting for your consideration the budget for fiscal year beginning July 1, 1999. This is the 12th budget that I have presented as City Manager and the 20th in which I have been involved. My thanks to Forest, Frank, Angela, and the entire Finance Department who all help make this process happen.

While many citizens involved in the Lutheran Orphanage matter requested a general tax increase, I am recommending that all tax rates remain static but that you authorize an increase in the monthly E-911 user fee from 90 cents to \$1.40, which is still less than the fee charged by Roanoke City and Roanoke County. This amount would raise an additional \$70,000 that would help defray costs for computer equipment and personnel within the Communications Division of the Police Department. It is now time for a major upgrade there.

The following is significant information regarding taxes in the FY 1999-2000 budget:

1. The reassessment this year should yield \$926,673 in new money and new construction should produce \$118,000.
2. Business and personal property revenue will be up \$718,200.
3. Machinery and tools tax will be down \$90,000, which is evidence of a leveling off of investments made over the last five years by large manufacturers.
4. Sales tax revenue will increase \$345,200, which is certainly positive.
5. We will receive an additional \$272,510 from funding for House Bill 599 from the State since it is now back up to full funding.

Regarding personnel and raises, I would like to point out the following:

1. This budget projects a 2.25 percent cost-of-living increase and merit steps for eligible employees.
2. Recommended additional personnel:
 - a. One communications dispatcher to ensure the same level of service and response time.
 - b. Three firefighter paramedics to continue to assist the volunteer Rescue Squad in our efforts to get all of the daytime calls answered. The addition of these medics will provide enough manpower for two ambulances seven days a week from 6 a.m. to 6 p.m., if needed. After 6 p.m., we will still depend solely upon the volunteers.
 - c. One part-time employee to full-time status in the Building Official's Office to provide efficient service to citizens and contractors.

Funding has been included in this budget for the following:

1. \$25,000 to study the City's pay plan.
2. \$100,000 for two dump trucks in the Street Department.
3. \$153,000 for Salem's share of the Regional Fire Training Facility.
4. \$84,000 for public safety communication's E-911 equipment.
5. \$135,000 for a replacement garbage compactor.
6. \$300,000 for a new fire pumper.
7. \$1,604,000 Debt Service for the 1999 public improvement bonds recently issued.
8. \$737,946 additional local dollars for education.

This year's budget, while keeping to the trend of being conservative, does address the City's continued commitment to quality education as well as public safety as evidenced by funding for the fire pumper, Regional Fire Training Center, communications upgrades, and EMS personnel. Revenue of 70.4 percent in the General Fund is from local sources and 29.6 percent is from State and Federal sources. Education accounts for 50 percent of the General Fund Budget for a total of \$28,740,370. The increase in local contributions for education is \$737,946 or 5.8 percent higher than last year.

The General Fund budget for FY 1999-2000 totals \$57,716,083 and the Enterprise Fund is \$28,773,534 for a total of \$86,489,617, which is up only 5.25 percent of the current amended year's budget.

I would suggest that you consider three nights in May, possibly May 10 at 7 p.m. and May 11 and 12 at 7:30 p.m., for work sessions to study this budget, reserving the first night for community service agencies to be heard after a short regular agenda. This will allow time for another budget hearing to be scheduled before adoption in June with an effective date of July 1, 1999.

Respectfully submitted,

Randolph M. Smith
City Manager

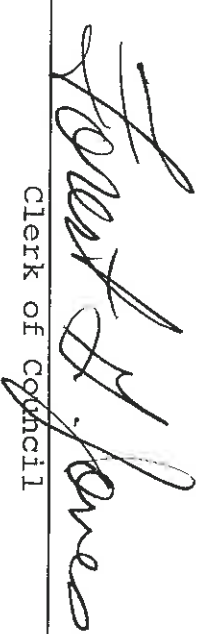
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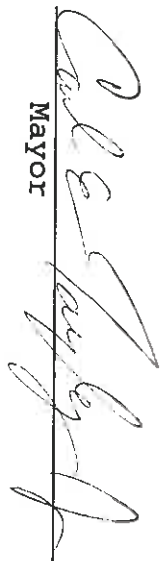
WHEREAS, the City Manager discussed certain areas of the budget; and a discussion was held concerning the proposed budget and setting work study sessions in May;

THEREUPON, said budget for the fiscal year 1999-2000 was received as presented by the City Manager.

ON MOTION MADE BY COUNCILMAN HASKINS, SECONDED BY VICE MAYOR BROWN, AND DULY CARRIED, Budget Work Study Sessions are hereby set as follows: May 10, 1999, at the regular meeting of Council to be held at 7:00 p.m. in the Council Chambers, City Hall, 114 North Broad Street, immediately upon completion of the regular meeting agenda, for a public hearing to hear the requests of human service agencies for appropriations in the 1999-2000 budget; and May 11 and 12, 1999, at 7:30 p.m. in the Council Chambers, City Hall, 114 North Broad Street, for the remainder of the Budget Work Study Sessions for the 1999-2000 budget, if needed -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - absent; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

There being no further business to come before the Council, the same on motion adjourned at 8:08 a.m.


Clerk of Council


Mayor

April 26, 1999

A regular meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on April 26, 1999, at 7:30 p.m., there being present the following members of said Council, to wit: Carl E. Tarpley, Jr., Howard C. Packett, John C. Givens, and Harry T. Haskins, Jr. (Alexander M. Brown - absent); with Carl E. Tarpley, Jr., Mayor, presiding; together with Randolph M. Smith, City Manager; Forest G. Jones, Assistant City Manager and Clerk of Council; Frank P. Turk, Director of Finance; James E. Taliaferro, II, City Engineer; Joseph E. Yates, Jr., Director of Planning and Development; and Stephen M. Yost, City Attorney; and the following business was transacted:

The minutes of the regular meeting of April 12, 1999, were approved as written.

The report by the City Manager of the City's activities for the month of February, 1999, was received and ordered filed.

The report by the Director of Finance of the City's financial status for the month of March, 1999, was received and ordered filed.

Mayor Tarpley requested that Council receive a request of the Roanoke Valley Convention and Visitors Bureau for adoption of Resolution 922 designating National Tourism Week in the Roanoke Valley; and

WHEREAS, Mayor Tarpley noted that the City has also issued a Proclamation designating May 2 through 8, 1999, as National Tourism Week; and

WHEREAS, David L. Kjolhede, Executive Director of the Roanoke Valley Convention and Visitors Bureau, appeared before the Council thanking Council for recognizing the tourism industry in the Roanoke Valley and for its support; and further, Mr. Kjolhede invited Council to the annual meeting on May 5, 1999;

ON MOTION MADE BY COUNCILMAN GIVENS, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, Resolution 922 was duly passed and adopted:

RESOLUTION 922

WHEREAS, the travel and tourism industry supports the vital interests of the Roanoke Valley and the United States, contributing to our employment, economic prosperity, international trade and relations, peace, understanding and goodwill; and

WHEREAS, travel and tourism ranks as one of the Roanoke Valley's largest industries in terms of revenue generated; and

WHEREAS, leisure travelers, tour groups, conventioners and sports enthusiasts visiting the Roanoke Valley contributed \$294,520,000 to the economy in 1997; and

WHEREAS, spending by these travelers generated \$13,160,000 in local taxes; and

WHEREAS, those travelers provided jobs for 4,870 citizens in the Roanoke Valley, generating a payroll of \$74,270,000; and

WHEREAS, travel and tourism provides employment for more young people, women, and minorities than any other industry in the Roanoke Valley; and

WHEREAS, as people throughout the world become more aware of the outstanding cultural, and recreational resources available in the Roanoke Valley and the United States, travel and tourism will become an increasingly important aspect in the lives of our citizens; and

WHEREAS, given these laudable contributions to the economic, social and cultural well-being, of the citizens of the Roanoke Valley, it is fitting that we recognize the importance of travel and tourism; NOW THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that the week of May 2 through 8, 1999, is hereby designated NATIONAL TOURISM WEEK IN THE ROANOKE VALLEY and Mayor Carl E. Tarpley, Jr., has issued a proclamation calling the people of Salem to observe this week with appropriate ceremonies and activities.

