

UNAPPROVED MINUTES
COUNCIL MEETING
August 9, 2010

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 9, 2010, 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; Krystal M. Coleman, Deputy Clerk of Council; Frank P. Turk, Director of Finance; 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:

The July 26, 2010, work session and regular meeting minutes were approved as written.

The report by the City Manager of the City's activities for June 2010 was received and ordered filed.

The report by the Director of Finance of the City's financial status for a twelve-month period ending June 30, 2010, was received and ordered filed.

It was noted that Elliott Rieflin with Boy Scout Troop 236 was present at this meeting of Council.

Mayor Foley requested that Council consider adopting Resolution 1164 supporting and authorizing the City's participation in a Regional Consortium to apply for and implement a Sustainable Communities Regional Planning Grant; the resolution was continued from the July 26, 2010, meeting; and

WHEREAS, Matt Miller and Wayne Strickland with the Roanoke Valley-Alleghany Regional Commission appeared before the Council to answer questions regarding the grant; and

WHEREAS, Councilman Jones questioned if the localities participating in the Regional Consortium have to match 20 percent even if the grant money is not being used in their locality; and

WHEREAS, Mr. Strickland stated that the localities give an in-kind match (i.e. staff related, use of facilities, etc.), not a cash match; he stated that no cash will be moved from one place to another; and

<p>ITEM 1 RESOLUTION 1164 ADOPTED SUPPORTING AND AUTHORIZING THE CITY'S PARTICIPATION IN A REGIONAL CONSORTIUM TO APPLY FOR AND IMPLEMENT A SUSTAINABLE COMMUNITIES REGIONAL PLANNING GRANT</p>

WHEREAS, Mr. Miller stated that within the last few weeks a budget guideline was developed and Salem would be asked for approximately 70 hours of staff time per year, which at the rate the grant uses, is approximately \$3,500 a year for staff time for a three-year period; and

WHEREAS, Councilman Jones questioned if staff had to provide the hours, or could volunteers from within community be used instead; and

WHEREAS, Mr. Miller stated that volunteers from the community could be used and that a letter from the City Manager is needed that states how Salem will provide its match; and

WHEREAS, a discussion was held regarding the types of projects the consortium would be doing, etc.; and

WHEREAS, Mr. Strickland stated that the grant is a very competitive grant; he stated that the consortium would work together to build the economy and improve the environment for the entire metropolitan/greater Roanoke Valley area for the future; and

WHEREAS, Councilwoman Garst clarified that this money is federal money already set aside that different localities/regions are applying to receive; and

WHEREAS, Mr. Strickland stated that there is approximately \$100 million nation-wide, and the most money that the Roanoke Valley Region can receive is \$2 million; and

WHEREAS, a discussion was held regarding the requirements of the grant, etc.

ON MOTION MADE BY COUNCILWOMAN GARST, SECONDED BY COUNCILWOMAN JOHNSON, AND DULY CARRIED, Resolution 1164 supporting and authorizing the City's participation in a Regional Consortium to apply for and implement a Sustainable Communities Regional Planning Grant was hereby adopted:

(HERE SET OUT RESOLUTION 1164)

– 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 1165 declaring the City's intent to reimburse itself from anticipated bond issue or other taxable debt the City might consider for a variety of projects; and

WHEREAS, Vice Mayor Givens, Chairman of Council's Audit-Finance Committee, stated that the Committee met to review the resolution and asked the Director of Finance to further explain the resolution; and

WHEREAS, the Director of Finance stated that the purpose of Resolution 1165 is to adopt a reimbursement resolution which would allow the City to recoup any expenditures it may make in advance of a bond issue being authorized for the projects outlined in a memo given to Council; he stated that that it is his recommendation to participate in the VML/VACPO fall "Build America Bond" pool which will help lower the costs associated with the issuance of bonds and the need of acquiring a new rating from Moody's; the bonds being issued under the Federal Government Stimulus Program will be taxable bonds but provide a 35 percent interest expense subsidy; he stated that the federal program will expire December 31, 2010; he further stated that the three projects to be included in the bond issue are replacing Computer Aided Dispatch and Records System, an addition to the Public Safety Building to provide office space for a Federal Appeals Court Judge, and the replacement of the HVAC system at the Salem Civic Center; and

WHEREAS, Councilman Jones reiterated that the bonds are not tax-exempt bonds; he stated that a lot of work has been put into the projects being funding by the proposed bond issue; he thanked staff for their hard work; and

WHEREAS, Vice Mayor Givens stated that the HVAC system proposed for the civic center has a life expectancy of 30 to 40 years; and

WHEREAS, the City Manager stated that the high efficiency equipment to be placed in the civic center will not only save energy, which helps the environment, but will save the city money on energy costs;

ON MOTION MADE BY VICE MAYOR GIVENS, SECONDED BY COUNCILMAN JONES, AND DULY CARRIED, Resolution 1165 declaring the City's intent to reimburse itself from anticipated bond issue or other taxable debt the City might consider for a variety of projects was hereby adopted:

(HERE SET OUT RESOLUTION 1165)

<p>ITEMS1 RESOLUTION 1165 ADOPTED DECLARING THE CITY'S INTENT TO REIMBURSE ITSELF FROM ANTICIPATED BOND ISSUE OR OTHER TAXABLE DEBT THE CITY MIGHT CONSIDER FOR A VARIETY OF PROJECTS</p>

– 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.

ITEMS2
ORDINANCE
PASSED ON FIRST
READING
ESTABLISHING THE
POLICIES AND
PROCEDURES FOR
GRANTING A
CABLE TELEVISION
FRANCHISE
AGREEMENT

Vice Mayor Givens requested that Council consider an ordinance on first reading establishing the policies and procedures for granting a cable television franchise agreement; and

WHEREAS, the City Attorney stated that the City currently has a cable TV franchise ordinance in place; the ordinance to be considered is an amended and updated version prepared by the City’s special legal counsel Robert “Bob” Allen who has been retained to assist the City as the current franchise agreement with Comcast is set to expire this year; he stated that in 2006 the Virginia Legislature amended the Virginia statues relating to the granting and renewals of cable television franchises; he stated that the ordinance to be considered will bring it up to date with the state code revisions, and will bring it up to date with the Cable Act, federal law, also; he further stated that this ordinance does not have direct implications with the current Comcast Franchise agreement; he further stated that the ordinance sets forth how one applies, how one seeks renewal, and the factors that are taken into account, etc.; he further stated that Mr. Allen will be present at a public meeting regarding Comcast to be held at the Salem Civic Center on August 19, 2010, at 6 p.m. at which time he will make a presentation and listen to public comments regarding Comcast; and

WHEREAS, Vice Mayor Givens reiterated that the meeting on August 19, 2010, is open to the public and encouraged citizens to attend the meeting;

ON MOTION MADE BY COUNCILWOMAN JOHNSON, SECONDED BY VICE MAYOR GIVENS, AND DULY CARRIED, the “CABLE TELEVISION FRANCHISE ORDINANCE” 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.

There being no further business to come before the Council, the same on motion adjourned at 7:50 p.m.