



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, July 28, 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

Council Member Byrd 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)

Jim Orndoff, 2 North Main Street, commended city staff for the imprinted brick crosswalks and cigarette receptacles being placed throughout downtown. Mr. Orndoff thanked staff for all they do and hopes to see more improvements.

Tim LaPira, 508 South Dogwood Drive, thanked Public Works staff for working with him and getting agenda item 6.b. on tonight's agenda.

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 Degner, seconded by Council Member Byrd, 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.

- 5.b.** Consider a request from Jamison Black Marble Wildlife Preserve, LLC to amend the Zoning Ordinance Section 10-3-97(10) to allow non-transient dwellings with recreational and leisure time activities within the M-1, General Industrial District by special use permit

This Zoning Ordinance was approved on second reading.

- 5.c.** Consider amending the Zoning Ordinance Sections 10-3-24, 10-3-34, 10-3-35, 10-3-40, 10-3-41, 10-3-46, 10-3-47, 10-3-48.4, 10-3-48.5, 10-3-52, 10-3-53, 10-3-55.4, 10-3-55.5, 10-3-56.4, 10-3-56.5, 10-3-57.4, 10-3-57.5, 10-3-58.4, 10-3-58.5, 10-3-84, 10-3-85, 10-3-86, 10-3-90, 10-3-91, 10-3-92, 10-3-96, 10-3-97, 10-3-98, 10-3-129, 10-3-180, and 10-3-181 and to add a new Article CC. Wireless Telecommunication Facilities with new Sections 10-3-195 through 10-3-203

This Zoning Ordinance was approved on second reading.

- 5.d.** Consider amending and re-enacting Section 7-3-84 (6) in the Harrisonburg City Code, limits for Total Dissolved Solids (TDS)

This Ordinance was approved on second reading.

6. Regular Items

- 6.a.** Consider approval of State Performance Contract for Community Services Board

City Manager Hodgen presented the Community Services Board State Performance Contract which is a contract between the Harrisonburg-Rockingham Community Services Board and the Virginia Department of Behavioral Health and Development Services. City Manager Hodgen noted that Lacy Whitmore, Executive Director, was out of town and this contract would be approved regardless, but due to the Code of Virginia he is asking for a formal vote.

A motion was made by Council Member Degner, seconded by Vice-Mayor Baugh, to approve the State Performance Contract. 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

- 6.b.** Consider traffic study in Sunset Heights neighborhood request

Tom Hartman, Assistant Director of Public Works, stated residents from the Sunset Heights neighborhood have submitted a request for a traffic study to evaluate speeding and cut-through traffic on their residential streets. Mr. Hartman stated this request comes from multiple calls involving citizens speeding and not stopping for school buses. Mr. Hartman reviewed what has been done to date

which included the following: increased police enforcement within the neighborhood, joined the Team Up to Slow Down Program and residents met with the Police Department and Public Works in June to discuss issues. Mr. Hartman stated the request asked for a traffic study to be conducted in September so the study would capture the presence of the student population. Mr. Hartman reviewed the next steps of the Neighborhood Traffic Calming Program and stated if the neighborhood does qualify for the program, they would need to submit a petition to council with 75% of signatures from the households in the neighborhood to request enrollment.

Mayor Jones stated he sees where there is a need for this to take place in this neighborhood. Council Member Degner questioned if in the future that this step needs to take place prior to getting the 75% support from neighbors. However, he noted he was fine with it, because it did make council aware of the request. Council Member Degner also asked staff to think about how they could handle these requests in the future. Vice-Mayor Baugh stated this step is about needing data so they can obtain their 75% support.

A motion was made by Vice-Mayor Baugh, seconded by Council Member Byrd, to approve the traffic study as requested. 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

6.c. Presentation on the newly implemented single stream solid waste collection program

Harsit Patel, Public Works Business Services Manager, stated over the past year this program has been a collaboration between staff and the community. Mr. Patel explained the current process and stated only 30% to 40% of residents are recycling. This program is meant to increase participation for recycling by collecting them together. Mr. Patel stated Public Works just got approval through the Virginia Department of Environmental Quality (DEQ) for their transfer station for transport to Van der Linde. Mr. Patel stated the new program will begin August 3, 2015 and information regarding the program has been provided to citizens through several media sources. Also, a mailer will soon be provided to everyone in the city. Mr. Patel stated it is important to remove liquids and food from recyclable materials prior to placing them in the trash. Mr. Patel noted it isn't a requirement, but if you can compost your waste, it is encouraged. Mr. Patel noted some best practices and tips for efficient collection such as removing hazardous items such as batteries. Mr. Patel noted that a household hazardous waste collection takes place four times a year. Mr. Patel said education is important because added weight causes increased costs to transport. Mr. Patel noted in the first year the city is looking to increase recyclable waste to a minimum of 50%. Mr. Patel noted that two long term goals of the program are to improve efficiency of operations and to reduce costs.

Council Member Degner asked if the program applies to those who have private trash haulers. Mr. Patel stated if residents currently get recyclables picked up but have private trash haulers, their service will continue. However, they would need to continue placing items in the bins provided. Mayor Jones showed concern towards more hazardous waste being thrown in because residents being less conscious due to placing all trash in one container. He also asked if hazardous items are picked up. Mr. Patel stated those items need to be treated the same and delivered to Beery Road. Council Member Degner asked if citizens could still separate. Mr. Patel replied that they could, but one truck will be picking up both containers. Council Member Degner pointed out that we are increasing the potential recyclable material that we believe now is approximately 27%. Mr. Patel stated Public Works isn't just trying to capture the 30% to 40% of those who are recycling; they are trying to get 100% of everything. Council member Degner clarified we are trying to increase the amount of items already being recycled and other waste that hasn't been recycled. Mr. Patel stated the overall goal is to be over 75% recyclable of all waste. Mr. Patel noted that DEQ requires a report to be provided on an annual basis. Mr. Patel noted currently we aren't taking construction and demolition debris to Van der Linde, because we are focusing on recyclables and refuse. Council Member Byrd stated we are looking to increase recycling and cost savings out of this newly implemented program. Council Member Shearer noted that we are going from one non-traditional trash collection to another non-traditional trash collection, so education and public awareness is important.

6.d. Presentation of the Bicycle Friendly Community application

Thanh Dang, Transportation and Environmental Planning Manager provided background to the application that got Harrisonburg recognized as a Bronze Level Bicycle Friendly Community by the League of American Bicyclists in May 2011. Ms. Dang noted this year, our Bronze Level designation expires and a new application is due on August 11, 2015 and noted all the groups involved with completing the draft application. Ms. Dang noted the application collects data on activities within five broad areas: engineering, education, encouragement, enforcement and evaluation. Ms. Dang stated several people are calling Harrisonburg the Bike Capital of Virginia and are hoping this application will move us up to a Silver Level designation. Ms. Dang noted that the application will be submitted to the league by August 11, 2015.

Council Member Byrd asked how some of the data points were obtained. Ms. Dang stated information is from census data, The American Community Survey. Ms. Dang couldn't recall if the numbers were obtained from the 2010 census data. Ms. Dang stated the league recommends if the community doesn't have their own survey, they should use census data provided. It was noted a lot more boxes were able to be checked off on this application due to our Bronze Level designation. Mayor Jones noted a video he was involved in regarding pedestrian traffic with JMU.

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

the application. 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

6.e. Bicycle and Pedestrian Plan update

Jim Baker, Public Works Director, thanked staff and the community that support the Public Works department. Mr. Baker stated this plan will be a part of the Master Transportation Plan. Mr. Baker noted this plan is important for the future and the process being proposed is slightly different.

Ms. Dang provided background to the plan and the five "e's" described with the previous agenda item. Ms. Dang reviewed project sponsors and city departments involved with the plan and reviewed activities that have taken place since March 23, 2015. Ms. Dang noted that over 30 attended a workshop that was held in May and 59 written comments were received. Ms. Dang noted that staff also reviewed the Harrisonburg-Rockingham Metropolitan Planning Organization (HRMPO) Wiki Mapping. Ms. Dang reviewed the proposed focus groups, those to provide information and buy-in, which included the following: business and economic vitality; safety, enforcement, Safe Routes to School; institutions: higher ed and retirement communities; housing providers: apartment complexes, property managers; and, disadvantaged populations. The meetings are proposed to take place during the months of August and September. Ms. Dang noted the focus groups would be by invitation only and stated feedback regarding the proposed information tonight could be addressed now or submitted to the City Manager by August 11, 2015. The following discussion took place: focus needs to be on all transportation; major employers such as the universities, Walker Manufacturing Inc., Valley Mall and the hospital should be involved; use a source such as Strava to collect data; get after school programming involved such as the Boys and Girls Club; interested in data from high school students because of the distance to the school location; open the invitation up to organizations that want to get involved; and, look around voting precincts to see how citizens can get to our services.

Ms. Dang presented the proposed prioritization factors which were the following: connectivity; equity; existing roadway conditions; implementation effort; public support; and, safety. Ms. Dang asked council to think about prioritizing the factors and shared that Charlottesville ranks some of the factors the same. Ms. Dang shared the tool called Active Trans Priority Tool that will be used to make the process more transparent. The following discussion took place: safety should be number one, problems with the definitions which then goes back to the data collection; rank all the factors the same; safety isn't always a key factor for projects; transforming non-bikers to bikers; and, this plan isn't Virginia Department of Transportation (VDOT) driven. Council Member Degner shared about his city-sponsored trip to Davis, California to see their bike lanes and stated there weren't bike lanes to get everywhere, but if there were safety issues there was something placed to make you use a different path. Ms. Dang noted that these six

items don't have to be used if there is something else that needs to be added or replaced. Ms. Dang stated the prioritization will be used for both biking and walking facilities. Council Member Byrd asked if sidewalks would be up against bike paths. Ms. Dang noted that there would be a separate list for each facility. Ms. Dang reviewed the schedule that began with host meetings in August and ended with presented to council in the summer of 2016.

7. Special Event Application Requests

7.a. Consider the Parks and Recreation Youth TRYathlon for a special event request

Katie Yount, Harrisonburg Downtown Renaissance Special Events Director, stated the Parks and Recreation Youth TRYathlon will be held Saturday, August 8, 2015 from 8:00 a.m. through 11:30 a.m. at Westover Park and the surrounding neighborhoods. Ms. Yount stated both HPD and Public Works support is needed and all departments have approved the event.

This item was approved with agenda item 7.b.

7.b. Consider the Parks & Recreation 13th Annual Race to Beat Breast Cancer 5k Run/Walk for a special event request

Ms. Yount stated the Parks and Recreation's 13th Annual Race to Beat Breast Cancer 5k Run/Walk will be held on Saturday, October 17, 2015 from 9:30 a.m. through 11:00 a.m. at Westover Park and the surrounding neighborhood. Ms. Yount stated that all departments have approved this request. Mayor Jones noted a health fair would also be taking place that day.

A motion was made by Council Member Degner, seconded by Council Member Shearer, to approve both special event requests in agenda items 7.a. and 7.b. 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. Supplementals

8.a. Consider a supplemental appropriation for the Police Department in the amount of \$12,610.13

City Manager Hodgen stated these are funds aren't city funds and they are from the federal and state asset forfeiture. The funds will be used to purchase technology for the Geographical Policing initiative.

Mayor Jones stated he has seen HPD out speaking about this and it is great to see police out within communities. Council Member Shearer stated he doesn't feel people understand how much paperwork the HPD does and this technology will make it more efficient for them. Mayor Jones noted that he has received positive

feedback regarding the community policing.

A motion was made by Council Member Byrd, seconded by Council Member Shearer, to approve as presented on first reading. 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. Other Matters

City Manager Hodgen announced National Night Out will take place next Tuesday, August 4 beginning at Court Square at 5:00 p.m.

Council Member Degner shared that the Shenandoah Valley Pride Festival was a hit and a respectful event. He also announced the JMU precinct public hearing would be held during the August 25, 2015 meeting.

Council Member Byrd stated a recommendation will be brought to the August 11, 2015 meeting from the Finance Committee in regards to the end of the fiscal year. Council Member Byrd stated information would be forwarded soon regarding the Personnel Committee that was discussed during past budget work sessions.

Vice-Mayor Baugh reviewed upcoming Planning Commission items. Vice-Mayor Baugh noted the report that had been sent to everyone about the City/County Liaison meeting and stated a JMU Liaison meeting would take place on Thursday.

A brief discussion took place regarding the Community Criminal Justice Board and a possible meeting to be held in September. Vice-Mayor Baugh stated he understands that the group hasn't been active and he feels the same resistance that Council Member Degner feels. Vice-Mayor Baugh stated council has a vision on where the board should go, but understands that we aren't the only stakeholder and suggested those interested should contact the other stakeholders and board members.

Mayor Jones announced a blood drive that would take place at the Valley Mall on Monday, August 3, 2015, from 11:00 a.m. through 7:00 p.m.

Mayor Jones also announced a Hispanic Heritage Festival at Smithland Soccer Field taking place on Sunday, August 9, 2015 at 2:00 p.m.

Council Member Byrd would like the results, recommendations and implementations schedule for changes from the Community Development study to be placed on an upcoming agenda.

10. Boards and Commissions

Council Member Shearer reported last week the Social Services Advisory Board

met and stated 170 children are in foster care in Harrisonburg and Rockingham County and foster parents are needed.

10.a. Consider request from the Central Shenandoah Criminal Justice Training Academy for the City of Harrisonburg to become the fiscal agent

City Manager Hodgen reported staff recommends declining the opportunity to become the fiscal agent for the Central Shenandoah Criminal Justice Training Academy. City Manager Hodgen stated the finance department is currently understaffed and noted that additional employees would be added to our health insurance program which hasn't been good the past few years. City Manager Hodgen stated he would be sending a letter informing them of the denial, if there weren't any objections from council.

Council Member Shearer stated he hasn't seen the numbers, but respects staff's recommendation. City Manager Hodgen stated there are other members who can fill this role and in the future we might be in a better position to take on the role. Council Member Byrd asked if this was ever discussed during managers' meetings. City Manager Hodgen stated this matter had never been discussed at regional meetings. Council Member Byrd stated with the information we currently have, he will support the recommendation.

11. Adjournment

At 8:23 p.m., there being no further business and on motion adopted, the meeting was adjourned.

CITY CLERK

MAYOR