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

Harry T. Haskins, Jr. - Aye
 John C. Givens - Aye
 Howard C. Packett - Aye
 Alexander M. Brown - Absent
 Carl E. Tarpley, Jr. - Aye

Mayor Tarpley requested that Council receive the presentation of the 1999-2000 School Board budget from the City of Salem School Board; and

WHEREAS, Sarah W. "Sally" Southard, Chairman of the City of Salem School Board, appeared before the Council noting the following: the total recommended budget for the year 1999-2000 is \$28,730,371, which is \$2,028,758 or 7.6% higher than the 1998-99 budget as originally adopted; the total budget consists of the School Operating Fund (\$27,642,227) and the School Cafeteria Fund (\$1,088,144); the budget proposal reflects a small number of new initiatives which include funding for the new step/pay plan for teachers and classified staff and employee raises averaging 4 percent for teachers and 4.7 percent for other employees with these raises including funding needs to place employees on the new scale and funding of mandatory Virginia Retirement System contribution increases and potential health insurance premium increases; there is funding for 3 part time elementary assistant principals and teachers and a computer technician to meet increasing demands for computer assistance; there is funding for new mandated standards of learning remediation programs and teacher training; and there is additional funding for textbooks and computers; and

WHEREAS, Chairman Southard noted the budget is funded by a projected State revenue of 9.7 million dollars, sales tax revenue of 2.2 million dollars, Federal revenue of \$600,000, miscellaneous revenue of \$200,000, and local funding of 14.7 million dollars; the State funding includes \$300,000 in construction funds which will be used for roofing projects this summer; the State funding includes lottery funds for the first year of \$476,000 which will be applied 1/2 to operations and 1/2 to debt service; the local funding includes City Council's payment of School Debt Service including debt service on the 1999 Bond Issue; City Council supports the capital improvement program, particularly with the 3 million dollar bond fund for the upcoming science addition at Salem High School, bleachers at Andrew Lewis Middle School, and an elementary school addition, etc.; and

WHEREAS, Mayor Tarpley thanked the Salem School Board for the good job the Board does in the City and noted the City is willing to help the Board in making the schools as safe as possible;

ON MOTION MADE BY COUNCILMAN HASKINS, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, the City of Salem School Budget for the fiscal year 1999-2000 is hereby approved as presented, and the Salem School Budget is hereby authorized to be included in the City of Salem's Budget for the fiscal year 1999-2000 -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - absent; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley reported that this date and time had been set to hold a public hearing to consider the request of North Salem Development LLC, property owner, and T. P. Parker & Son, Engineers, for approval of a request to the Federal Emergency Management Agency (FEMA) for a revision of the floodplain map relative to Lots 5 through 23 of "The Lawn" Subdivision situate on Highfield Road; and

WHEREAS, the Clerk of Council reported that notice of such public hearing has been published in the April 8 and 15, 1999, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, the Planning Commission of the City of Salem recommended to the Council of the City of Salem that the request be approved; and

WHEREAS, the staff noted the following: Federal Emergency Management Agency regulations allow areas of the 100-year floodplain to be filled to an elevation of one foot above the 100-year flood elevation; National Flood Insurance Program Rate Maps are drawn to represent the different flood zone areas as if the 100-year floodplain had been completely filled in its entirety; the purpose of the NFIP is to help localities reduce the number of properties subject to flooding and thereby reduce the number of damage claims; the developer has filled the 100-year floodplain area of this development in order to remove that portion of this property from the danger and damage of the 100-year flood incident; the result of this filling will effect a change in the floodplain map for this development; and FEMA requires a recommendation by the Planning Commission and City Council before approving this request; and

WHEREAS, no one appeared in support of or in opposition to said request; and

WHEREAS, Mayor Tarpley noted that the final decision pertaining to the revision to the floodplain map must be made by the Federal Emergency Management Agency (FEMA); and

WHEREAS, a discussion was held concerning this request;

CITY OF
 SALEM SCHOOL
 BOARD FOR THE
 FISCAL YEAR
 1999-2000
 APPROVED AND
 PRESENTED
 AND
 AUTHORIZED
 TO BE
 INCLUDED
 IN THE CITY OF
 SALEM'S
 BUDGET FOR
 THE FISCAL
 YEAR 1999-
 2000

REQUEST OF
 NORTH SALEM
 DEVELOPMENT
 LLC,
 PROPERTY
 OWNER, AND
 T. P. PARKER
 & SON,
 ENGINEERS
 FOR APPROVAL
 OF A REQUEST
 TO THE
 FEDERAL
 EMERGENCY
 MANAGEMENT
 AGENCY
 (FEMA) FOR
 REVISION
 OF THE
 FLOODPLAIN
 MAP RELATIVE
 TO LOTS 5
 THROUGH 23
 OF "THE
 LAWN"
 SUBDIVISION
 SITUATE ON
 HIGHFIELD
 ROAD
 APPROVED

ON MOTION MADE BY COUNCILMAN PACKETT, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the Request of North Salem Development LLC, property owner, and T. P. Parker & Son, Engineers, for approval of a request to the Federal Emergency Management Agency (FEMA) for a revision of the floodplain map relative to Lots 5 through 23 of "The Lawn" Subdivision situate on Highfield Road is hereby approved -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - absent; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley reported that this date and time had been set to hold a public hearing to consider the request of Sherrill and Maxine Smith, property owners, and G & L Motors, lessee, to amend the conditions of a Zoning and Use Permit issued March 26, 1984, for a used car sales lot on the property located at 231 E. Fourth Street (529 S. College Avenue); and

WHEREAS, the Clerk of Council reported that notice of such public hearing has been published in the April 8 and 15, 1999, issues of the Salem Times-Register, a newspaper published and have general circulation in the City of Salem; and

WHEREAS, the Planning Commission of the City of Salem recommended to the Council of the City of Salem that the request for an amendment to the Zoning and Use Permit granted March 26, 1984, for a used car sales lot be approved; and

WHEREAS, the staff noted the following: this property was rezoned from B-1 to B-3 with conditions in March of 1984; the property was originally a Phillips 66 service station, and the rezoning converted the building into an office for Steve's Hot Dogs and a used car sales lot; the conditions of the rezoning were that the only B-3 use would be a used car sales lot provided the required zoning and Use Permit was approved; all other uses would be B-1 uses; the Zoning and Use Permit issued in 1984 contained a condition providing for a limit of 10 cars to be displayed at any one time; the petitioner is requesting that this limit be removed from the Zoning and Use Permit; and the petitioner may continue to operate a used car sales lot at this location but may only display 10 cars; and

WHEREAS, Lee Lovern, lessee, appeared before the Council explaining the proposed request to amend the Zoning and Use Permit previously issued to allow him to display no more than 25 vehicles at this location; and

WHEREAS, no one appeared in opposition to this request;

ON MOTION MADE BY COUNCILMAN HASKINS, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, the request of Sherrill and Maxine Smith, property owners, and G & L Motors, lessee, to amend the conditions of a Zoning and Use Permit issued March 26, 1984, for a used car sales lot on the property located at 231 East Fourth Street (529 South College Avenue) is hereby approved amending the original condition from a maximum of 10 vehicles to no more than 25 vehicles -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - absent; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council receive a presentation from the United States Postal Service concerning the proposed expansion of the present facility at 320 West Main Street and receive public opinion and comments; and

WHEREAS, Lewis Nash, Real Estate Specialist with the United States Postal Service, appeared before the Council advising Council and the community that the United States Postal Service is considering an expansion of the existing Salem Post Office; due to growth in the area, more space is needed at the Salem Post Office; in order to accomplish an expansion at the existing Salem Post Office, there will be an approximate 11,000 foot expansion to the rear of the present building (9,000 will be work area and 2,000 will be support area); there will possibly be adjacent properties acquired for employee parking and storage of government vehicles; it was noted that this entire block has recently been designated as floodplain property; there are requirements in dealing with floodplain property; the postal service must hold a public hearing, possibly within the next thirty to forty-five days, to allow individuals within the City to offer comments pertaining to this expansion; etc.; and

WHEREAS, Councilman Packett suggested a study should be made pertaining to the traffic pattern at this postal facility due to the existing problem of vehicles backing into other vehicles; and

WHEREAS, a discussion was held concerning services at the Salem Post Office, it was noted that local and state jurisdictions have no control over improvements on Federal government properties, etc.;

THEREUPON, said presentation was received pertaining to this expansion.

