



# City of Harrisonburg

409 S. Main Street  
Harrisonburg, VA 22801

## Meeting Minutes - Final City Council

*Mayor Christopher B. Jones*  
*Vice-Mayor Richard Baugh*  
*Council Member Ted Byrd*  
*Council Member Kai Degner*  
*Council Member Abe Shearer*

---

Tuesday, June 9, 2015

7:00 PM

Council Chambers

---

### 1. Roll Call

**Present:** 5 - Mayor Christopher B. Jones, Vice-Mayor Richard Baugh, Council Member Ted Byrd, Council Member Kai Degner and Council Member Abe Shearer

**Also Present:** 5 - City Manager Kurt Hodgen, Assistant City Manager Anne Lewis, City Clerk Erica Kann, City Attorney Chris Brown and Police Chief Stephen Monticelli

### 2. Invocation

Mayor Jones offered the invocation.

### 3. Pledge of Allegiance

Mayor Jones led the Pledge of Allegiance.

### 4. Comments from the public, limited to five minutes, on matters not on the regular agenda. (Name and address are required)

Chris DiAntonio, owner of Virginia Southern, stated he and a friend started a bow tie business a year ago and presented two bow ties to Mayor Jones. Mr. DiAntonio noted that he had met Mayor Jones during his time at JMU.

Mayor Jones congratulated Mr. DiAntonio and his partner on their business.

Panayotis "Poti" Giannakouros, 98 Emory Street, stated the incarceration numbers continue to decrease and stated if the numbers continue to decrease, we will be back to the same number of inmates as in 2008. Mr. Giannakouros noted the McArthur grant opportunity that is being sought and the Circuit Court Clerk feels that the efforts of the community have helped the judiciary system. Mr. Giannakouros stated we need to take care of our community and asked if we could trust council with the numbers given and the Middle River Regional Jail agreement. Mr. Giannakouros also asked council to take action to ban coal tar parking lot sealant.

### 5. Consent Agenda (any item placed on the consent agenda shall be removed and taken up as a separate matter, if so requested by any member of Council, otherwise all items will be voted on with one (1) motion)

**A motion was made by Council Member Byrd, seconded by Council Member Degner, to approve the consent agenda as presented. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 5 - Mayor Jones, Vice-Mayor Baugh, Council Member Byrd, Council Member Degner and Council Member Shearer

**No:** 0

#### 5.a. Minutes

**These Minutes were approved on the Consent Agenda.**

### 6. Public Hearings

#### 6.a. Consider amending and re-enacting Section 7-4-1 of the Harrisonburg City Code increasing water rates

City Manager Hodgen stated this public hearing is required to increase water rates by \$0.10 per one thousand (1000) gallons to reflect the FY15-16 budget which was approved by the City Council on May 26, 2015.

At 7:10 p.m., Mayor Jones closed the regular session and called the first public hearing to order. A notice appeared in the Daily News-Record on Saturday, May 30, 2015 and Saturday, June 6, 2015.

There being no one desiring to be heard, Mayor Jones closed the public hearing at 7:11 p.m., and the regular session reconvened.

Council Member Shearer stated the \$0.10 increase is toward bringing water to citizens' households, rates continue to be low and this is not a revenue generated source.

**A motion was made by Council Member Degner, seconded by Vice-Mayor Baugh, that this Ordinance be approved. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 5 - Mayor Jones, Vice-Mayor Baugh, Council Member Byrd, Council Member Degner and Council Member Shearer

**No:** 0

### 7. Regular Items

#### 7.a. Consider amending the Shenandoah Valley Workforce Consortium Agreement

Brian Shull, Economic Development Director, stated Debbie Hopkins, Workforce Officer and Project Director for On-the-Job Training Programs, would provide an update on workforce development. Mr. Shull stated that Harrisonburg is the host community for the Shenandoah Valley Workforce Investment Board (SVWIB).

Ms. Hopkins stated the SVWIB currently operates under the Workforce Innovation Opportunity Act (WIOA) and has five centers, two being satellite locations, and has seen 7,800 individuals since July 2014. Ms. Hopkins stated those individuals came in because they needed employment, education, training and/or support services so they can succeed in the labor market. SVWIB also serves businesses that need to hire individuals by matching employers with skilled workers. Ms. Hopkins stated SVWIB operates under the federal workforce system, but also obtains grants. Ms. Hopkins stated that the board has an H-1B visa funded \$5M Manufacturing and Health Care Grant and this year two additional National Emergency Grants for Dislocated Workers. Ms. Hopkins stated over the last two years, 80 city residents have been trained and placed in Harrisonburg based jobs. Currently, 107 individuals are seeking services in the Harrisonburg based center and made herself available for questions.

