



City of Harrisonburg

409 S. Main Street
Harrisonburg, VA 22801

Meeting Minutes - Draft City Council

Tuesday, May 25, 2021

7:00 PM

Council Chambers/Virtual

1. Roll Call

Note: All Council Members were present via virtual Go-To Meeting.

Present: 5 - Mayor Deanna R. Reed, Vice Mayor Sal Romero, Council Member Christopher B. Jones, Council Member George Hirschmann and Council Member Laura Dent

Also Present: 3 - City Manager Eric Campbell, City Attorney Chris Brown and Deputy City Clerk Ande Banks.

2. Invocation

Mayor Reed led the invocation

3. Pledge of Allegiance

4. Special Recognition

4.a. Presentation on Blue Ridge CASA for Children, Dwight Houff

Quinton Callahan, president of the Blue Ridge Court Appointed Special Advocate (CASA) Board and Dwight Houff, board member and former volunteer provided a virtual presentation on the work of Blue Ridge CASA in Harrisonburg. Mr. Houff explained what it takes to be a CASA volunteer/advocate, shared some of his experiences/cases and described how they work with Social Services. Mr. Callahan stated advocates for CASA are appointed by the Juvenile Domestic Relations Court Judge. He stated what CASA does is not public and they rely on the kindness of donors, the city, and fundraisers. He stated they currently have one advocate manager who manages 30 volunteers and hopes to hire another advocate manager and increase the volunteer numbers to 60 that would be able to serve over 100 children in the area.

Mayor Reed stated it is appreciated when organizations that received contributions from the city reach out to update Council on all they have been doing and how the funding has been used. Mr. Callahan stated if anyone is interested in volunteering information can be found on their website.

Council Member Hirschmann stated he appreciates all that CASA does.

Council Member Jones stated he appreciates CASA and thanked Mr. Callahan for

also serving on several other boards and his support in the Black and Brown Initiative.

Mr. Callahan thanked Council for supporting CASA and if there is anything CASA can do with partnering with other organizations let him know.

This Presentation was received and filed.

4.b. Proclamation Recognizing the 100th Birthday of Edna Marie (Franklin) Mitchell

Mayor Reed presented a proclamation recognizing Mrs. Edna Mitchell. Mayor Reed stated she has known Mrs. Edna all her life and she will be celebrating her 100th birthday on June 1, 2021. She introduced Laura Douglass who is present on Mrs. Edna's behalf and noted that Vice Mayor Romero will be hand delivering the proclamation to Mrs. Edna on her birthday.

Ms. Douglass stated she accepts this proclamation on behalf of Mrs. Edna, and they are all thrilled that she will be celebrating her 100th birthday as she is a vital force and a wonderful mentor and guide to all.

This Proclamation was approved.

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 Vice Mayor Romero, seconded by Council Member Jones to approve the consent agenda as presented. The motion carried with a recorded vote as follows:

Yes: 5 - Mayor Reed, Romero, Council Member Jones, Council Member Hirschmann and Council Member Dent

No: 0

5.a. Minutes from the May 6, 2021 City Council Budget Work Session

These minutes were approved on the consent agenda.

5.b. Minutes from the May 11, 2021 City Council Meeting

These minutes were approved on the consent agenda.

5.c. Consider a request from Farhad Koyee, Bahar Mikael, and Akarr Koyee to rezone 907 North Main Street

The rezoning request was approved on second reading

5.d. Consider a request from James K. Strawderman (Estate) to rezone 107 and 137 Vine Street

The rezoning request was approved on second reading

6. Public Hearings

6.a. Consider personal property and real estate tax exemption status for New Creation VA, Inc and real estate tax exemption status for Central Valley Habitat for Humanity

Karen Rose, Commissioner of the Revenue, presented two requests for 501(C)(3) non-profit organizations New Creations VA, Inc., and Central Valley Habitat for Humanity. She reviewed the authority and process regarding exemption of Real Estate and Personal Property Taxes. She reviewed the two 2021 applicants, their missions, the assessed values, and the requested levied taxes.

At 7:29 p.m., Mayor Reed closed the regular session and called the first public hearing to order. A notice appeared in the Daily News-Record on Wednesday, May 19, 2021.

