

UNAPPROVED MINUTES - **AMENDED**
COUNCIL MEETING
May 23, 2011

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 23, 2011, at 7:30 p.m., there being present all the members of said Council, to wit: Byron Randolph Foley, John C. Givens, Jane W. Johnson, William D. Jones, and Lisa D. Garst; with Byron Randolph Foley, Mayor, presiding; together with Kevin S. Boggess, City Manager; James E. Taliaferro, II, Assistant City Manager and Clerk of Council; Tammy Todd, Assistant Director of Finance; Charles E. Van Allman, City Engineer; Melinda J. Payne, Director of Planning and Economic Development; Mike Stevens, Communications Director; and Stephen M. Yost, City Attorney, and the following business was transacted:

NOTE: DUE TO AN EQUIPMENT MALFUNCTION, THE MINUTES WERE PREPARED WITHOUT THE ASSISTANCE OF AUDIO RECORDING EQUIPMENT

The May 9, 2011, regular meeting minutes were approved as written.

The report by the City Manager of the City's activities for February 2011 was received and ordered filed.

The report by the Director of Finance of the City's financial status for a ten-month period ending April 30, 2011, was received and ordered filed.

Mayor Foley requested that Council receive a flag presentation from Major Warren R. Stump; and

WHEREAS, Major Warren R. Stump of the Army National Guard appeared before the Council; his wife Mitchy was also present at the meeting; he stated that he is a 1983 graduate of Salem High School; he stated that during his tours of duty in Kosovo and Afghanistan in a medi vac unit he had members of his unit sign a City of Salem flag; he then presented Council with the signed flag; and

WHEREAS, Council thanked him for his service to our Country;

THEREUPON, presentation was received.

<u>ITEM 1</u> FLAG PRESENTATION FROM MAJOR WARREN R. STUMP

ITEM 2
2011-2012
BUDGET PASSED

Mayor Foley reported that this date and time had been set to hold a public hearing and consider an ordinance on first reading adopting the 2011-2012 budget; notice of such hearing was advertised in the May 14, 2011, issue of The Roanoke Times, a newspaper having general circulation in the City of Salem; and

WHEREAS, Vice Mayor Givens, Chair of Council’s Audit-Finance Committee, reported that Council held a budget work session on May 9, 2011; the Committee reviewed the budget for fiscal year 2011-2012 and recommends approval by ordinance, both by line-item and fund totals, as written; and

WHEREAS, Dottie Cook, PTA President; London Lewis; Ronald Hogan, a city employee, spoke regarding the insurance premium increase employees will begin paying in October; members of council each thanked city employees for their extra work during the difficult economic times, for filling in for vacancies on staff and for continuing to provide the services Salem residents count on without any loss of quality; and May Johnson with Brain Injury Services, spoke regarding the 2011-2012 budget; and

WHEREAS, no other person(s) appeared related to the budget;

ON MOTION MADE BY VICE MAYOR GIVENS, SECONDED BY COUNCILMAN JONES, AND DULY CARRIED, an ordinance adopting the 2011-2012 budget was hereby passed on first reading – the roll call vote: Lisa D. Garst – aye, William D. Jones – aye, Jane W. Johnson – aye, John C. Givens – aye, and Byron Randolph Foley – aye.

ITEM 3
ORDINANCE
PASSED
ESTABLISHING TAX
RATES FOR REAL
ESTATE AND
PERSONAL
PROPERTY

Mayor Foley requested that Council consider an ordinance on first reading establishing tax rates for real estate and personal property; and

WHEREAS, Vice Mayor Givens, Chair of Council’s Audit-Finance Committee, reported that the budget is predicated upon maintaining current tax rates for Real Estate, \$1.18 per \$100 of assessed value and Personal Property and Machinery and Tools at \$3.20 per \$100 of assessed value; the Committee reviewed the rates and recommends approval by ordinance as written;

ON MOTION MADE BY VICE MAYOR GIVENS, SECONDED BY COUNCILWOMAN JOHNSON, AND DULY CARRIED, an ordinance establishing tax rates for real estate and personal property was hereby passed on first reading – the roll call vote: Lisa D. Garst – aye, William D. Jones – aye, Jane W. Johnson – aye, John C. Givens – aye, and Byron Randolph Foley – aye.