Council Member Degner asked about a grant in connection to those recently being incarcerated. Ms. Hopkins stated the board has been seeking grants to partner to deal with that issue. The board has recently applied for an apprentice grant of \$4M and one of those partners would be one of the groups to help women coming out of corrections. Ms. Hopkins stated the best way to get in contact with the Valley Workforce Center is to walk in the Mason Street location. There are services posted every month and noted most of the classes are available even if individuals don't qualify for WIOA participation. However, additional services are available if individuals do qualify for a WIOA. Ms. Hopkins noted that these services are free.

Mr. Shull asked council to consider adopting the consortium agreement which included the following changes: change of name for the Workforce Investment Board to Workforce Development Board; change of name from the Chief Local Elected Officials to the Chief Elected Officials; and, change in the member composition of the Workforce Development Board, so that no less than 20% of the board must consist of labor organizations, representatives from registered apprenticeship programs, and community based organizations. Mr. Shull noted the resolution would show support of the consortium agreement. In addition to adoption of the consortium agreement, an elected official needed to be appointed to the consortium.

**A motion was made by Council Member Degner, seconded by Council Member Byrd, to approve the consortium agreement. The motion was amended by Council Member Degner, seconded by Council Member Byrd to include appointing Mayor Jones to be the representative on the consortium. Council Member Degner offered a motion to re-amend the motion, seconded by Council Member Byrd to approve the consortium, which would approve the resolution authorizing the City Manager to sign the agreement. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 5 - Mayor Jones, Vice-Mayor Baugh, Council Member Byrd, Council Member Degner and Council Member Shearer

**No:** 0

**A motion was made by Council Member Degner, seconded by Council Member Shearer, nominated Mayor Jones to sit on the consortium as an elected official. The motion carried with a**

**recorded roll call vote taken as follows:**

**Yes:** 5 - Mayor Jones, Vice-Mayor Baugh, Council Member Byrd, Council Member Degner and Council Member Shearer

**No:** 0

**7.b. Plan Our Park design and master plan presentation**

Matthew Robertson, Plan Our Park committee member, provided a background of himself, a brief history of the Plan Our Park initiative and an overview of who would be presenting during the meeting.

Ken Smith, landscape architect, shared the key components of the plan which included the following: expansion of the Farmers Market, a promenade linking Bruce Street to Liberty Street, a great lawn and child's play environment. Mr. Smith reviewed how the group got to this point after holding various meetings, receiving public input and working off the nine identified park principles. Mr. Smith stated the park would respect the historic character of Main Street and Black's Run. Mr. Smith stated the site would have an approximate 12' grade change across the park site. Mr. Smith reviewed the promenade that would begin at East Bruce Street and connect to the alley way of Black's Run with a banded paving pedestrian path (using strips of bricks and pavers) that would be lined with trees, a water feature and would lead to the expanded Farmer's Market. The proposed park would include the addition of one pavilion which would double the size of the current one; resurface the municipal parking lot to function as an urban plaza (to include pervious paving parking); a market plaza; a stage set up area; a great lawn; arbor area; terrace lawn seating; a water runnel, a rain garden; as little fixed features as possible, excluding water and electricity hookup; and a play area (water play, parent seating, digging and slide and climb). Mr. Smith noted the kids' play area would be a ship theme and would be enclosed by a fence. Mr. Smith stated sustainability is seen throughout the park.

Melissa Fisher, Executive Director of the Collins Center, provided a brief history about why her family chose to live in Harrisonburg and herself. Mrs. Fisher stated the group hired HR&A Consultants to conduct an economic impact study and their analysis indicates the proposed downtown park would cost approximately \$5.5M in combined private and public funds. It could have substantial economic benefits for the city beginning with an increase in annual visitations up to 62,000 tourists and local tourists. Mrs. Fisher hopes that council will work along with Plan Our Park to continue their efforts.

Lee Foerster, Director of Parks and Recreation, provided a history of his life in Harrisonburg and stated the area being proposed for a park was the main area for events throughout history. Mr. Foerster stated the adopted 2013 Parks and Recreation Comprehensive Plan calls for a substantial downtown park. Mr. Foerster stated there are three major parks in three corners of the city with a void only found in downtown. Mr. Foerster stated downtown parks typically have different feels than other city parks. Mr. Foerster stated the maintenance and operation of the park would be similar to A Dream Come True Playground. Mr. Foerster stated public and private

funds are crucial and effective to the success of a downtown park and private sector participation is evident. The Plan Our Park Consultant and Design Team counsels the formation of a standalone conservancy board sustained by Friends of the Park placed under the offices of either the Harrisonburg Downtown Renaissance or Department of Parks and Recreation for the next steps of planning and development of the park and future governance and operation, which should include the continued efforts of private fundraising for operational funding. Mr. Foerster noted the collaboration that has already happened between the group and other organizations. Mr. Foerster noted other localities that have had successful downtown parks and stated parks enhance relationships, leisure activities and create community.