David Wenger, executive director, Habitat for Humanity thanked Council for their work on affordable housing and noted Habitat for Humanity's goals align with the mission and goals of Harrisonburg and the housing study. He reviewed the mission and activities of the organization, and the reasons for the request of the waiver of real estate taxes.

Vice Mayor Romero asked if the number of applicants increased/decreased/stayed the same over the last few years. Ms. Rose stated it has stayed pretty much the same.

At 7:36 p.m., Mayor Reed closed the public hearing and the regular session reconvened.

A motion was made by Council Member Jones, seconded by Council Member Dent to approve the request as presented. The motion carried with a recorded vote as follows:

Yes: 5 - Mayor Reed, Romero, Council Member Jones, Council Member Hirschmann and Council Member Dent

No: 0

6.b. Public hearing regarding the real estate tax rate for Fiscal Year 2021-2022 proposed to increase by \$0.04 per \$100 of assessed value to \$0.90 per \$100 of assessed value

Eric Campbell, city manager, stated this is to fulfill the request of Council to increase the real estate tax rate from \$0.86 to \$.90 per \$100 assessed value for an increase of \$0.04 per \$100 assessed value. He stated the appropriation ordinance is also on the agenda this evening.

At 7:39 p.m., Mayor Reed closed the regular session and called the second public hearing to order. A notice appeared in the Daily News-Record on Wednesday, May 19, 2021.

Bucky Berry, 30 W. Washington Street, stated Council misled the community when they said there would not be any tax increase this year. He stated he has concerns about the Vice Mayor and the Mayor voting on this since it is for the new high school when they work for the school system.

Pamayotis "Poti" Giannakaouros, stated he read the electronically submitted public comments and referred to one that had two options. He asked how big this burdensome tax for the average homeowner in the city is, noting a five-cent increase would equal \$100 increase on a \$200,000 house. He requests that if this tax increase is approved the ability to manage their yards in an alternative way could save them about the same. He referenced another comment that stated we relieve the burden on property owners by adjusting sales taxes. He spoke on eliminating the Criminal Justice Coordinator position and the tall grass and weeds ordinance which would eliminate one or two positions as well.

Paul Clancy, 261 Emerald Drive, stated his Social Security increased by 1.3%, his assessment increased 5.15%, and if the real estate tax is increase it will equal a 9.8% increase in his real estate tax obligation. He stated these types of increases in the poor or elderly on a fixed income can be catastrophic. He spoke on the lack of projected growth and the cost of the second high school and noted he feels this expenditure needs to be reevaluated.

Adam Copeland, 1153 Nelson Drive, supports the increase in property taxes, he supports the construction of the second high school, and hopes Council continues to see the long-term benefits of this project and thanked Council for their consideration.

At 7:49 p.m., Mayor Reed closed the public hearing and the regular session reconvened.

Vice Mayor Romero stated this has been discussed over the past several weeks, emails and phone calls were received, and we were elected to make tough decisions, this is not a simple one.

Council Member Jones asked if the dedication of the \$0.04 tax increase is to be determined once the budget is approved. Mr. Campbell stated according to the discussion at the last Budget Work Session the direction to staff was to increase the real estate tax rate to pay for the bonds related to restarting the second high school (HHS2) project. He stated unless otherwise directed that is where the funds received from the tax increase will be used. Council Member Jones stated Council has not approved the budget yet nor approved to restart the construction of the school. Mr. Campbell stated that is correct, but once the budget is adopted the appropriation ordinance calls for the tax increase and the direction of the funds from that increase as per Councils aforementioned direction. Council Member Jones questioned if it was necessary to have the entire \$0.04 directed to fund the bond for the construction.

Mr. Campbell stated that can be discussed amongst Council during the agenda item for the budget presented later.

Council Member Dent stated that based on her conversations with the finance director that this tax increase is enough to restart the HHS2 project with the minimum impact imposed on our residents.

Council Member Hirschmann stated his understanding was the tax increase was earmarked for raises for staff and teachers but somehow it got arrowed in on the school construction and bonds.

Mayor Reed stated no one said the money was for teachers, we are not involved in the decision of raises for teachers. Vice Mayor stated he understood it was specifically targeted to the restart of the construction of the HHS2 project.