Mayor Tarpley requested that Council consider adopting Resolution 923 approving financing for expansion, renovation, and equipping of the Donald M. Sutton Student Center for Roanoke College and the issuance of bonds through the Industrial Development Authority of Craig County; and

WHEREAS, it was noted that Roanoke College will be financing construction on its campus in Salem through a "bank qualified" industrial development bond issue; and

QUEST OF
SHERRILL AND
MAXINE
SMITH,
PROPERTY
OWNERS, AND
& L
MOTORS, TO
AMEND THE
CONDITIONS
OF A ZONING
AND USE
PERMIT
ISSUED MARCH
26, 1984,
FOR A USED
CAR SALES
LOT ON THE
PROPERTY
LOCATED AT
231 EAST
FOURTH
STREET (529
SOUTH
COLLEGE
AVENUE)
PROVIDED
AMENDING THE
ORIGINAL
CONDITION
FROM A
MAXIMUM OF
10 VEHICLES
TO NO MORE
THAN 25
VEHICLES
ON MOTION
MADE BY
COUNCILMAN
HASKINS,
SECONDED
BY
COUNCILMAN
PACKETT,
AND
DULY
CARRIED,
THE
REQUEST
OF
NORTH
SALEM
DEVELOPMENT
LLC,
PROPERTY
OWNER,
AND
T. P. PARKER
& SON,
ENGINEERS,
FOR
APPROVAL
OF
A
REQUEST
TO
THE
FEDERAL
EMERGENCY
MANAGEMENT
AGENCY
(FEMA)
FOR
A
REVISION
OF
THE
FLOODPLAIN
MAP
RELATIVE
TO
LOTS
5
THROUGH
23
OF
"THE
LAWN"
SUBDIVISION
SITUATE
ON
HIGHFIELD
ROAD
IS
HEREBY
APPROVED
--
THE
ROLL
CALL
VOTE
BEING
AS
FOLLOWS:
HARRY
T.
HASKINS,
JR. -
AYE;
JOHN
C.
GIVENS -
AYE;
HOWARD
C.
PACKETT -
AYE;
ALEXANDER
M. BROWN -
ABSENT;
AND
CARL
E.
TARPLEY,
JR. -
AYE.

WHEREAS, the Clerk of Council reported that notice of such public hearing has been published in the April 8 and 15, 1999, issues of the Salem Times-Register, a newspaper published and have general circulation in the City of Salem; and

WHEREAS, the Planning Commission of the City of Salem recommended to the Council of the City of Salem that the request for an amendment to the Zoning and Use Permit granted March 26, 1984, for a used car sales lot be approved; and

WHEREAS, the staff noted the following: this property was rezoned from B-1 to B-3 with conditions in March of 1984; the property was originally a Phillips 66 service station, and the rezoning converted the building into an office for Steve's Hot Dogs and a used car sales lot; the conditions of the rezoning were that the only B-3 use would be a used car sales lot provided the required zoning and Use Permit was approved; all other uses would be B-1 uses; the Zoning and Use Permit issued in 1984 contained a condition providing for a limit of 10 cars to be displayed at any one time; the petitioner is requesting that this limit be removed from the Zoning and Use Permit; and the petitioner may continue to operate a used car sales lot at this location but may only display 10 cars; and

WHEREAS, Lee Lovern, lessee, appeared before the Council explaining the proposed request to amend the Zoning and Use Permit previously issued to allow him to display no more than 25 vehicles at this location; and

WHEREAS, no one appeared in opposition to this request;

ON MOTION MADE BY COUNCILMAN HASKINS, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, the request of Sherrill and Maxine Smith, property owners, and G & L Motors, lessee, to amend the conditions of a Zoning and Use Permit issued March 26, 1984, for a used car sales lot on the property located at 231 East Fourth Street (529 South College Avenue) is hereby approved amending the original condition from a maximum of 10 vehicles to no more than 25 vehicles -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - absent; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council receive a presentation from the United States Postal Service concerning the proposed expansion of the present facility at 320 West Main Street and receive public opinion and comments; and

WHEREAS, Lewis Nash, Real Estate Specialist with the United States Postal Service, appeared before the Council advising Council and the community that the United States Postal Service is considering an expansion of the existing Salem Post Office; due to growth in the area, more space is needed at the Salem Post Office; in order to accomplish an expansion at the existing Salem Post Office, there will be an approximate 11,000 foot expansion to the rear of the present building (9,000 will be work area and 2,000 will be support area); there will possibly be adjacent properties acquired for employee parking and storage of government vehicles; it was noted that this entire block has recently been designated as floodplain property; there are requirements in dealing with floodplain property; the postal service must hold a public hearing, possibly within the next thirty to forty-five days, to allow individuals within the City to offer comments pertaining to this expansion; etc.; and

WHEREAS, Councilman Packett suggested a study should be made pertaining to the traffic pattern at this postal facility due to the existing problem of vehicles backing into other vehicles; and

WHEREAS, a discussion was held concerning services at the Salem Post Office, it was noted that local and state jurisdictions have no control over improvements on Federal government properties, etc.;

THEREUPON, said presentation was received pertaining to this expansion.

Mayor Tarpley requested that Council consider adopting Resolution 923 approving financing for expansion, renovation, and equipping of the Donald M. Sutton Student Center for Roanoke College and the issuance of bonds through the Industrial Development Authority of Craig County; and

WHEREAS, it was noted that Roanoke College will be financing construction on its campus in Salem through a "bank qualified" industrial development bond issue; and

WHEREAS, it was further noted that, due to the fact that the City of Salem has utilized the IRS \$10,000,000 exemption in its own bond issue, Roanoke College has requested that the Craig County Industrial Development Authority authorize the sale of this bond; this resolution merely consents to the Roanoke College project and the financing of the project through Industrial Development Revenue Bonds issued by the Craig County Industrial Development Authority; in the past the City of Salem Industrial Development Authority has financed a project for Craig County through Industrial Development Revenue Bonds issued by the City of Salem; and

WHEREAS, a discussion was held pertaining to this matter;

ON MOTION MADE BY COUNCILMAN GIVENS, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, Resolution 923 was duly passed and adopted:

RESOLUTION 923

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SALEM, VIRGINIA

WHEREAS, the Industrial Development Authority of Craig County (the "Authority") has considered the application of The Trustees of Roanoke College (the "Borrower") requesting the issuance of one or more of the Authority's revenue bonds or notes in an amount not to exceed \$10,000,000 (the "Bonds") to assist in the financing of the expansion, renovation and equipping of the Borrower's Donald M. Sutton Student Center (the "Project"), which is located near High Street on the Borrower's campus in the City of Salem, Virginia (the "City") and which expansion will increase the size of such Student Center from approximately 40,000 square feet to approximately 60,000 square feet (which expansion and renovation may include the construction, improvement and landscaping of stairways, walkways and other areas adjacent to such Student Center), and which Project will be owned and operated by the Borrower, and the Authority has held a public hearing thereon; and

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

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

1. The Council approves the financing of the Project and the issuance of the Bonds by the Authority for the benefit of the Borrower, as required by said Section 147(f), to permit the Authority to assist in the financing of the Project. The Council concurs with the resolution adopted by the Authority on April 15, 1999, with respect to the Bonds and the Project.

