



City of Harrisonburg

409 S. Main Street
Harrisonburg, VA 22801

Meeting Minutes - Final City Council

Wednesday, November 9, 2022

7:00 PM

Room 11 & 12 - City Hall

1. Roll Call

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

Also Present: 3 - City Manager Ande Banks, City Attorney Chris Brown and City Clerk Pam Ulmer

2. Invocation

Council Member Dent offered the invocation.

4. Special Recognition

4.a. Proclamation recognizing the week of November 6 through November 12, 2022 as International Care and Kindness Week

Mayor Reed presented the proclamation to Kathy Clancey recognizing International Care and Kindness Week.

4.b. Recognition for the community effort with the Adopt a Cop Program

Mayor Reed introduced Cynthia Prieto, member of the Police Chief's Community Advisory Committee. Ms. Prieto stated Harrisonburg Police Department is celebrating 150 years of service on Nov 12, 2022, and they are marking the occasion with a banquet and patch. She stated during the month of November an Adopt a Cop Program will be taking place, that will include social media shoutouts, thank you notes, invitations to speak, coffee with a cop, snacks etc. She stated participating in this program is purely voluntary, swag bags will be distributed to HPD officers, and if you wish to be an adopter contact Cynthia. She stated if not adopting then a honk, a wave, dropping off goodies, thank you notes etc. are all wonderful gestures as the intent is to show gratitude and how we appreciate all they do.

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

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

No: 0

5.a. Minutes from the October 25, 2022 City Council Meeting

These minutes were approved on the consent agenda

6. Public Hearings

Mayor Reed stated if anyone is present for the public hearings on the agenda, the agenda items 6a through 6f will not be heard, they will be continued to the November 22, 2022, regular City Council Meeting. She stated all applicants have been notified of the continuation.

A motion was made by Council Member Baugh, seconded by Council Member Dent, to continue agenda items 6a through 6f to the November 22, 2022, City Council meeting. The motion carried with a recorded vote as follows:

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

No: 0

6.a. Consider a request from Gary L. Beatty for a special use permit to allow manufacturing, processing and assembly at 26 Pleasant Hill Road

6.b. Consider a request from Gary L. Beatty for a special use permit request to allow reducing required parking areas at 26 Pleasant Hill Road

6.c. Consider a request from Margaret P. Morris for a special use permit to allow for short-term rental at 140 Ott Street

6.d. Consider a request from Robert E. Alford II and Havilah Alford for a special use permit to allow short-term rental at 375 Broad Street

6.e. Consider a request from Mosby Opportunity Fund LLC to rezone parcels addressed as 2492, 2494, 2496, and 2498 Millwood Loop

6.f. Consider a request from Mosby Opportunity Fund LLC for a special use permit to allow townhomes at 2492, 2494, 2496 and 2498 Millwood Loop

7. Regular Items

7.a. SMART Grant Application Resolution

Ande Banks, city manager, stated the Public Works Department is applying for a United States Department of Transportation (USDOT) SMART grant as part of the first wave of the Infrastructure Investment and Jobs Act (IIJA) funding. He stated with this grant, if awarded, will allow the studies of the traffic corridors of Port Republic Road and Reservoir Street to become more efficient and expand technology to further

connect our transit and public safety to the intelligent software so traffic can move more efficiently and quickly. He stated there is no local match required.

Vice Mayor Romero asked how competitive this grant process is. Mr. Banks stated Tom Hartman, director of Public Works would have that information.

A motion was made by Council Member Baugh, seconded by Council Member Dent, to adopt the resolution as presented. The motion carried with a recorded vote as follows:

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

No: 0

- 7.b.** Consider amending and re-enacting Title 5 Chapter 3 Section 5-3-1 and 5-3-2 - Office of Emergency Services, of the City Code.

Chris Brown, city attorney, stated he brings this item on behalf of Matthew Tobia, chief of Harrisonburg Fire Department, to amend the name of the Office of Emergency Services to the Office of Emergency Management to match state code and to create a Deputy Chief Coordinator position.