Mayor Foley requested that Council consider Resolution 1181 amending/establishing the Schematic List of Job Classes and Pay Ranges to become effective July 1, 2011; and

ITEM 4
RESOLUTION 1181
ADOPTED
AMENDING/
ESTABLISHING THE
SCHEMATIC LIST
OF JOB CLASSES
AND PAY RANGES
AND STEPS FOR
2011-2012

WHEREAS, Vice Mayor Givens, Chair of Council’s Audit-Finance Committee, reported that the Committee reviewed the Job Classes and Pay Ranges and Steps for the fiscal year 2011-2012 and recommends approval of a resolution authorizing a one percent (1%) cost-of-living and no merit increases for 2011-12; also included is an \$800 bonus for eligible employees with payment expected in November 2011; and

WHEREAS, it was noted that in fiscal year 2008-2009 there were 522 classified positions on payroll and that there are 475 classified positions on payroll in the current fiscal year;

ON MOTION MADE BY VICE MAYOR GIVENS, SECONDED BY COUNCILWOMAN GARST, AND DULY CARRIED, Resolution 1181 was hereby adopted amending/establishing the Schematic List of Job Classes and Pay Ranges for Fiscal Year 2011-2012 effective July 1, 2011:

(HERE SET OUT RESOLUTION 1181)

-- the roll call vote: Lisa D. Garst – aye, William D. Jones – aye, Jane W. Johnson – aye, John C. Givens – aye, and Byron Randolph Foley – aye.

Mayor Foley requested that Council consider adopting Resolution 1182 amending schedule P.C.A. in the Book of Electric Rates; and

ITEM 5
RESOLUTION 1182
ADOPTED
AMENDING
SCHEDULE P.C.A. IN
THE BOOK OF
ELECTRIC RATES

WHEREAS, Vice Mayor Givens, Chair of Council’s Audit-Finance Committee, reported that the City has a long-term contract to purchase electric power from Appalachian Power Company; the contract provides for increasing cost based upon a formula filed with FERC; the Committee reviewed the contract and recommends approval of a resolution authorizing an increase to the power cost adjustment factor (PCA) charged to Salem customers from \$0.004 per KWH to \$0.010 per KWH; the purpose is to recapture only the increased cost of power to the city; and

WHEREAS, it was further noted that the increase is a “true up pass thru” increase; and

WHEREAS, it was questioned if a refund would be given like other AEP customers if the increase was not state approved; it was noted that a refund would not be given as the increase is based upon the City’s contract with AEP;

ON MOTION MADE BY VICE MAYOR GIVENS, SECONDED BY COUNCILMAN JONES, AND DULY CARRIED, Resolution 1182 was hereby adopted amending schedule P.C.A. in the Book of Electric Rates:

(HERE SET OUT RESOLUTION 1182)

-- the roll call vote: Lisa D. Garst – aye, William D. Jones – aye, Jane W. Johnson – aye, John C. Givens – aye, and Byron Randolph Foley – aye.

Mayor Foley requested that Council consider adopting Resolution 1183 amending the tipping fees for the Solid Waste Transfer Station; and

WHEREAS, Vice Mayor Givens, Chair of Council’s Audit-Finance Committee, reported that the Committee reviewed the Solid Waste Transfer Station (tipping) fees for fiscal year 2011-2012 and recommends approval of a resolution authorizing an increase of \$1.00 per ton for all classes of customers; in cases where the city has separate contracts for certain users such as “Waste Management”, these increases are dictated by the formula in the contract and could be more or less than \$1.00; and

WHEREAS, it was noted that the last fee increase was in 2008;

ON MOTION MADE BY VICE MAYOR GIVENS, SECONDED BY COUNCILMAN JONES, AND DULY CARRIED, Resolution 1183 was hereby adopted amending tipping fees for the Solid Waste Transfer Station to be effective July 1, 2011:

(HERE SET OUT RESOLUTION 1183)

-- the roll call vote: Lisa D. Garst – aye, William D. Jones – aye, Jane W. Johnson – aye, John C. Givens – aye, and Byron Randolph Foley – aye.

Mayor Foley requested that Council consider adopting Resolution 1183 establishing various miscellaneous fees; and

ITEM 6
RESOLUTION 1183
ADOPTED
AMENDING
TIPPING FEES FOR
THE SOLID WASTE
TRANSFER
STATION

ITEM 7
RESOLUTION 1184
ADOPTED
AMENDING
MISCELLANEOUS
FEES FOR FISCAL
YEAR 2011-12

WHEREAS, Vice Mayor Givens, Chair of Council’s Audit-Finance Committee, reported that the Committee reviewed the Miscellaneous Fees for fiscal year 2011-2012 and recommends approval of a resolution authorizing the Taliaferro Complex Facility Fee (ticket surcharge); the fee is either \$0.50 or \$1.00 depending on whether the ticket is more than or less than \$8.00 effective July 1, 2011; and

WHEREAS, it was noted that the implementation of the facility fee is to offset capital upgrades at the Civic Center; and

WHEREAS, Councilwoman Garst questioned if the fee would be waived for non-profit organizations and schools; and

WHEREAS, the City Manager stated that the policy is still in the process of being developed;

ON MOTION MADE BY VICE MAYOR GIVENS, SECONDED BY COUNCILWOMAN GARST, AND DULY CARRIED, Resolution 1184 was hereby adopted establishing various miscellaneous fees for fiscal year 2011-2012:

(HERE SET OUT RESOLUTION 1184)

-- the roll call vote: Lisa D. Garst – aye, William D. Jones – aye, Jane W. Johnson – aye, John C. Givens – aye, and Byron Randolph Foley – aye.

Mayor Foley requested that Council consider an ordinance on first reading amending Chapter 14, Article IV, Division 1, of The Code of the City of Salem, Virginia, by enacting Section 14-105 pertaining to confinement of animals in vehicles; and

WHEREAS, a discussion was held regarding the proposed changes to the city code;

ON MOTION MADE BY COUNCILWOMAN GARST, SECONDED BY COUNCILWOMAN JOHNSON, AND DULY CARRIED, an ordinance entitled, “AN ORDINANCE TO AMEND, REVISE, AND REORDAIN CHAPTER 14, ARTICLE IV DOGS AND CATS, DIVISION 1. GENERALLY BY ENACTING SECTION 14-105 OF THE CODE OF THE CITY OF SALEM, VIRGINIA, PERTAINING TO ANIMALS,” was hereby passed on first reading -- the roll call vote: Lisa D. Garst – aye, William D. Jones – aye, Jane W. Johnson – aye, John C. Givens – aye, and Byron Randolph Foley – aye.

ITEM 8
ORDINANCE
PASSED
AMENDING
CHAPTER 14,
ARTICLE IV,
DIVISION 1, OF THE
CODE OF THE CITY
OF SALEM
VIRGINIA, BY
ENACTING
SECTION 14-105
PERTAINING TO
CONFINEMENT OF
ANIMALS IN
VEHICLES

ITEM 9
BOND AND TIME
LIMIT SET FOR
NEW RESIDENCE
HALL AT ROANOKE
COLLEGE

Mayor Foley requested that Council consider setting bond for physical improvements and erosion and sediment control, and stormwater management for the new residence hall at Roanoke College; and

WHEREAS, Vice Mayor Givens, Chair of Council’s Audit Finance Committee, reported that the committee reviewed the performance bond for erosion and sediment control, and stormwater management for the new residence hall at Roanoke College and recommends setting bond at \$28,842 with a time limit of twelve (12) months for completion; and

WHEREAS, Councilwoman Garst questioned if the time limit could be based on the project instead of being a “standard” time limit of twelve months on each project;

ON MOTION MADE BY VICE MAYOR GIVENS, SECONDED BY COUNCILWOMAN JOHNSON, AND DULY CARRIED, the bond and time limit for erosion and sediment control, and stormwater management for the new residence hall at Roanoke College was hereby set at \$28,842 with a time limit of twelve (12) months for completion -- the roll call vote: Lisa D. Garst – aye, William D. Jones – aye, Jane W. Johnson – aye, John C. Givens – aye, and Byron Randolph Foley – aye.

ITEM 10
CAMERON L VEST
AND JULIE BAILEY
HAMILTON
REAPPOINTED TO
FINE ARTS
COMMISSION,
WILLIAM R.
SHEPHERD
REAPPOINTED TO
PERSONNEL
BOARD; GREGG
LEWIS APPOINTED
TO BOARD OF
APPEALS (USBC)

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

ON MOTION MADE BY VICE MAYOR GIVENS, SECONDED BY COUNCILWOMAN JOHNSON, AND DULY CARRIED, Cameron L. Vest and Julie Bailey Hamilton were reappointed to the Fine Arts Commission for four-year terms, said terms will expire May 1, 2015; William R. Shepherd was hereby reappointed to the Personnel Board for a two-year term, said term will expire June 9, 2013; and Gregg Lewis was hereby appointed to the Board of Appeals (USBC) to fulfill a five-year term; said term will expire January 1, 2016 -- the roll call vote: Lisa D. Garst – aye, William D. Jones – aye, Jane W. Johnson – aye, John C. Givens – aye, and Byron Randolph Foley – aye.

There being no further business to come before the Council, the same on motion adjourned at 8:02 p.m.