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

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

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Absent
Carl E. Tarpley, Jr. - Aye

Mayor Tarpley requested that Council consider adopting Resolution 924 establishing priorities for VDOT's six-year plan for urban highway projects in Salem; and

WHEREAS, Mayor Tarpley reported the proposed resolution established priorities for the following projects: to construct and improve the intersection of Electric Road (U. S. Route 419) and Apperson Drive (U. S. Route 11) and its approaches; to construct a bridge and approaches connecting North Salem with South Salem from the vicinity of Fourth Street (U. S. 11A and 460) and Maple Street to the intersection of Twelve O'Clock Knob Road (Route 694) and West Riverside Drive (Route 639); and to widen and realign Franklin Street (Route 693) in the City of Salem from its intersection with Mowles Drive to the South Corporate Limits of the City; and

WHEREAS, a full discussion was held concerning these projects;

ON MOTION MADE BY COUNCILMAN HASKINS, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, Resolution 924 was duly passed and adopted:

RESOLUTION 924

WHEREAS, in accordance with Virginia Department of Transportation construction allocation procedures, it is necessary that a request by Council resolution be made in order that the Department program urban highway projects into the six-year plan in and for the City of Salem; NOW, THEREFORE,

RESOLUTION
924 ADOPTED
ESTABLISHING
PRIORITIES
FOR VDOT'S
SIX-YEAR
PLAN FOR
URBAN
HIGHWAY
PROJECTS
SALEM

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, at its regular meeting on this twenty-sixth day of April, 1999, that:

(1) The Virginia Department of Transportation be, and it is hereby, requested to establish the following prioritized projects within the City of Salem, VA:

- (a) to construct and improve the intersection of Electric Road (U. S. Route 419) and Apperson Drive (U. S. Route 11) and its approaches;
- (b) to construct a bridge and approaches connecting North Salem with South Salem from the vicinity of Fourth Street (U. S. 11A and 460) and Maple Street to the intersection of Twelve O'Clock Knob Road (Route 694) and West Riverside Drive (Route 639); and
- (c) to widen and realign Franklin Street (Route 693) in the City of Salem from its intersection with Mowles Drive to the South Corporate Limits of the City.

(2) That the City of Salem hereby agrees to pay its share of the cost for preliminary engineering, right of way and construction of these projects in accordance with Section 33.1-44 of the Code of Virginia.

(3) If the City of Salem subsequently elects to cancel any of these projects, the said City hereby agrees to reimburse the Virginia Department of Transportation for the total amount of the costs expended by the Department through the date the Department is notified of such cancellation.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Absent
Carl E. Tarpley, Jr. - Aye

Mayor Tarpley requested that Council consider nominating individuals for the 1999 Virginia Municipal League Policy Board Committees;

ON MOTION MADE BY COUNCILMAN PACKETT, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the following individuals are hereby nominated to the 1999 Virginia Municipal League Policy Board Committees:

Environmental Quality James M. Fender, Jr.
Finance Frank P. Turk
General Laws Alexander M. Brown
General Laws Randolph M. Smith
Human Development & Education Howard C. Packett
Human Development & Education Forest G. Jones
Public Safety Harry T. Haskins, Jr.
Transportation John C. Givens

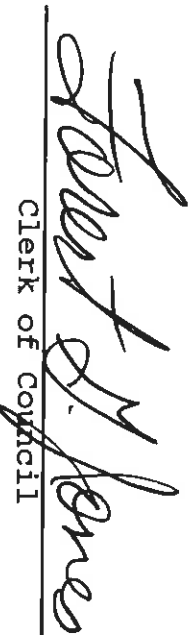
the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - absent; and Carl E. Tarpley, Jr. - aye.


ON MOTION MADE BY COUNCILMAN HASKINS, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, William R. Shepherd is hereby reappointed to the City of Salem Personnel Board for a two-year term, said term will expire on June 9, 2001 -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - absent; and Carl E. Tarpley, Jr. - aye.

Council congratulated William Sinkler, member of the City of Salem School Board, on his retirement from Roanoke City Schools at the end of the 1998-1999 school year.

There being no further business to come before the Council, the same on motion adjourned at 7:54 p.m.

WILLIAM R. SHEPHERD
APPOINTED TO THE CITY OF SALEM SCHOOL BOARD,
HIS RETIREMENT FROM ROANOKE CITY SCHOOLS
THE END OF THE 1998-1999 SCHOOL YEAR


Clerk of Council


Mayor

May 10, 1999

A regular meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on May 10, 1999, at 7:00 p.m., there being present all the members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, Howard C. Packett, John C. Givens, and Harry T. Haskins, Jr.; with Carl E. Tarpley, Jr., Mayor, presiding; together with Randolph M. Smith, City Manager; Forest G. Jones, Assistant City Manager and Clerk of Council; Frank P. Turk, Director of Finance; and Stephen M. Yost, City Attorney; and the following business was transacted:

The minutes of the special meeting of April 23, 1999, and regular meeting of April 26, 1999, were approved as written.

Mayor Tarpley requested that Council consider adopting Resolution 925 requesting the Virginia Department of Transportation establish a project in Salem for the installation of traffic signalization at the intersection of Thompson Memorial Drive and Cleveland Avenue; and

WHEREAS, Vice Mayor Brown stated that there have been numerous accidents at this intersection and traffic signalization is very much needed; and

WHEREAS, the City Manager reported that VDOT is proposing to open the rear entrance to its property on Cleveland Avenue, which will probably bring the traffic count to a level to meet the warrants for signalization on the side streets; and further, the City's contribution to the signalization will probably be to widen Cleveland Avenue between Thompson Memorial Drive and Craig Avenue and moving utility poles and wires;

ON MOTION MADE BY COUNCILMAN GIVENS, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, Resolution 925 was duly passed and adopted:

RESOLUTION 925

WHEREAS, in accordance with Virginia Department of Transportation construction allocation procedures, it is necessary that a request by Council resolution be made in order that the Virginia Department of Transportation program an urban highway project in the City of Salem; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, at its regular meeting on this tenth day of May, 1999, that:

(1) The Virginia Department of Highways and Transportation be, and it is hereby, requested to establish a project within the City of Salem, Virginia, for the installation of traffic signalization at the intersection of Thompson Memorial Drive (Route 311) and Cleveland Avenue in the City of Salem.

(2) That the City of Salem hereby agrees to pay its share of the cost for preliminary engineering, right of way, and construction of this project in accordance with Section 33.1-44 of the Code of Virginia.

(3) If the City of Salem subsequently elects to cancel this project, the said City hereby agrees to reimburse the Virginia Department of Transportation for the total amount of the costs expended by the Department through the date the Department is notified of such cancellation.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Mayor Tarpley requested that Council consider setting bond for erosion and sediment control for The Hill Subdivision, Section 2; and

WHEREAS, Vice Mayor Brown, Chairman of Council's Audit-Finance Committee, reported that the Committee reviewed the bond for erosion and sediment control for The Hill Subdivision, Section 2, and recommends that the bond be set at \$262,700 to be completed in twelve months;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, bond for erosion and sediment control for The Hill Subdivision, Section 2, is hereby set at \$262,700 to be completed in twelve months -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider setting bond for erosion and sediment control for CVS Pharmacy at Braeburn Drive and Electric Road; and

WHEREAS, Vice Mayor Brown, Chairman of Council's Audit-Finance Committee, reported the Committee reviewed the bond for erosion and sediment control for CVS Pharmacy at Braeburn Drive and Electric Road and recommends that the bond be set at \$131,000 to be completed in twelve months;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, bond for erosion and sediment control for CVS Pharmacy at Braeburn Drive and Electric Road is hereby set at \$131,000 to be completed in twelve months -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

RESOLUTION
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OPPOSAL OF
FINKBEINER,
PETTIS, &
ROTT,
C., FOR
ENGINEERING
SERVICES FOR
KIME

Mayor Tarpley requested that Council receive a proposal of Finkbeiner, Pettis, & Strout, Inc., for Engineering Services for the Kime Lane Water Main and Elevated Tank -- bidding and construction; and

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ERIFF'S
FICE

WHEREAS, due to questions regarding this item, it is the recommendation of Council's Audit-Finance Committee that consideration of this proposal be continued to the May 24, 1999, meeting of Council;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, consideration of the proposal of Finkbeiner, Pettis, & Strout, Inc., for Engineering Services for the Kime Lane Water Main and Elevated Tank (bidding and construction) is hereby continued to the May 24, 1999, meeting of Council -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council authorize the employment of legal counsel regarding the appeal of the decision of the State Compensation Board by the Salem Sheriff's Office pertaining to staffing; and