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

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

No: 0

- 7.c.** Consider adopting a Resolution on High Performance Standards and Solar Requirements for City Owned Buildings

Chris Brown, city attorney, presented a resolution that would allow localities, per Virginia State High Performance Building Act, to adopt more stringent requirements related to solar. He reviewed the resolution.

Vice Mayor Romero asked if there were any other localities doing this and moving forward. He stated he believes some localities over 100,000 population have started.

A motion was made by Council Member Dent, seconded by Council Member Baugh to adopt the resolution as presented. The motion carried with a recorded vote as follows:

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

No: 0

8. Special Event Application Requests

- 8.a.** Consider the special event application request for The Rocktown Turkey Trot on Thursday, November 24, 2022.

Matt Little, recreation and special events manager, Parks and Recreation, presented a special event application request for the 8th Annual Rocktown Turkey Trot, on Thursday, November 24, 2022, from 6:30 am to noon, hosted by Virginia Momentum. He stated the assistance of Public Works, Harrisonburg Police Department, and Harrisonburg Fire Department are requested, the estimated cost will be approximately \$6,000, and the event organizer is responsible for payment of applicable charges.

A motion was made by Council Member Baugh, seconded by Vice Mayor Romero, to approve the request as presented. The motion carried with a unanimous voice vote:

- 8.b.** Consider the special event application request for HDR's Winter Wonderfest & Harrisonburg's Holiday Parade on Saturday, December 3, 2022.

Matt Little, recreation and special events manager, Parks and Recreation, presented a special event application request for the Winter Wonderfest, on Saturday, December 3, 2022, from 10:00 am to 9:00 pm, hosted by Harrisonburg Downtown Renaissance. He stated the assistance of Public Works, Harrisonburg Police Department, and Harrisonburg Fire Department are requested, the estimated cost will be approximately \$15,000, and the event organizer is responsible for payment of applicable charges.

A motion was made by Council Member Baugh, seconded by Vice Mayor Romero, to approve the request as presented. The motion carried with a unanimous voice vote:

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)**

None

- 9.b. City Council and Staff**

Council Member Jones thanked everyone for the reelection and for coming out and voting.

Council Member Dent stated she is excited that the High Performance Standards and Solar Requirements for City Owned Buildings resolution was passed

Vice Mayor Romero congratulated all those that were elected to serve on Council, thanked everyone who worked the polls to ensure we had a fair and safe opportunity to exercise our ability to vote. He thanked everyone for making it a great experience for many.

Council Member Baugh congratulated all those that will be joining City Council in January.

Ande Banks, city manager, stated that at the November 22, 2022, City Council

Meeting there will be two supplemental appropriations: one is an emergency refurbishment of the elevators at the safety building; the bids received for the new Public Works building came over the budget that was originally set aside and the finance director and himself are looking and finding creative ways to make sure these projects are moving forward. He stated there will be an ARPA Work Session for Council on November 22, 2022, at 5:30 pm.

10. Boards and Commissions

10.a. Harrisonburg Electric Commission

Council Woman Dent stated she is not prepared to vote on an appointment to the HEC, she has not talked with the candidates yet and requests this item be postponed to the first December meeting. Council Member Jones and Vice Mayor Romero stated they were ready to vote, Council Member Baugh and Mayor Reed stated if a Council Member request tabling an item, then we should not take action.

This Boards and Commissions was tabled.

11. Closed Session

11.a. Closed meeting as authorized by the Virginia Freedom of Information Act, Virginia Code Section 22.2-3711(A)

Under Subsection (8) for consultation with legal counsel employed by the City regarding a specific legal matter requiring the provision of legal advice by such counsel.

At 7:23 p.m., a motion was made by Council Member Baugh, 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 (8) for consultation with legal counsel employed by the City regarding a specific legal matter requiring the provision of legal advice by such counsel. The motion carried with a recorded roll call vote taken as follows:

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

No: 0

12. Adjournment

At 7:38 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 7:38 p.m., there being no further business and on motion adopted, the meeting was adjourned.

CITY CLERK

MAYOR