



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, August 25, 2015

7:00 PM

Rockingham County Administration Center

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 Shearer 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)

Roberta Fernandez, 95 Campbell Street, stated she and her neighbors are fearful for the anti-social behavior that is about to return to their neighborhood and would like a tone set for the year ahead of expected behavior. Ms. Fernandez thanked council for the ordinances that have been put in place to address some of the concerns and the public safety personnel for their service.

Jim Orndorff, 2 North Main Street, reminded council about the community event on criminal justice that he spoke about at a previous meeting and stated the event will take place on October 20, 2015 at 7:00 p.m., and that it would be held at Martin Chapel auditorium in the Eastern Mennonite Seminary building. Mr. Orndorff stated that this event is open to the public and will provide an opportunity for concerned citizens to air their views. Mr. Orndorff presented invitations to each council and staff member.

Dr. Da Ponte, 171 Neff Avenue, spoke about the Buckle Up for Safety and Lives campaign. Mayor Jones read and presented a proclamation declaring Monday, August 31, 2015 through Friday, September 4, 2015, as Buckle Up for Safety and Lives Week.

Rosella Lynch, 270 Martin Luther King, Jr. Way, asked council to support the

resolution supporting the Regional Greenhouse Gas Initiative (RGGI), reviewed several reasons why council should support the resolution and stated Charlottesville's council has shown their support.

4.a. Presentation of resolution to Stacy H. Turner

Mayor Jones read a resolution honoring Stacy H. Turner for her service to the City of Harrisonburg. Mayor Jones presented the resolution to Mrs. Turner and invited her to say a few words.

Mrs. Turner stated she has enjoyed working for the city, with council and staff.

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, that this be approved on the Consent Agenda. 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 the reappropriation of encumbrances requested by department heads and the School Board that were outstanding at the end of Fiscal Year 2015

This Supplemental Appropriation was approved on second reading.

5.c. Consider a request from Campbell and Main, LLC with representative Rodney L. Eagle to rezone a 18,901 +/- square foot parcel zoned B-2C, General Business District Conditional to B-1C, Central Business District Conditional

This Rezoning was approved on second reading.

5.d. Consider a request from Chatham Land Co.; 126 Belmont, LLC; Nancy Lantz; Delbert and Lela Snyder, Trustees; and Tonya Taylor Price to rezone 37 lots comprising of 7.6 +/- acres of property zoned R-6, Low Density Mixed Residential Planned Community District by amending the development's master plan

This Rezoning was approved on second reading.

5.e. Consider amending the Zoning Ordinance by modifying the existing definitions of "minor family day home" and "major family day home."

This Zoning Ordinance was approved on second reading.

5.f. Refer a request to Planning Commission for the city to vacate an alleyway located

between 135 and 147 East Johnson Street

This request was referred to Planning Commission.

6. Public Hearings

- 6.a.** Consider an ordinance closing a 13,462 square foot portion of Grove Street right of way between New York Avenue and Ohio Avenue in the City of Harrisonburg

City Attorney Brown stated the request is a city initiated closing of an undeveloped portion of Grove Street between New York Avenue and Ohio Avenue. City Attorney Brown stated the vacated portion of Grove Street consists of 13,462 square feet and would be conveyed to William F. Cale and Susan T. Cale. City Attorney Brown noted the Cales would like to hold the 60 foot wide easement of right of way over a portion of Westover Park which benefits their property and stated with this request staff still recommended approval.

At 7:17 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 Monday, August 3, 2015 and Monday, August 10, 2015.

There being no one desiring to be heard, Mayor Jones closed the public hearing at 7:18 p.m., and the regular session reconvened.

Council Member Shearer stated the Cales are interested in providing connectivity for children to schools and have donated a substantial amount of land to the city for bike and pedestrian trails.

A motion was made by Council Member Byrd, seconded by Council Member Shearer, to approve the Grove Street vacation right of way plat 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

- 6.b.** Consider amending and re-enacting Section 1-1-12(1)b and enacting Section 1-1-12(1)e of the Harrisonburg City Code

City Attorney Brown stated this is an ordinance establishing a new voting Precinct 5 in Ward 1 consisting mostly of JMU's campus and amending the description of the boundaries of Ward 1, Precinct 2, Spotswood Precinct. City Attorney Brown presented a map showing the proposed precinct changes, noted state code addressing the limit of where lines are drawn and noted limitations due to the city having two election wards. City Attorney Brown stated the City Registrar and Electoral Board were available to answer questions.

Greg Coffman, Electoral Board Chair, stated the recommendation is before council and made himself and the board available for questions.