Council Member Jones stated he was hoping we would be able to use some of the real estate increase could be used not only for the restart of the HHS2 project but also for other one-time projects or staff pay increases. Mr. Campbell stated that information was shared with Council electronically as requested and that a \$0.03 increase would generate approximately \$1.2M, of which funding could be used towards capital projects such as renovations of the Municipal Building, start of Fire Station 4, replacement of Public Works building, Purcell Park Master Plan implementation (Kids Castle and Westover Skate Park), increase in staff salary, Community Contributions increase, and reduce the fund balance for FY 2022, but it did not include the HHS2 project.

Mayor Reed asked if the additional federal funding for the COVID-19 American Rescue Plan (ARPA) can be used. Mr. Campbell stated it is 150 pages, staff is reviewing and determining what is eligible and what is not eligible, but it is not a final draft. Council Member Jones stated it was a good process of the second round of COVID-19 CARES Act funding, will there be a time limit for these new funds and can we prepare now. Mr. Campbell stated we have more time with the ARPA funding, but it is premature to start planning uses of these funds at this time. Council Member Jones stated he requests the committee that helped review the funding disbursement of the CARES Act funding be also involved in the funding disbursement of the ARPA funds. He stated he hopes these funds can be used to help alleviate the pressure of the increase in real estate taxes and the construction of the new high school.

Council Member Dent stated what Mr. Campbell stated regarding the ARPA funding is correct, and she believes some of these funds can be used specifically to alleviate the stress caused by the pandemic in underserved neighborhoods. She stated her understanding of the \$0.04 tax increase was specifically dedicated for the restart HHS2 project.

Mr. Campbell stated the ARPA funds are different than CARES funding because

there is additional pots of funding for organizations than there were in CARES. He stated he plans a future work session for Council to discuss the funds.

Further discussion took place regarding the ARPA funding and Liaison meetings.

Council Member Jones asked if the school board still offering to provide ARPA funding for the construction of the HHS2 project. Mr. Campbell stated he has not spoken to the superintendent since the last Liaison meeting. Further discussion took place regarding holding the School Board accountable for their initial discussion of providing funds towards the construction of the new school with their ARPA funds.

A motion was made by Vice Mayor Romero, seconded by Council Member Dent, to approve the \$0.04 Real Estate Tax increase as presented. The motion carried with a recorded vote as follows:

Yes: 4 - Mayor Reed, Romero, Council Member Jones and Council Member Dent

No: 1 - Council Member Hirschmann

7. Regular Items

7.a. Consider adopting the Fiscal Year 2021-2022 budget and approving the Appropriation Ordinance

Mayor Reed stated pursuant to Sections 2.2-3112(B)(1) and 2.2-3115(H) of the Conflict of Interest Act of Virginia, she declared for the minutes of this meeting that as a result of her employment with the On the Road Collaborative, which has a contract with the Harrisonburg City Public Schools, she has a personal interest in the transaction of the City's budget as a member of a business, profession, occupation, or group of three or more person the members of which are affected by the transaction.

She further affirmed that she is able to participate in this Council's consideration of the City's budget fairly, objectively, and in the public interest.

Vice Mayor Romero stated pursuant to Sections 2.2-3112(B)(1) and 2.2-3115(H) of the Conflict of Interest Act of Virginia, he declared for the minutes of this meeting that as a result of his employment with the Harrisonburg City Public Schools, he has a personal interest in the transaction of the City's budget as a member of a business, profession, occupation, or group of three or more person the members of which are affected by the transaction.

He further affirmed that he is able to participate in this Council's consideration of the City's budget fairly, objectively, and in the public interest.

Larry Propst, director of Finance, stated this is the second reading and vote on the FY 21/22 Budget along with the appropriation ordinance which incorporates the

previously approved amendments during the first reading, the Community Contributions as approved by Council, and the \$0.04 tax rate increase.

A motion was made by Council Member Jones, seconded by Vice Mayor Romero, to adopt the FY 21/22 Budget and the appropriation ordinance as presented. The motion carried with a recorded vote as follows:

Yes: 4 - Deanna R. Reed, Sal Romero, Christopher B. Jones, Laura Dent.