WHEREAS, Everette B. Obenshain, Jr., Sheriff, appeared before the Council requesting that the City authorize employment of legal counsel regarding the appeal of the decision of the State Compensation Board pertaining to staffing and explained the reason for said request;

ON MOTION MADE BY COUNCILMAN HASKINS, SECONDED BY VICE MAYOR BROWN, AND DULY CARRIED, Council hereby authorizes the employment of Salem's City Attorneys to appeal the decision of the State Compensation Board pertaining to staffing in the City Sheriff's Office -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley reported that Council at its special meeting held on April 23, 1999, set this date, place, and time as a Budget Work Session for the proposed 1999-2000 budget, after completion of the regular agenda items for this meeting; and

WHEREAS, this date, place, and time was set as a public hearing for citizens to present written or verbal comments on how such funds should be spent and for community and human service agencies to present requests for funds to Council; and

WHEREAS, the Clerk of Council reported that notice of such public hearing and work sessions had been published in the May 6, 1999, issue of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, the following requests were received from the respective agencies for appropriations in the budget for the fiscal year 1999-2000:

CITY OF SALEM, VIRGINIA
HUMAN AND COMMUNITY SERVICE AGENCIES
FISCAL YEAR 1999 - 2000

AGENCY	REQUESTED APPROPRIATION
Blue Ridge Regional Education & Training Council	
-- Sylvia Bailey appeared in support of said request	\$ 983
Literacy Volunteers of America Roanoke Valley -- Nancy Chapin appeared in support of said request	500
LOA Area Agency on Aging -- Susan Williams appeared in support of said request	8,264
On Our Own	250
Center in the Square -- Steve Agee appeared in support of said request	12,000
Total Action Against Poverty -- Ann Francis appeared in support of said request	17,900
Total Action Against Poverty - Transitional Living Center -- Ellen Brown appeared in support of said request	13,366
Blue Ridge Community Services -- Rodney Furr appeared in support of said request	94,605
Blue Ridge Zoological Society of VA, Inc. -- Beth Poff appeared in support of said request	4,000
Blue Ridge Zoological Society of VA, Inc. -- Beth Poff appeared in support of said request	5,000
Blue Ridge Zoological Society of VA, Inc. -- Beth Poff appeared in support of said request	2,349
Adult Care Center of Roanoke Valley, Inc. -- Dawn Field appeared in support of said request	5,300
Science Museum of Western Virginia -- Carolyn Schwanhauser appeared in support of said request	10,000
Science Museum of Western Virginia (Capital) -- Carolyn Schwanhauser appeared in support of said request	10,000
Child Abuse Prevention Council of Roanoke Valley -- Shannon Brabham appeared in support of said request	2,150

Roanoke Valley Convention and Visitors Bureau	
-- David L. Kjolhede appeared in support of	
said request	55,000
Salvation Army	3,000
Virginia's Explore Park -- Roger F. Ellmore	
appeared in support of said request	12,500
National Multiple Sclerosis Society	500
Conflict Resolution Center, Inc.	NSR
Virginia Museum of Transportation, Inc. -- Jim	
Frantz appeared in support of said request	3,000
Virginia Museum of Transportation, Inc. - (Capital)	
-- Jim Frantz appeared in support of said	
request	2,000
Mill Mountain Theatre -- Jennifer Blackwood	
appeared in support of said request	3,000
Clean Valley Council -- Ann Masters appeared	
in support of said request	2,000
Roanoke Valley Trouble Center, Inc.	5,000
20,000	
Virginia Amateur Sports, Inc.	1,500
Arts Council of the Blue Ridge -- Wayne Strickland	
appeared in support of said request	3,600
Roanoke Valley Greenway Commission -- Liz Belcher	
appeared in support of said request	5,000
Roanoke Symphony Orchestra -- Jeannie Brown	
appeared in support of said request	5,000
Virginia Western Community College -- George	
Logan and Charles Downs appeared in support	
of said request	1,770
Roanoke Area Ministries (RAM)	1,000
SW VA Second Harvest Food Bank -- Pamela Irvine	
appeared in support of said request	2,500
Goodwill Industries-Tinker Mountain, Inc. --	
Roger Matthews appeared in support of	
said request	7,000
Southwest Virginia Ballet -- Vicki Honer appeared	
in support of said request	2,000
Roanoke Valley Drug & Alcohol Abuse Council	
-- Philip Trompeter appeared in support of	
said request	2,500
26,000	
The ARC Roanoke	11,000
Habitat for Humanity -- Amy Moore appeared in	
support of said request	3,000
Family Service of Roanoke Valley -- John Pendarvis	
appeared in support of said request	8,000
Parent Helpline -- Cindy Neathawk appeared in	
support of said request	500
National Conference for Community and Justice -- Wendy	
Moore appeared in support of said request	
Roanoke Regional Housing Network -- John Sabian	
appeared in support of said request	1,000
Opera Roanoke -- Bill Krause appeared in support of	
said request	2,000
Big Brothers Big Sisters -- June House appeared	
in support of said request	2,500
Art Museum of Western Virginia (operational) --	
Lon Savage and John Lowe appeared in support	
of said request	10,000
Art Museum of Western Virginia (capital)	
-- Lon Savage and John Lowe appeared in	
support of said request	25,000
Roanoke Valley CASA -- Carol Key appeared in	
support of said request	2,500
Harrison Museum of African American Culture --	
Althea Bolden appeared in support of	
said request	3,000
Salem/Roanoke County Community Food Pantry --	
Michael Chandler appeared in support of said	
request	8,000
NSR	
Roanoke River Basin Association	10,000
Julian Stanley Wise Foundation -- Rob Logan	
appeared in support of said request	
Roanoke Valley Speech & Hearing Center, Inc. --	
H. Gregory Adams appeared in support of	
said request	1,400
Total	\$ 433,437
NSR -- no specific request	

Council recessed at 9:20 p.m. and reconvened at 9:25 p.m.

WHEREAS, the following appropriations were made to the community and human service agencies for the year 1999-2000:

AGENCY	APPROPRIATION
Blue Ridge Regional Education & Training	
Council	\$ 1,000
Literacy Volunteers of America Roanoke Valley .	0
LOA Area Agency on Aging	8,264
On Our Own	250
Center in the Square	12,000
Total Action Against Poverty	17,900
Total Action Against Poverty - Transitional	
Living Center	13,366

Blue Ridge Community Services	81,000
Blue Ridge Zoological Society of VA, Inc.	4,000
Blue Ridge Zoological Society of VA, Inc (Capital)	0
Council of Community Services	2,349
Adult Care Center of Roanoke Valley, Inc.	5,300
Science Museum of Western Virginia	7,000
Science Museum of Western Virginia (Capital)	0
Child Abuse Prevention Council of Roanoke Valley	2,150
Roanoke Valley Convention and Visitors Bureau	10,000
Salvation Army	2,500
Virginia's Explore Park	12,500
National Multiple Sclerosis Society	500
Conflict Resolution Center, Inc.	0
Virginia Museum of Transportation, Inc.	2,000
Virginia Museum of Transportation, Inc. - (Capital)	0
Mill Mountain Theatre	3,000
Clean Valley Council	1,500
Roanoke Valley Trouble Center, Inc.	3,500
Virginia Amateur Sports, Inc.	15,000
Arts Council of the Blue Ridge	1,000
Roanoke Valley Greenway Commission	3,600
Roanoke Symphony Orchestra	5,000
Virginia Western Community College	2,000
Roanoke Area Ministries (RAM)	1,000
SW VA Second Harvest Food Bank	0
Goodwill Industries-Tinker Mountain, Inc.	7,000
Southwest Virginia Ballet	1,000
Roanoke Valley Drug & Alcohol Abuse Council	2,000
The ARC Roanoke	23,000
Habitat for Humanity	10,000
Family Service of Roanoke Valley	1,750
Parent Helpline	4,000
National Conference for Community and Justice	500
Roanoke Regional Housing Network	0
Opera Roanoke	1,000
Big Brothers Big Sisters	2,000
Art Museum of Western Virginia (operational)	1,000
Art Museum of Western Virginia (capital)	0
Roanoke Valley CASA	2,500
Harrison Museum of African American Culture	3,000
Salem/Roanoke County Community Food Pantry	0
Roanoke River Basin Association	3,000
Julian Stanley Wise Foundation	0
Roanoke Valley Speech & Hearing Center, Inc.	3,000
Total	<u>1,400</u>
	<u>\$ 288,829</u>

ON MOTION MADE BY COUNCILMAN PACKETT, SECONDED BY VICE MAYOR BROWN, AND DULY CARRIED, \$25,000 each year for the next three years is hereby appropriated to the Salem/Roanoke County Chamber of Commerce for a total appropriation of \$75,000 for the construction of a new building -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Vice Mayor Brown stated he agrees that an appropriation should be given to the Chamber of Commerce, but he did not intend to appropriate as much as Council decided to appropriate.