Jay Monger, resident and business owner, thanked all those who have worked on this project and stated he is excited to submit this plan which would return the property to its historic roots. Mr. Monger noted all the events taking place on the property now and stated we need to capitalize on this opportunity and enhance the space to be a substantial park downtown. Mr. Monger shared the Plan Our Park's requests which were those that follows: acceptance of the Plan Our Park Conceptual Master Plan; authorization of city administrators to engage with the Plan Our Park Committee in the near term to determine next steps for the park project to move forward; and, request city staff to consider inclusion of the park in the 2016-2017 Harrisonburg Capital Improvement Program.

Council Member Degner acknowledged the hard work and asked about the economic development impact with the estimates provided of increased property values and how many years of the project being in place are the estimates based on. Mrs. Fisher stated it was not outlined in the study, but in the New York project she had been involved with it was approximately 18 months after the Highland Park opened. Mrs. Fisher also noted the annual spending increased around the park. Mrs. Fisher stated because HR&A isn't present, the group would like to propose to take any questions that council might have regarding the report and contact HR&A to get them answered.

**A motion was made by Council Member Byrd, seconded by Council Member Degner, to accept the plan. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 5 - Mayor Jones, Vice-Mayor Baugh, Council Member Byrd, Council Member Degner and Council Member Shearer

**No:** 0

Council Member Shearer asked City Manager Hodgen and staff about their thoughts on point two. City Manager Hodgen suggested that two council members be appointed. The following discussion took place: for this plan to go anywhere, both sides need to be discussing and evaluating; this is the first time the public has seen the plan; a lot of public input has been received to date; part of the commitment is to be a player at the table; won't be a fast process; should work in pairs; and, by moving forward with this request, it is no way committing the city to anything.

**A motion was made by Vice-Mayor Baugh, seconded by Council Member Degner, to approve**

point two with the addition of one council member be designated as the liaison for participation in these activities. Vice-Mayor Baugh amended the motion, seconded by Council Member Degner to appoint two council members. The motion carried with a recorded roll call vote taken as follows:

**Yes:** 5 - Mayor Jones, Vice-Mayor Baugh, Council Member Byrd, Council Member Degner, Council Member Shearer and City Manager Hodgen

**No:** 0

The following discussion took place: this is a consideration, not a commitment; excited about the idea and location; thanked all those who have been involved; private monies have already been invested; the plan is for all citizens; the plan will take full community effort; excellent idea for tourism; and, looking forward to continuing dialogue.

**A motion was made by Council Member Degner, seconded by Vice-Mayor Baugh, to consider inclusion of the park in the 2016-17 Capital Improvement Plan. Vice-Mayor Baugh amended the motion, seconded by Council Member Degner, to include appointing Council Member Shearer and Vice-Mayor Baugh to serve as liaison members. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 5 - Mayor Jones, Vice-Mayor Baugh, Council Member Byrd, Council Member Degner and Council Member Shearer

**No:** 0

At 8:03 p.m., Mayor Jones called the meeting into recess.

At 8:10 p.m., Mayor Jones called the regular meeting back into session.

## 8. Supplementals

- 8.a.** Consider a supplemental appropriation for the Fire Department in the amount of \$66,748.58

City Manager Hodgen stated these funds were received from donations, recovered costs and hazmat responses. City Manager Hodgen noted the increase of overtime was due to firefighters covering shifts for injured firefighters.

**A motion was made by Council Member Byrd, seconded by Council Member Shearer, that this Supplemental Appropriation be approved. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 5 - Mayor Jones, Vice-Mayor Baugh, Council Member Byrd, Council Member Degner and Council Member Shearer

**No:** 0

- 8.b.** Consider a supplemental appropriation for the Public Transportation Department in the amount of \$1,447,126

Reggie Smith, Harrisonburg Department of Public Transportation Director, stated these funds will be used to finish out the transportation facility project. Mr. Smith

stated the original contract for the facility was \$16M and after nine change orders occurred the total for the project came to \$17,470,000. Mr. Smith stated funding will be provided from \$6,474.57 in bond interest, \$575,842 in State and Federal funds, \$225,000 from the School Transportation Fund, \$339,809.43 from the Public Transportation Fund and \$300,000 from the Central Garage Fund.