Council Member Shearer asked the process of when precincts are usually added. Debbie Logan, City Registrar, stated precincts are typically adjusted after the census or when precincts exceed 5,000 voters in an election, which happened in 2008. Council Member Shearer asked how many registered voters were currently at Spotswood and how many would be pulled from Spotswood. Mrs. Logan stated approximately 50%, making Spotswood the smallest precinct. Council Member Shearer asked what consideration was put into moving the precinct instead of separating the precinct. Ms. Price-Stroble stated the Board viewed it as potential registered on-campus voters and tried to disrupt as few voters as possible. Ms. Price-Stroble stated currently there isn't any data available about on-campus voting and the percentage across Harrisonburg is low. Mr. Ney stated the board wanted as little disruption as possible, noted Hillcrest was moved to the new precinct due to state law and there is feasible parking at the Convocation Center to handle voters. Council Member Shearer asked the Electoral Board what discussion took place in regards to the pending School Board request. Mr. Coffman stated that matter was never addressed and it was never referred to them for review during this request. Council Member Shearer noted that changing to at-large voting would impact the map and where the college housing on Grace Street could vote. Mr. Ney stated the board agreed that after the 2020 census, precincts would have to be reviewed. Mr. Ney stated that the Board felt to allow on-campus voting would get a majority of the students who live on campus.

A brief discussion was held about the previous School Board request that was previously voted against and was to be discussed during a School Board liaison meeting.

Council Member Shearer asked of the potential 6,000 voters how many vote absentee. There was discussion regarding the following: average student is not from Harrisonburg; no data showing the percentage of the "interest in voting" of the 6,000; survey everyone, the city has a low turnout across the board; majority of freshman vote absentee that visit the Registrar's office and the office typically doesn't see out-of-state students; upper classmen seem to change their residency; there are 24,000 registered voters and an election can average anywhere from 60% to 1% turnout; the student government is the requestor; and, actions the Registrar's office does to get registered voters.

At 7:40 p.m., Mayor Jones closed the regular session and called the second public hearing to order. A notice appeared in the Daily News-Record on Monday, August 17, 2015 and Monday, August 24, 2015.

James Gilchrist, 1054 Bobwhite Place, urged council to reject ward 1 precinct 5, provided reasons why he was against the request and that it wouldn't eliminate an existing needs.

Marilyn Turner, 393 Franklin Street, stated she was the Chief Election Officer at the Spotswood voting district. Ms. Turner stated students arrive in large quantities,

have more questions which naturally lead to more attention. Ms. Turner stated with these concerns, it causes waiting periods for other voters and was in favor of the recommendation.

Ryan Windels, JMU Student Body President, provided reasons why he was in favor of the recommendation and stated it falls in line with JMU's vision with civic engagement.

Mac Nichols, 217 Franklin Street, stated students have the right to vote, but feels students want convenience. Mr. Nichols asked if the request was approved, would it be good policy and asked if council would vote in favor if the city was paying for it.

Mayor Jones suggested the next speaker not speak if she didn't live in the city.

Penny Imeson, 1851 Reservoir Street (business), stated as a former member of the Electoral Board she encourages increased voter participation, but establishing a new precinct now might have a negative impact in years to come. Ms. Imeson stated privilege should not buy a precinct, the next few years should be used to educate students and doesn't understand the rush.

Jessica Reed, Executive Director Virginia21 at JMU, informed council about the Virginia 21 organization, urged council to support the recommendation because it would increase young voter turnout and increase civic engagement and it is at no cost to the tax payers.

Joshua Humphries, 377 Pheasant Run Circle, stated it had been a privilege working with the Electoral Board over the last year and a half. Mr. Humphries stated the goal of the request is to increase voters in Harrisonburg. Mr. Humphries provided reasons on why he felt it was important to approve the request, provided examples of the increased numbers other universities from other states saw after approving similar requests and asked council to consider approving the request.

John Sloop, 1071 Wyndham Drive, stated he is here in opposition to this recommendation and brought attention to the article in the JMU Breeze by Mac Nichols.

Meg Mulrooney, 655 S. Dogwood Drive, stated she was serving as a representative from JMU's Engaged University Council. Ms. Mulrooney brought attention to the Madison Plan that runs through 2020 and stated it is focused on engaged learning, community engagement and civic engagement. Ms. Mulrooney stated we need more citizens who have the disposition of a good citizen, numbers of student voter participation are expected to increase and students are a part of our community.

Jessica Oleno, 908 Brookhill Drive, reinforced what Ms. Mulrooney spoke about and provided more information on civic engagement. Ms. Oleno encouraged

council to approve the recommendation to improve student access and their ability to vote.

Matthew Neale, Student Government Legislative Action Chair, referenced a study that showed 76% of JMU students were registered to vote but 47% of students voted during the 2012 election, which is higher than other universities. Mr. Neale stated the perception of the current voter location might discourage students to vote, explained his role in promoting education about local issues, and students make a huge difference while they are here and should have a voice.

Frenzo Avare, 242 East Water Street, urged council to vote in favor of the request, feels voting is a right and students are a part of the community.

Elaine Blakey, 1127 Sumter Court, stated she is honored to have JMU as a part of the community but feels it is unnecessary for JMU to have their own precinct.