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, in accordance with Section 2.1-344 (A) of the Code of Virginia, 1950 as amended to date, Council convened to Executive Session at 10:04 p.m. for the purpose of discussing the following specific matters:

- (1) Discussion of personnel matters pertaining to salaries of Council appointees, which is authorized by Section 2.1-344 (A) (1) of the Code of Virginia, 1950 as amended to date;

-- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Upon reconvening at 10:10 p.m.;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, in accordance with Section 2.1-344.1 (D) of the Code of Virginia, 1950 as amended to date, Council hereby certifies that in Executive Session only items lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such items identified in the motion by which the Executive Session was convened were heard, discussed, or considered by the Council -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, Council hereby authorizes a 5% raise for the City Manager and Assistant City Manager -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

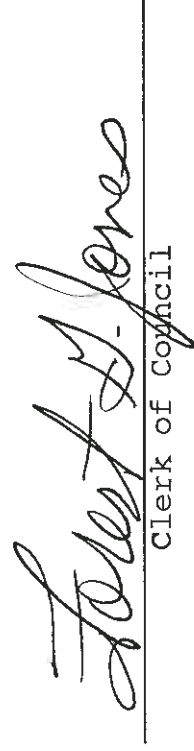
WHEREAS, Council discussed the line items in the 1999-2000 budget, revenues for both the General Fund and Enterprise Fund, increases and decreases in accounts, capital purchases, personnel, etc.

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ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, June 14, 1999, at 7:30 p.m., in the Council Chambers, City Hall, 114 North Broad Street, is hereby set as a date, place, and time for a public hearing to consider adoption of the 1999-2000 Budget for the City of Salem -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

There being no further business to come before the Council, the same on motion adjourned at 10:45 p.m.


Mayor


Clerk of Council

May 24, 1999

A regular meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on May 24, 1999, at 7:30 p.m., there being present all the members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, Howard C. Packett, John C. Givens, and Harry T. Haskins, Jr.; with Carl E. Tarpley, Jr., Mayor, presiding; together with Randolph M. Smith, City Manager; Forest G. Jones, Assistant City Manager and Clerk of Council; Frank P. Turk, Director of Finance; James E. Taliaferro, II, City Engineer; Joseph E. Yates, Jr., Director of Planning and Development; and Stephen M. Yost, City Attorney; and the following business was transacted:

The minutes of the regular meeting of May 10, 1999, were approved as written.

The report by the City Manager of the City's activities for the month of March, 1999, was received and ordered filed.

The report by the Director of Finance of the City's financial status for the month of April, 1999, was received and ordered filed.

Mayor Tarpley reported that this date and time had been set to hold a public hearing to consider the request of Lance B. and Debra L. Duncan, property owners, for rezoning property located at 1149 Easton Road (corner Easton and Midland Roads) from Residential District R-2 to Industrial District M-2 with voluntarily proffered conditions; and

WHEREAS, the Clerk of Council reported that notice of such public hearing had been published in the May 6 and 13, 1999, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, the Planning Commission of the City of Salem at its regular meeting held on May 12, 1999, recommended to Council that the requested rezoning be denied; and

WHEREAS, the staff noted the following: the owner of this lot originally owned the adjacent lot with the house and has sought to rezone both lots for commercial use; his request was denied because it did not comply with the Future Land Use designation of industrial; the purpose of this request is to allow the owner to market the property for its use as industrial property to comply with the Comprehensive Plan; the properties to the west and north are zoned R-2, and properties across Midland Road to the south and across Easton Road to the east are zoned M-2; the main issue is whether or not to rezone the property for an unknown use; and the petitioner has voluntarily proffered conditions for the purpose of limiting the possible future industrial uses and maximum building size; and

WHEREAS, Lance B. Duncan, property owner and residing at 2801 Franklin Street, appeared before the Council stating that he is requesting that the City rezone his property located at 1149 Easton Road from Residential District R-2 to Industrial District M-2 to aid in the sale and development of this property; the City's Land Use Plan for this property is for industrial purposes; he is requesting that the City begin this process by rezoning his property to Industrial District M-2 or by rezoning all the properties in this area to M-2 zoning as the Land Use Plan designates; the Lutheran Children's Home property was rezoned without a specific user designated for that property, so why not rezone his property without a specific user since the eventual plan for this property is for industrial zoning; he is of the opinion that it is not fair to him to have to request a rezoning for every potential user that may be interested in the property, not to mention the cost to him of such requests for rezoning at \$350 each; he stated he would not do anything to injure the value of the joining properties; he is voluntarily proffering the following conditions: (1) the building on this

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property will be no more than 8,000 square feet in size; (2) the only Industrial District M-2 uses allowed on this property will be small manufacturing or assembly of electronics, baked goods, meats, food products, toys, musical instruments, novelties, rubber and metal stamps, candy, cosmetics, perfumes, pharmaceuticals, soaps and toiletries, laboratory for pharmaceutical or medical, cabinet, furniture, or upholstery shop, and business storage warehouse or child care facility; and (3) the site will be developed in substantial conformity with the plan presented at the May 12, 1999, meeting of the City of Salem Planning Commission; the Salem City Code requires adequate screening and buffering to protect adjacent properties; the future use of this property is limited due to its small size; if the property were already rezoned, it would be easier to market the property; his request is compatible with the current Land Use Plan in all directions; he came to Council in January, 1999, requesting rezoning of this property; he was told in January that the plan for the property was to be zoned industrial; the lot is one-half acre; etc.; and

WHEREAS, E. G. "Buck" Whitlow, II, 1145 Easton Road, appeared before the Council stating that he is opposed to rezoning of this property to Industrial District M-2 at this time due to the fact that the neighbors behind him and beside him are of the opinion that the property should remain residential; and

WHEREAS, Council noted that this area has not progressed to industrial as it was anticipated twenty years ago, the neighborhood is actually a stronger residential area than in previous years, and there is a street separating this residential area from the industrial area; and

WHEREAS, Mr. Duncan stated that it was his understanding when Mr. Whitlow purchased this property that he knew Mr. Duncan was intending to build on this lot and get the property zoned industrial zoning; and

WHEREAS, a full discussion was held concerning the requested rezoning, the Comprehensive Plan or Land Use Plan designation for this property, etc.; and

WHEREAS, Mr. Duncan requested that Council allow him to withdraw this request for rezoning and Council refund his application fee;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, the request of Lance B. and Debra L. Duncan, property owners, for rezoning property located at 1149 Easton Road (corner Easton and Midland Roads) from Residential District R-2 to Industrial District M-2 with voluntarily proffered conditions is hereby allowed to be withdrawn without prejudice, and Council hereby authorizes the \$350 application fee be refunded to Mr. Duncan -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council receive the proposal for Engineering Services for the Kime Lane Water Main Project from Finkbeiner, Pettis & Strout, Inc.; and

WHEREAS, Stewart A. Lassiter, P.E., Associate, Finkbeiner, Pettis, & Strout, Inc., appeared before the Council stating his firm has submitted a proposal to provide engineering services for the Bidding and Construction Phase of the Kime Lane Water Project, which consists of two construction contracts as follows: Contract A for a 24-inch Water Main and Contract B for a 16-inch Water Main; Contract A, which runs from Spring Street to Idaho Street, will be advertised and competitive bids received; Contract B will be constructed by the City with its own forces; and

WHEREAS, Vice Mayor Brown, Chairman of Council's Audit-Finance Committee, reported that the Committee recommends that a contract be awarded with FPS to provide engineering services for the Bidding and Construction Phase of the Kime Lane Water Line Project in the amount of \$37,200;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, a contract is hereby awarded with Finkbeiner, Pettis, & Strout, Inc., to provide engineering services for the Bidding and Construction Phase of the Kime Lane Water Line Project in the amount of \$37,200 -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

Mayor Tarpley requested that Council consider setting bond for the erosion and sediment control for Ridgewood Farms Condominiums, Phase 12; and

WHEREAS, Vice Mayor Brown, Chairman of Council's Audit-Finance Committee, reported that the Committee recommends that bond for erosion and sediment control for Ridgewood Farms Condominiums, Phase 12, be set at \$33,700 with a time limit for completion of said improvements of twelve months;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, bond for erosion and sediment control for Ridgewood Farm Condominiums, Phase 12, is hereby set at \$33,700 with a time limit for completion of said improvements of twelve months -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

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Mayor Tarpley requested that Council consider adopting Resolution 926 supporting federal legislation to assure tax exempt status for bond issues regarding City Electric System; and

WHEREAS, the City Manager reported that the Salem Electric Department was established in 1892; there are numerous municipal governments operating electric systems across the country; Salem has always purchased its power wholesale and resold it at a retail rate; in some parts of the country, there are large municipal electric companies such as in California who have gotten into generation of power; now with deregulation in the power industry, these municipal electric companies have started marketing the power outside their borders and are now in competition with private companies such as American Electric Power Company; the private companies do not have tax-exempt status like municipal governments when they sell bonds to improve the electric systems; therefore, there has been a movement in some parts of the country to take away from municipal governments the tax-exempt status, which would be damaging in the sale of bonds; the proposed resolution requests the Federal legislators to support a bill in the House of Representatives (H.R. 721) which would continue to allow municipal governments to have the tax-exempt status they currently have; the concession to municipals in the bill would be that the municipals pledge not to get into the generation of power, which would be in competition with the private companies; there are twenty-seven sponsors of the bill; etc.;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN HASKINS, AND DULY CARRIED, Resolution 926 was duly passed and adopted:

RESOLUTION 926

WHEREAS, every state, county, city or town in America should have the right to decide whether it wants to provide electric service to its businesses and residents; and

WHEREAS, the consumer-owners of these utilities should have a direct say in and maintain local control over their own electric utility operations and policies; and

WHEREAS, the City of Salem established its community-owned electric utility in 1892 and its citizens have benefited greatly from this action for over a century with its Electric Department now serving over 12,000 customers; and

WHEREAS, these community-owned utilities, as units of state or local government, have the right to issue tax-free municipal bonds for local infrastructure needs, including electric service; and

WHEREAS, the City of Salem has issued tax-exempt debt in the past to fund necessary major improvements to its electric transmission and distribution system and wishes to preserve that important right in the future; and

WHEREAS, there currently exists federal restrictions on municipal bonds used to develop community-owned electric utilities that prevent these utilities from selling power under many circumstances, and these restrictions will make it difficult, if not impossible, for many of these utilities to operate in the more competitive environment being fostered or mandated by new federal and state laws; and

WHEREAS, bipartisan legislation, the Bond Fairness and Protection Act, has been introduced in the Senate (S. 386) by Senators Slade Gorton (R-WA) and Bob Kerrey (D-NE), and in the House of Representatives (H.R. 721) by Representatives Hayworth (R-AZ) and Matsui (D-CA) to reconcile these restrictions with the changing character of the electric utility industry in a way that protects our right of local control over our own affairs; and

WHEREAS, the City of Salem is, by supporting this legislation, willing to give up its right to use tax-exempt debt to construct generation facilities in the future that would produce energy to compete with investor-owned utilities in the retail marketplace outside of the City of Salem; and

WHEREAS, many other restructuring-related pieces of federal legislation under consideration fail to fully protect the local governments tax-exempt debt, existing and needed for the future; and

WHEREAS, some private power companies oppose this legislation precisely because it is in their self interest to limit the ability of community-owned utilities to operate in this new environment; and

WHEREAS, opponents of S. 386 and H.R. 721 are urging Congress to impose a federal income tax on certain revenues from sales of community-owned electric utilities; and

WHEREAS, community-owned utilities such as the City of Salem Electric Department, as units of state and local government operating on a not-for-profit basis, are not and should not be taxed by the federal government; NOW, THEREFORE,

BE IT RESOLVED that the Council of the City of Salem, Virginia, calls on Senators Charles S. Robb and John W. Warner and Representative Robert W. Goodlatte to support the bipartisan Bond Fairness and Protection Act of 1999 and to vigorously oppose any federal tax on community-owned electric utilities; and

BE IT FURTHER RESOLVED that Council requests that certified copies of this Resolution be forwarded to Senators Warner and Robb and Representative Goodlatte.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Mayor Tarpley requested that Council consider adopting Resolution 927 opposing the merging of the Roanoke Valley Economic Development Partnership with the Roanoke Regional Chamber of Commerce; and

WHEREAS, Mayor Tarpley explained the proposed resolution; and

WHEREAS, the City Manager stated that it is his intention to present this resolution, after approval by Council, at the Executive Committee meeting of the Regional Partnership on May 25, 1999, as it is his understanding that there will be an individual present at this meeting of the Partnership to make a presentation asking that the Partnership consider merging with the Roanoke Regional Chamber of Commerce; and

WHEREAS, Vice Mayor Brown requested that the City Manager convey Salem City Council's strong feelings about this merger and that Council is opposed to the combination of these two entities;

ON MOTION MADE BY COUNCILMAN HASKINS, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, Resolution 927 was duly passed and adopted:

RESOLUTION 927

WHEREAS, the City of Salem joined the Regional Partnership in 1983 that later became known as the Roanoke Valley Economic Development Partnership; and

WHEREAS, that organization has become recognized by the local governments in the Valley as the economic development marketing agency for this part of the state; and

WHEREAS, there appears to be some interest in merging the Roanoke Regional Chamber of Commerce with this organization even though both organizations are charged with different missions and responsibilities; and

WHEREAS, the Council of the City of Salem feels that the City's interests are best represented by being a member separately in the Partnership and the Salem/Roanoke County Chamber of Commerce; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that Council doth oppose any movement by the Partnership or the Roanoke Regional Chamber of Commerce to merge these two agencies into one larger organization.

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to the Roanoke Valley Economic Development Partnership, Roanoke Regional Chamber of Commerce, Salem/Roanoke County Chamber of Commerce, and the governments of the City of Roanoke, County of Roanoke, Town of Vinton, Counties of Botetourt, Franklin, and Craig.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Aye
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Mayor Tarpley requested that Council receive an update from Mayor Tarpley and Councilman Haskins regarding future plans for the YMCA; and

WHEREAS, Mayor Tarpley reported that Council has had several meetings with the YMCA, a consultant assessed the needs for the Salem YMCA and the entire Valley; a rendering was presented for a very expensive facility that Salem cannot afford to support with Salem funding; there is a need to upgrade the present facility; the YMCA presented the programs they presently have; the YMCA in Salem is serving Salem citizens of all ages very well; the YMCA discussed the scholarships at the YMCA for individuals who cannot afford the facilities; the YMCA pool is totally inadequate as the facility should have a small heated pool and a larger pool; the YMCA anticipates two pools and locker rooms can be constructed for approximately \$2,500,000; it is anticipated that the YMCA can raise approximately \$1,000,000 quickly if the City would contribute the remainder; it is the opinion of the YMCA that, if the City committed to an appropriation of approximately \$1,500,000, the YMCA would be able to get funding more quickly from other sources; it is his opinion that the City could contribute this money to the YMCA in the future; etc.; and

WHEREAS, it was noted that the water tower, proposed to be located near the YMCA building, can have approximately 2,000 to 3,000 square feet of space per floor under the tower which could possibly be used for rooms for the YMCA programs; and

WHEREAS, Vice Mayor Brown stated that the students he talks with in Salem schools want to know when Salem is getting a swimming pool; it is his opinion that the YMCA is not getting out into the community or schools and advertising their facilities; there are children in Salem whose parents cannot join the facility; and possibly the City should build the pool and run the facility in order to serve the children of Salem; and

WHEREAS, Councilman Packett questioned, if the pool is built, who will own the pool, who would run the facility, and would a membership fee be charged; and

WHEREAS, Mayor Tarpley stated the City would own the pool, it would be run by the YMCA, a membership fee would be charged for this facility, he noted that other jurisdictions support YMCA's all over the country; and

WHEREAS, a full discussion was held concerning this matter;

THEREUPON, Council requested that representatives of the YMCA be present at the second meeting of Council in July (July 26, 1999) to make a presentation to Council pertaining to the YMCA.