Council Member Shearer noted that these are funds left over from other categories and are being reallocated to cover the cost of the project. Council Member Byrd noted the awesome facility and congratulated Mr. Smith on the completion. Mr. Smith stated the building has improved the moral and the efficiency of his department.

**A motion was made by Council Member Byrd, seconded by Council Member Shearer, that this Supplemental Appropriation be approved. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 5 - Mayor Jones, Vice-Mayor Baugh, Council Member Byrd, Council Member Degner and Council Member Shearer

**No:** 0

**8.c.** Consider a supplemental appropriation for the School Board in the amount of \$700,000

City Manager Hodgen stated this request is to transfer funds for architecture and engineering services associated with the new school construction. Council Member Shearer asked if this was for services already rendered or for the contract signed last week. City Manager Hodgen stated it is for services already rendered.

**A motion was made by Vice-Mayor Baugh, seconded by Council Member Degner, that this Supplemental Appropriation be approved. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 5 - Mayor Jones, Vice-Mayor Baugh, Council Member Byrd, Council Member Degner and Council Member Shearer

**No:** 0

## **9. Reallocations**

**9.a.** Consider the reallocation of budgeted funds for the Public Works Department in the amount of \$734,598.11

City Manager Hodgen stated the \$234,000 amount is for funding that is needed to make improvements near the intersection of Erickson Avenue and the Wal-Mart entrance, due to agreements made with the medical offices. The \$500,000 was listed in the Capital Improvement Plan for improvements on Martin Luther King Jr. Way, but didn't have a source for those funds. However, given the movement of the hotel and conference center project, we need to move ahead with some engineering. City Manager Hodgen noted that James Madison University will pay for a portion of the engineering relative to Main Street and Grace Street.

Council Member Byrd referenced Mr. Baker's presentation in relevance to funding of

the project. City Manager Hodgen stated in reference to revenue sharing the City of Harrisonburg is the only applicant for revenue sharing funds. The city will apply and others can provide matching funds. Council Member Byrd stated the city is going to engineer and build the project and JMU is going to pay for it. City Manager Hodgen noted with the estimates given it will be a multiphase project and noted that all these funds are from previous Public Works projects, except Chicago Avenue/Mt. Clinton Pike, that have been completed under budget which is from the good bids the city received.

**A motion was made by Council Member Degner, seconded by Council Member Shearer, that this Reallocation be approved. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 5 - Mayor Jones, Vice-Mayor Baugh, Council Member Byrd, Council Member Degner and Council Member Shearer

**No:** 0

## 10. Other Matters

Mayor Jones congratulated all recent graduates and thanked Spotswood High School for allowing him to provide the commencement speech.

Council Member Byrd noted a FOIA request that he had received through e-mail and would like follow-up to be made. Council Member Byrd also noted that to his understanding, the coal tar issue noted earlier is a state issue. City Attorney Brown stated he feels that it is, but would double check. Council Member Degner asked about Section 7-6-7 in regards to the coal tar question and if the health department has taken a side.

Vice-Mayor Baugh stated there was a full agenda for the upcoming Planning Commission meeting.

Council Member Degner asked about when the public hearing would be held about the school board voting districts. It was noted that it is planned for the next meeting.

## 11. Boards and Commissions

No action was taken.

## 12. Closed Session

### 12.a. 2.2-3711(A)(1) Discussion concerning personnel matters

**At 8:26 p.m., a motion was made by Council Member Degner, seconded by Vice-Mayor Baugh, to enter into closed session as Authorized by the Virginia Freedom of Information Act, Virginia Code Section 2.2-3711(A), under: subsection 1 for the discussion and consideration of prospective candidates for employment or promotion and the resignation or retirement of specific city employees. The motion carried with a recorded roll call vote taken as follows:**



**Yes:** 5 - Mayor Jones, Vice-Mayor Baugh, Council Member Byrd, Council Member Degner and Council Member Shearer

**No:** 0

**13. Adjournment**

At 8:45 p.m., the closed session ended and the regular session reconvened. City Attorney Brown read the following statement, which was agreed to with a unanimous recorded vote of Council: I hereby certify that to the best of my knowledge (1) only public business matters lawfully exempted from open meeting requirements under Chapter 37 of Title 2.2 of the Code, of Virginia, 1950, as amended, and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the closed meeting by the City Council.

At 8:46 p.m., there being no further business and on motion adopted, the meeting was adjourned.

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR