



City of Harrisonburg

409 S. Main Street
Harrisonburg, VA 22801

Meeting Minutes - Final City Council

Mayor Deanna R. Reed
Vice-Mayor Richard A. Baugh
Council Member Ted Byrd
Council Member George Hirschmann
Council Member Christopher B. Jones

Tuesday, April 11, 2017

7:00 PM

Council Chambers

1. Roll Call

Present: 3 - Mayor Deanna R. Reed, Vice-Mayor Richard Baugh and Council Member George Hirschmann

Absent: 2 - Council Member Ted Byrd and Council Member Christopher B. Jones

Also Present: 5 - City Manager Kurt Hodgen, Deputy City Manager Ande Banks, City Attorney Chris Brown, Police Chief Stephen Monticelli and City Clerk Banks Ande

2. Invocation

Mayor Reed offered the invocation.

3. Pledge of Allegiance

Mayor Reed led the Pledge of Allegiance.

4. Special Recognition

4.a. Proclamation declaring April 9-15, 2017 as National Public Safety Telecommunications Week

Mayor Reed proclaimed April 9th, 2017 to April 15th, 2017 as National Public Safety Telecommunicator's Week to honor the Harrisonburg-Rockingham Emergency Communications Center.

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 Baugh seconded by Council Member Hirschmann to approve the consent agenda as presented. The motion carried with a recorded roll call vote taken as follows:

Yes: 3 - Mayor Reed, Vice-Mayor Baugh and Council Member Hirschmann

No: 0

Absent: 2 - Council Member Byrd and Council Member Jones

5.a. Minutes from March 28, 2017 Meeting

These minutes were approved on the Consent Agenda

5.b. Consider a supplemental appropriation for the Harrisonburg City School division in the amount of \$2,650,000

This Supplemental Appropriation was approved on second reading

6. Public Hearings

6.a. Consider adopting the proposed City of Harrisonburg Bicycle and Pedestrian Plan update.

Tom Hartman, assistant director for Public Works, provided a brief introduction of the Bicycle and Pedestrian Plan, stating an extensive rewrite was done since the start of this in 2015, and is also a part of the comprehensive plan being updated. Mr. Hartman stated there were two goals being used throughout the plan: Develop and maintain a network of streets that are designed to operate safely for all users and to use education and encouragement to promote safe walking and bicycling as a form of transportation and recreation.

Erin Yancey, planning manager for Public Works, stated the reason for the Bicycle and Pedestrian Plan is that many of the areas of the city meet the vision of a well connected bicycle and pedestrian network mainly because the city grew rapidly at a time land use trends favored low density development and assumed the car as the primary mode of transportation. Ms. Yancey noted in more recent years a preference of higher density development towards the city center is prevalent. Ms. Yancey shared census data that reflects the highest density of zero car household's are in the downtown area. Ms. Yancey noted it is Public Work's long term plan to adapt the transportation network.

Ms. Yancey stated the first step in developing the plan was to generate a robust public outreach process, crafted to reach the general public and specific user groups, using a Wikimap, JMU student forums, workshop and comment period and focus groups to name a few. Ms. Yancey noted the focus groups were formed for specific stakeholders: youth and families; traditionally underrepresented groups such as the elderly, disabled and refugee populations; college and retirement communities; business and economic vitality representatives; and housing, real estate and property management companies. Ms. Yancey stated the takeaways from these focus group was that the city needed to provide more education and outreach regarding its existing facilities, how to use them safely and a large request for additional transit services in combination with walking and biking infrastructure was noted. Ms. Yancey noted the feedback resulted in over 200 locations for bicycle/pedestrian improvement needs, which broke down into

four categories including: pedestrian segments, pedestrian intersections, bicycle segments and shared use paths.

Ms. Yancey stated staff and members of the bicycle and pedestrian subcommittee prioritized the project lists based on their value to the overall network for bicycling and walking. Ms. Yancey noted the Activetrans Priority Tool was used to identify the factors and weights to prioritize the projects. Ms. Yancey presented the factors that were evaluated based on stakeholder input, constraints, existing conditions, connectivity and equity. Ms. Yancey noted the subcommittee and staff had a difference of opinion on the constraints factor, whether it should be weighted as highly as it is, the subcommittee felt that having the constraints factor at a ten, skewed the priority list towards easier to build, cheaper projects versus ones that make a big impact to the bicycle and pedestrian network, staff felt it needed to be weighted as a ten due to cost being the limiting factor in being able to implement the plan.

Ms. Yancey stated four lists of priority projects based on the four locations for bicycle/pedestrian improvement needs previously mentioned. Ms. Yancey noted the priority lists are still in location form versus specific project recommendations, but noted pedestrian segments will result in sidewalks and crosswalks, bicycle segments will result in bike lanes and shared use paths will result in ten foot wide asphalt paths. Ms. Yancey stated the plan includes implementation strategies focused around the 5 E's: engineering, education, enforcement, encouragement and evaluation.

Ms. Yancey stated projects move from a plan to being built via several implementation strategies and reviewed each strategy.

Ms. Yancey stated the funding sources are local general funds, VDOT revenue sharing program, other state/federal grants, and private development. Ms. Yancey noted there will be maintenance funding needed as new facilities are added.

Ms. Yancey noted the plan was presented to the public in November 2016, which was attended by over 35 members of the public, during the 30 day public comment period that followed over 100 comments were received in which staff responded to each one, city departments provided input, and the Transportation and Advisory Commission and the Bicycle and Pedestrian Subcommittee approved the plan to present to the Planning Commission, which met last month and the plan was approved with a unanimous 6-0 vote.

At 7:25 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 Monday, March 27, 2017 and Monday, April 3, 2017.

Matt Hassman, 220 3rd Street, coordinator of Safe Routes to School, thanked City Council and Public Works for all of the considerable time and effort that was put into creating this document, he feels the improvements have the potential to

improve the quality of life in our city for years to come, urges council to adopt this document and he looks forward to seeing how the city continues to improve.

At 7:26 p.m., Mayor Reed closed the public hearing and the regular session reconvened.

Vice Mayor Baugh stated this presentation represented a lot of good work over the past several years.

A motion was made by Vice Mayor Baugh, seconded by Council Member Hirschmann to approve the Bicycle and Pedestrian Plan as presented. The motion carried with a recorded roll call vote taken as follows:

Yes: 3 - Mayor Reed, Vice-Mayor Baugh and Council Member Hirschmann

No: 0

Absent: 2 - Council Member Byrd and Council Member Jones

6.b. Consider renewal of ABC Cab Certificate of Convenience and Necessity

Reggie Smith, director of Harrisonburg Department of Public Transportation (HDPT) presented a Certificate of Convenience and Necessity renewal application for Valley Cab that operates under ABC Cab. Mr. Smith stated this company has been in operation for over 16 years, renewal fee has been paid, proper insurance has been obtained, no complaints have been received and requested council approve the renewal application.

At 7:28 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 April 1, 2017.

There being no one desiring to be heard, Mayor Reed closed the public hearing at 7:28 p.m., and the regular session reconvened.

A motion was made by Vice Mayor Baugh, seconded by Council Member Hirschmann, to approve the renewal application for Certificate of Convenience and Necessity as presented. The motion carried with a recorded roll call vote taken as follows:

Yes: 3 - Mayor Reed, Vice-Mayor Baugh and Council Member Hirschmann

No: 0

Absent: 2 - Council Member Byrd and Council Member Jones

6.c. Consider authorizing the City Manager to sign a Deed of Release abandoning 3 easements along Driver Drive

City Attorney Brown stated in late 2014 city council approved the sale of the city's resource recovery center located along Driver Drive and since then Public Works has been working to de-commission the former resource recovery center,

submitting all the necessary paperwork from the Department of Environmental Quality (DEQ), anticipating approval from DEQ any day, and noted once approval is received, the transaction will close with James Madison University (JMU). Attorney Brown stated as part of that transaction the city agreed to release three easements along Driver Drive, which is owned by JMU, that were granted to the city when the resource recovery center was first built.

At 7:30 p.m., Mayor Reed closed the regular session and called the third public hearing to order. A notice appeared in the Daily News-Record on Monday, March 27, 2017 and Monday, April 3, 2017.

There being no one desiring to be heard, Mayor Reed closed the public hearing at 7:31 p.m., and the regular session reconvened.

A motion was made by Vice Mayor Baugh, seconded by Council Member Hirschmann, to authorize the city manager to sign the Deed of Release as presented. The motion carried with a recorded roll call vote taken as follows:

Yes: 3 - Mayor Reed, Vice-Mayor Baugh and Council Member Hirschmann

No: 0

Absent: 2 - Council Member Byrd and Council Member Jones

7. Regular Items

7.a. Distribution of draft FY 17-18 budget to City Council

City Manager Hodgen presented the proposed budget for FY17-18 and noted this is for council's review, the formal presentation will take place with a public hearing on April 25, 2017 allowing the general public to comment. Mr. Hodgen stated continued growth in the city is the driver of this budget, especially with the opening of the two new schools, with a proposed increase in funding to the Public Schools in the amount of \$2.4M, which is approximately \$1M less than what is expected to be asked by the school board based on public meetings and presentations.

Mr. Hodgen stated the cover letter indicates the items that will have the biggest impact such as: Funding for a 2% pay increase for employees which will be added to each of the departments for each director to determine how the raises will be implemented based on performance reviews, however at least 1% would be given to everyone and the remainder would be given on performance; health insurance will increase this year; no increases are being proposed for outside agency requests and this is in keeping with prior practice. Mr. Hodgen noted the budget is approximately \$6M more than the current budget and over half that amount is associated with the new schools, of which \$2.4M for additional operating expenses and \$800K for increased debt service. Mr. Hodgen noted this budget proposes a five cent increase in the real estate tax rate, an increase from 6.5% to 7% in the meals and lodging taxes, and an increase in utility taxes on water, electricity and

natural gas and stated there are no changes proposed to the stormwater fees.

Mr. Hodgen stated the water fund does include a rate increase of 20 cents per 1,000 gallons. Mr. Hodgen noted the new revenues will be used predominantly for upcoming debt service of the Eastern Raw Waterline Project, which will impact the average customer by approximately \$1 per month.

Mr. Hodgen noted the sewer fund proposed increase would equal an impact of approximately \$3 per year to the average customer.

Mr. Hodgen noted the School Transportation Fund includes funding for four new buses and seven new bus drivers for the new schools. Mr. Hodgen noted the Public Transportation Fund includes funding for two new transit busses and one para-transit bus and possible new transfer station.

Mr. Hodgen stated a consensus to advertise for the public hearing of the first official reading of the budget for the April 25, 2017 council meeting is needed and a proposed real estate not-to-exceed tax rate should be provided in that public notice as well. Mr. Hodgen provided some brief direction to council regarding the not-to-exceed tax rate.

Mayor Reed asked council if anyone had any questions, in particular to the not-to-exceed tax rate. Council Member Hirschmann asked if we should keep the not-to-exceed rate at seven percent, Vice Mayor Baugh noted council can always decrease, but not increase once that percentage has been agreed upon. Vice Mayor Baugh stated the only downside is that once the media gets this information, the not-to-exceed language tends to get lost in translation. Council agreed to advertise the tax rate for April 25, 2017 public hearing as not to exceed seven cents on real estate tax.

This Report was received and filed.

8. Special Event Application Requests

8.a. Consider a special event application request for Rocktown Beer & Music Festival

Jeremiah Jenkins, special events coordinator for Harrisonburg Downtown Renaissance (HDR), presented a special event application for the Rocktown Beer and Music Festival to be held on April 29, 2017 at the same location it has been held at for several years. Mr. Jenkins noted this application has been approved by all departments.

A motion was made by Vice Mayor Baugh seconded by Council Member Hirschmann, to approve the special events application as presented. The motion carried with a recorded roll call vote taken as follows:

Yes: 3 - Mayor Reed, Vice-Mayor Baugh and Council Member Hirschmann

No: 0

Absent: 2 - Council Member Byrd and Council Member Jones

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 West Washington Street, stated an incident occurred over the weekend at the brewery where the band was so loud he couldn't hear his TV, feels the college kids are having these parties, he received several complaints from neighbors, and he has seen many driving drunk from that location, he feels it's a bad situation and something needs to be done. Mr. Berry stated he would like to see more money allocated to the police department in the proposed budget to put additional officers on the street. Mr. Berry noted Roanoke City does it the right way, they have the staff and the community involvement needed. Mr. Berry feels in order for community policing to be done right you have to have 15 officers per shift, as officers have to get out of their cars. Mr. Berry feels more officers are needed on the street, salary is too low, turnover is high, insurance is going up, and officers are needed as we have been understaffed for years.

9.b. City Council and Staff

Deputy City Manager Ande Banks shared an email from J. R. Snow as a follow up on questions council had regarding Any Given Child's art project through the city schools that they were wanting to display at city hall. Mr. Banks stated Mr. Snow reached out to the artist and stated the art display will not be permanently mounted, and Mr. Snow requested additional direction from council to move forward on the contract with the artist. Mr. Banks noted the final art product would not be available to view prior to installation, however, Mr. Snow did provide several examples in the email of other work from the artist for their review. Mr. Banks asked council if they were ready to proceed with the approval for this display.

Council Member Hirschmann asked if the city had the opportunity to change out the artwork displayed. Mr. Banks stated he believes that was the intent when council asked if the art display would be permanent or not. Mayor Reed asked council if they were ok to allow this project to proceed, all agreed.

Vice Mayor Baugh asked Mr. Hodgen if the existing draft budget contains increased funding of law enforcement positions. Mr. Hodgen stated the proposed draft budget does include seven new positions.

Vice Mayor Baugh noted the Planning Commission has a major project tabled until next month, and during the meeting on April 12, 2017 there will be a rezoning request on South Main Street and a rezoning request from Campus View for

property off of Reservoir Street they recently acquired.

Mayor Reed stated Parks and Recreation will host an Easter egg hunt on Saturday, April 15, 2017 starting at 10 a.m., a Rain Barrel workshop will be held on April 19, 2017 at 6:30 p.m. and starting April 12, 2017, a small portion of Pleasant Valley Road will be closed while the bridge is replaced, the detour routes and construction schedule can be found on the city's website

Mayor Reed extends her appreciation to all of the volunteers who participated in the Blacks Run Downtown Clean Up day on April 8, 2017, more than 3 tons of trash was collected.

10. Boards and Commissions

- 10.a. Consider the request from Harrisonburg Rockingham Metropolitan Planning Organization (HRMPO) for council to re-appoint or replace Reggie Smith as a voting member of the board

City Attorney Brown noted Mr. Reggie Smith has agreed to serve again on the Harrisonburg Rockingham Metropolitan Planning Organization (HRMPO).

City Manager Hodgen noted because Mr. Smith is not an elected official he has to be reappointed every three years and has agreed to continue in that capacity and highly recommends him in that capacity.

A motion was made by Vice Mayor Baugh, seconded by Council Member Hirschmann, to reappoint Reggie Smith to the Harrisonburg Rockingham Metropolitan Planning Organization. The motion carried with a unanimous voice vote

Other Matters (continued)

Mayor Reed recognized the attendance of students from Turner Ashby High School, Spotswood High School and a photojournalism class from JMU.

11. Adjournment

Adjournment:

At 7:52 p.m., there being no further business and on motion adopted, the meeting was adjourned.

DEPUTY CITY CLERK

MAYOR