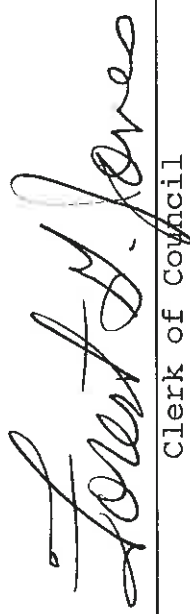
ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, Joseph C. Yates, Jr., and Howard C. Packett are hereby reappointed to the Roanoke Valley Area Metropolitan Planning Organization (MPO) of the Fifth Planning District Commission for three year terms, said terms will expire on June 30, 2002 -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

ON MOTION MADE BY COUNCILMAN HASKINS, SECONDED BY COUNCILMAN GIVENS, AND DULY CARRIED, the Council of the City of Salem hereby recommends to the Judges of the Circuit Court for the City of Salem the appointment of William T. "Bill" Dalton to the Board of Zoning Appeals of the City of Salem as an Alternate Member for a five-year term, said term will expire on June 1, 2004 -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, the Council of the City of Salem hereby recommends to the Judges of the Circuit Court for the City of Salem the appointment of Howard M. Semones to the Board of Zoning Appeals of the City of Salem as an Alternate Member for a five-year term, said term will expire on June 1, 2004 -- the roll call vote being as follows: Harry T. Haskins, Jr. - aye; John C. Givens - aye; Howard C. Packett - aye; Alexander M. Brown - aye; and Carl E. Tarpley, Jr. - aye.

There being no further business to come before the Council, the same on motion adjourned at 8:08 p.m.


Mayor


Clerk of Council

June 14, 1999

A regular meeting of the Council of the City of Salem, Virginia, was held in Council Chambers, City Hall, 114 North Broad Street, on June 14, 1999, at 7:30 p.m., there being present the following members of said Council, to wit: Carl E. Tarpley, Jr., Alexander M. Brown, Howard C. Packett, and Harry T. Haskins, Jr. (John C. Givens - absent); with Carl E. Tarpley, Jr., Mayor, presiding; together with Randolph M. Smith, City Manager; Joyce C. Bailey, Deputy Clerk of Council; Frank P. Turk, Director of Finance; Joseph E. Yates, Jr., Director of Planning and Development; Melvin B. Doughty, Assistant City Engineer; and Stephen M. Yost, City Attorney; and the following business was transacted:

The minutes of the regular meeting of May 24, 1999, were approved as written.

The report by the City Manager of the City's activities for the month of April, 1999, was received and ordered filed.

Mayor Tarpley reported that this date and time had been set to hold a public hearing to consider the application of The Trustees of the Salem Presbyterian Church and adopting Resolution 928 appointing viewers to consider the vacation of a ten (10) foot alley running in a north-south direction from East Clay Street south to another alley running in an east-west direction, said alley to be closed being 141.9 feet west of North Market Street and running between the two properties of the church on the south side of Clay Street; and

JOSEPH C.
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WHEREAS, it was noted that notice of such public hearing was published in the May 20 and 27, 1999, issues of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, it was noted that Council at this meeting must appoint viewers to view the requested vacation, and the viewers will meet and make a recommendation to Council pertaining to the requested vacation;

ON MOTION MADE BY VICE MAYOR BROWN, SECONDED BY COUNCILMAN PACKETT, AND DULY CARRIED, Resolution 928 was duly passed and adopted:

RESOLUTION 928

A RESOLUTION providing for the appointment of not less than three, nor more than five, freeholders, any three of whom may act, as viewers in connection with the application of the Trustees of the Salem Presbyterian Church to permanently vacate a certain alley in the City of Salem; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALEM, VIRGINIA, that James E. Taliaferro, Terrance D. Murphy, W. Shelby Klein, III, and Emerson Gilmer, any three of whom may act, be and they are hereby, appointed as viewers to view that certain ten foot (10') wide alley running in a north-south direction from East Clay Street south to another alley running in an east-west direction. The alley to be closed is 141.9 feet west of North Market Street and runs between the two Salem Presbyterian Church properties on the south side of Clay Street situate in the City of Salem, Virginia, as required by Section 15.2-2006 of the Code of Virginia, as amended to date, and to report in writing whether or not in their opinion any, and if any, what, inconvenience would result from permanently vacating said alley.

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

Harry T. Haskins, Jr. - Aye
John C. Givens - Absent
Howard C. Packett - Aye
Alexander M. Brown - Aye
Carl E. Tarpley, Jr. - Aye

Mayor Tarpley reported that this date and time had been set to hold a public hearing to receive citizen input for the 1999-2000 budget; and

WHEREAS, it was noted that notice of such public hearing had been published in the June 10, 1999, issue of the Salem Times-Register, a newspaper published and having general circulation in the City of Salem; and

WHEREAS, Betty Wilson, 929 Lynchburg Turnpike, appeared before the Council stating she had reviewed the budget for the 1999-2000 fiscal year at the Salem Public Library; she does not have major concerns with the budget in general; as a citizen, she is of the opinion that the budget is such an important document that it must be factually correct; in light of this, the cover letter that introduced the budget must also be factually correct; if there are discrepancies in the cover letter, it puts in doubt the factual information in the budget; she is concerned about the cover letter written by the City Manager in which a comment is made that citizens had requested a tax increase who were involved in the Lutheran Orphanage matter, which is better known to the public as Elizabeth Campus; nobody during any of the hearings requested a general tax increase; her recollection of many of the meetings was that citizens had stated they would be willing to pay more if the campus could be kept green; and she would like to see that the statement be deleted as it is inappropriate and incorrect; and

WHEREAS, David L. Foster, 342 High Street, appeared before the Council stating it is his understanding that the budgeting process is one of the most difficult things that Council goes through every year; he has a great deal of sympathy for the fine line that Council has to walk each year between the delivery of quality services to the citizenry and on the other hand maintaining the tax rate at a reasonable level; he is very impressed with improvements that have been ongoing recently at Longwood Park; the Street Department and the Beautification Department have done a nice job on the project; one of the things that is liked about Salem is the quality of service and quality of life; no one wants to see cuts made in a budget that are going to cause some of the things that have been appreciated for so long to go away; there is a real challenge when you go through a budget to try to separate the things that are necessary such as schools, fire protection, etc., and the things that are discretionary; there are a number of items in the budget that fall in the "nice to have" category; if a reasonable tax rate is maintained, he urges Council to look at things that can be cut out of the budget, which do not affect the delivery of quality of service; in his opinion in this category would be the \$50,000 for 4 x 4's for the City Manager's Office, two brand new \$50,000 dump trucks, and the flat bed truck for the Stores Department would be in this category; there are lots of people requesting \$600 color printers and \$500 chain saws; he is asking that, when Council reviews these requests, they ask if the City can get by without some of these things for another year, can they make do with the vehicle that they already have, does anyone really need a color printer or can they get by with a regular printer; he would like to know that, when Council holds its work sessions and goes through the booklet, Council is looking for things that can be cut out and at the same time not have a deleterious impact on the delivery of quality services; and

WHEREAS, Mayor Tarpley stated he did question the dump truck during budget work study sessions and was told the truck to be replaced is over twenty years old; and

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