No: 1- George Hirschmann

7.b. Consider a resolution adopting the Central Shenandoah Hazard Mitigation Plan 2020 Update

Chris Brown, city attorney, presented a resolution approving updates to the Central Shenandoah Hazard Mitigation Plan. He stated the first plan was approved in 2005, with updates since then. He stated the city is a member of the Central Shenandoah District along with the counties of Bath, Highland, Augusta, Rockbridge, Rockingham and all the cities and towns within those geographic regions. He stated all these jurisdictions must approve this Plan for federal funding to help mitigate some of the hazards outlined in the Plan. He noted the cities representatives are Paul Helmuth, administrative officer, and Matt Tobia, chief, of the Harrisonburg Fire Department. He reviewed the outline of the Plan, what hazards it covers, and noted Mr. Helmuth will be able to answer any questions.

A motion was made by Council Member Jones, seconded by Council Member Dent, that this Resolution be adopted. The motion carried with a recorded roll call vote taken as follows:

Yes: 5 - Mayor Reed, Romero, Council Member Jones, Council Member Hirschmann and Council Member Dent

No: 0

8. Supplementals

8.a. Consider a supplemental appropriation for the Harrisonburg City Public School division in the amount of \$2,456,882.55

Larry Propst, director of Finance, presented a supplemental appropriation in the amount of \$2,456,882.55 on behalf of the Harrisonburg City Public Schools for additional state and federal funds they received throughout the year.

A motion was made by Council Member Dent, seconded by Vice Mayor Romero, to approve the supplemental appropriation request as presented. The motion carried with a recorded vote as follows:

Yes: 5 - Mayor Reed, Romero, Council Member Jones, Council Member Hirschmann and Council Member Dent

No: 0

8.b. Consider a supplemental appropriation for various departments in the amount of \$262,312.25

Larry Propst, director of Finance, presented a supplemental appropriation in the amount of \$262,312.25 for grant funding received for the Harrisonburg Public Works Department, Harrisonburg Police Department, and Harrisonburg Fire Department as well as appropriation for the Utility Assistance CARES Act Fund.

A motion was made by Council Member Dent to approve the supplemental appropriation request as presented. The motion carried with a recorded vote as follows:

Yes: 5 - Mayor Reed, Romero, Council Member Jones, Council Member Hirschmann and Council Member Dent

No: 0

- 8.c.** Consider a supplemental appropriation for the Economic Development Department in the amount of \$500,000 for funds received from the Virginia Agriculture and Forestry Industries Development (AFID) program

Larry Propst, director of Finance, presented a supplemental appropriation in the amount of \$500,000 to provide the AFID Funds to Shenandoah Valley Organic which came from the state.

A motion was made by Council Member Dent, seconded by Council Member Hirschmann, to approve the special use permit request as presented. The motion carried with a recorded vote as follows:

Yes: 5 - Mayor Reed, Romero, Council Member Jones, Council Member Hirschmann and Council Member Dent

No: 0

9. Other Matters

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

James "Bucky" Berry, 30 W Washington Street, spoke about the new candidate for the Police Chief, the pay of our police officers, the need for more foot patrol in the city, and noted he hopes the new chief will be accessible to the community and stay for a long time.

9.a(1) Electronic Public Comments

This Action Item was received and filed.

9.b. City Council and Staff

Council Member Jones stated he appreciated the support he received earlier in the evening. He stated it is his goal and as a Council Representative on the board for the Chamber of Commerce to have the new president Chris Quinn, to meet with each of the members of this Council for introduction. He stated downtown is picking back up again and reminded everyone to get their Fortune City raffle ticket to help fund Harrisonburg Downtown Renaissance and they do so much for the city. He thanked the Police Foundation for all they do.

Council Member Dent stated she originally had an idea of how to get local investors to buy into the bonds for the second high school, and although not practical directly, there will be ways individual investors can buy bonds once the underwriters have bid for the bonds. She stated the finance director received one call last year from a potential investor and she is inviting everyone to contact the finance director on how to buy a bond in the second high school.

Council Member Hirschmann stated we are slowly starting to open up, things are starting to change, and if you see an opportunity to help someone out do it now, our businesses need the support.

Vice Mayor Romero stated at the end of the month the online public engagement tool for the Downtown Master Plan will be closing. Please visit the plan's website and provide ideas to help create a vision for downtown and form the consultant's recommendations. He stated individuals can use the interactive map for ideas or concerns and/or take a survey. He asked when Council will be going back to in-person meetings, he spoke on the lack of quality audio for meetings, accessibility to meetings, and hopes we will be getting back to in-person meetings soon.

Mayor Reed stated the Governor will be relaxing restrictions again on May 28, 2021, and expects another one in June, she feels it is coming that we will need to go back to in-person meetings soon. She stated we should go ahead and plan it. Council Member Jones stated for those that are not vaccinated makes staff, Council, and attendees vulnerable, and he has concerns until we have a plan for occupancy in Council Chambers and a way of monitoring who attends the meetings. Mayor Reed stated there will come a time where we will not be able to get around in-person meetings for much longer. Council Member Hirschmann stated perhaps vaccination cards can be checked. Further conversations took place regarding occupancy limitations, current safeguards in the Council Chambers, city attorney to check on other options, barriers that would open up if back to in-person meetings and asked staff to research how to come back to in-person meetings the safest way. Council Member Dent stated since she is traveling, she will not be able to meet in-person by the next meeting but would be ready the second meeting in June.

Mayor Reed stated the mayors/superintendents of Augusta County, City of Staunton, City of Waynesboro, Rockingham County and City of Harrisonburg have been meeting about the Middle River Regional Jail (MRRJ). She stated there are concerns of the expansion of MRRJ and the mental health facility component of that expansion. She stated it was decided to eliminate all bed expansion. She stated now the request is for recommended renovations as follows: water heater upgrades, lighting upgrades, public lobby update, improved security intake, visitation upgrades, mental health office upgrade, food services, storage and production space, onsite Magistrate office, inmate medical unit, additional food service space, laundry improvements, and maintenance and warehouse expansion. She stated this needs to be reviewed by Council to see where we stand as a body on these requests.

9.b(1)**Juneteenth**

Mr. Campbell asked Council if they had any thoughts on closing the city to recognize Juneteenth this year.

A motion was made by Council Member Jones, seconded by Vice Mayor Romero, to recognize Juneteenth as a paid city holiday for 2021, and to be observed on June 18th, 2021. The motion carried with a unanimous voice vote.

9.b. Other Matters - City Council and Staff continued

Further discussion took place on the change to the MRRJ expansion request, the needs of MRRJ, the request for detailed upgrades and construction, the request to review our current contract,

Mayor Reed stated there has been some interest amongst Council Members to have a one or two-day retreat, possibly in July. The majority of Council voted to attend a retreat and direct the City Manager to hire a facilitator and schedule.

Mr. Campbell, city manager, stated the Urban Land Institute Technical Assistance Panel has been scheduled to review Heritage Oaks Golf Course on July 14 and 15, 2021. He stated staff is also reviewing the draft from the Golf Course Consultant and hope to have a presentation from them at the second Council Meeting in June 2021.

Mayor Reed stated a Memorial Service Program will be held at Newtown Cemetery on Sunday, May 30, 2021, at 2:00 pm.

10. Boards and Commissions**10.a. Towing Board**

A motion was made by Council Member Jones seconded by Council Member Hirschmann, to approve the appointment of William Jones, Jr. to the Towing Board. The motion carried with a unanimous voice vote.

Yes: 5 - Mayor Reed, Romero, Council Member Jones, Council Member Hirschmann and Council Member Dent

No: 0

11. Closed Session

A motion was made that this be adopted. The motion carried with a recorded roll call vote taken as follows:

Yes: 5 - Mayor Reed, Romero, Council Member Jones, Council Member Hirschmann and Council Member Dent

No: 0

11.a. Closed meeting as authorized by the Virginia Freedom of Information Act, Virginia

Code Section 2.2-3711(A), under:

Subsection 1 for the discussion of prospective candidates for employment with the City.

At 9:17 p.m., a motion was made by Council Member Hirschmann, seconded by Vice Mayor Romero, 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 of prospective candidates for employment with the city. The motion carried with a recorded roll call vote taken as follows:

Yes: 5 - Mayor Reed, Romero, Council Member Jones, Council Member Hirschmann and Council Member Dent

No: 0

12. Adjournment

At 10:28 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 10:28 pm, there being no further business and on motion adopted, the meeting was adjourned.

DEPUTY CITY CLERK

MAYOR