

Roanoke City Council can't agree on council appointment, asks court to fill vacancy

When Joe Cobb was elected mayor, he left behind a council seat that must be filled. While the city charter doesn't call for a special election, a separate state law might.

by [Samantha Verrelli](#) February 10, 2025

After multiple hours spent deliberating in closed session, the Roanoke City Council has decided to leave the appointment of its vacant seat to the Roanoke City Circuit Court.

When Joe Cobb was elected mayor, he left a two-year vacant seat for the council to appoint someone to.

After receiving 11 applications, the council chose to interview three candidates: former city treasurer Evelyn Powers, former councilwoman Patricia White-Boyd and chairwoman of the Gun Violence Prevention Commission Kathy Cohen.

All council members except Peter Volosin voted for this outcome. Cobb and City Attorney Tim Spencer both said they can't recall a precedent for this situation in Roanoke.

"The three we interviewed were all stellar in very different ways, and clearly it was difficult to make a decision among those three," Cobb said after the certification of the closed meeting.

According to the Code of Virginia, the council has 45 days to pick a candidate to fill the vacancy. But, the code also says this leads to a special election — "Notwithstanding any charter provisions to the contrary, the person so appointed shall hold office only until the qualified voters fill the vacancy by special election pursuant to § 24.2-682 and the person so elected has qualified."

Spencer said Judge Charles Dorsey in 2008 ruled that there cannot be a special election for a vacancy less than two years long — and by this point, this vacancy is less than two years long, as it will end Dec. 31, 2026.

The 45 days allotted by the state to make the decision ends Tuesday, February 18, with Monday being President's Day. Cobb said it's possible that a councilmember may change their mind before then, which he said he thinks would be considered as a part of Tuesday's regular meeting.

"Sometimes you work toward unanimous [agreement]. If you can't get unanimous, then hopefully you have consensus. And what we had consensus about was the decision we made today," Cobb said. "It's not my preference to send something like this to the court."