Carter Black, College Democrats President, stated she strongly supported the recommendation and provided her involvement as a freshman. Ms. Black stated students are interested in getting involved and there haven't been enough transportation resources to get students to the current voting precinct.

Andy Perrine, 30 West View, stated he was not present to show support for or against the recommendation, but wanted to note that JMU only receives 24% of their budget from the General Assembly and this request will be at the cost of student enrollment.

At 8:27 p.m., Mayor Jones closed the public hearing and the regular session reconvened.

A motion was made by Vice-Mayor Baugh, seconded by Council Member Degner, to lay this matter on the table so discussion could take place regarding the School Board matter. 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

Consider setting a public hearing for School Board elections moving to at-large voting

A motion was made by Vice-Mayor Baugh, seconded by Council Member Degner, to set a public hearing for School Board elections moving to at-large voting. 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 discussion took place regarding the following: the two matters are separate, hate to get the two tangled; school board asked about at-large voting, not a change in the number of board members; address the at-large matter at the next meeting; information regarding the JMU precinct was not available when discussing the at-large voting matter; Council Member Degner noted how he got involved in local politics as a freshman; no cost to the city; voting is a right; JMU is state organization, not a private entity; Mayor Jones noted during the last election his neighborhood doubled the expected turnout; more people need to be engaged with the voting process; JMU students participate in a lot of volunteer roles; can discuss later about the number of board members; new college housing wouldn't be included if at-large voting isn't approved; and, council asked both the Electoral Board and the City Attorney to get involved in the conversation about at-large voting.

City Attorney Brown stated the public hearing that was held about the School Board election process was just for general input and another public hearing would have to be held if council would like to consider at-large voting. Some council members noted they would like to receive input from the School Board and no one has committed to going to at-large voting.

A motion was made by Vice-Mayor Baugh, seconded by Council Member Degner, to bring agenda item 6.b. off the table. 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 amending and re-enacting Section 1-1-12(1)b and enacting Section 1-1-12(1)e of the Harrisonburg City Code

Vice-Mayor Baugh asked all to think about this as general request and if it is something you wanted to do and it could be done relatively easy, it is recommended by the board, it won't cost much and isn't a financial burden to the city. Vice-Mayor Baugh continued with other analogies of why he was in favor of the request.

Council Member Degner stated it is making it easier for individuals to vote and won't cost anything which will cause higher engagement and turnout within the city.

Council Member Shearer stated he felt the request is asking for convenience, feels that during college it is one of the easiest times to vote, many residents face challenges to get out to vote and doesn't think this is a good policy to set forth.

Council Member Byrd stated that if voting is increased by 35% from 800 South Main, it would increase the number of votes by 145. Council Member Byrd feels that precincts are designed on census data for citizens at-large.

Mayor Jones stated it is everyone's responsibility to get others out to vote and be engaged with all that council has before them.

A motion was made by Vice-Mayor Baugh, seconded by Council Member Degner, to approve the request as presented be approved on first reading. The motion carried with a recorded roll call vote taken as follows:

Yes: 3 - Mayor Jones, Vice-Mayor Baugh and Council Member Degner

No: 2 - Council Member Byrd and Council Member Shearer

At 9:05 p.m., Mayor Jones called the meeting into recess.

At 9:15 p.m., Mayor Jones called the regular meeting back into session.

6.c. Consider amending and re-enacting Section 1-1-13 of the Harrisonburg City Code

City Attorney Brown stated the ordinance amendment is required due to the move to City Hall. City Attorney Brown stated the existing section 1-1-13 designates the second floor conference room in the Municipal Building at 345 South Main Street as the city's central absentee voter election district and this amendment would designate a room in City Hall as the city's central absentee voter election district. City Attorney Brown stated due to timing requirements under state law, this ordinance amendment must be passed prior to September 3, 2015 and noted a brief special meeting would need to be set for a second reading of this ordinance amendment.

At 9:19 p.m., Mayor Jones closed the regular session and called the third public hearing to order. A notice appeared in the Daily News-Record on Monday, August 17, 2015 and Monday, August 24, 2015.

There being no one desiring to be heard, Mayor Jones closed the public hearing at 9:20 p.m., and the regular session reconvened.

A motion was made by Council Member Degner, seconded by Vice-Mayor Baugh, that this ordinance be approved 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

7. Regular Items

7.a. Presentation on the Building Inspection Study

Assistant City Manager Lewis stated DecideSmart, LLC was hired to review the building permit process after requested by council and introduced Lane Ramsey.

Mr. Ramsey reviewed the other colleagues that assisted with the study, which was to review the building permit process to assist the city to help resolve complaints

from the building and development community regarding timeliness and customer service issues. Mr. Ramsey reviewed the interview process that took place between development community representatives, staff, two council members and a focus group within Community Development staff. Mr. Ramsey reviewed the outcomes of the study which were the following: the development community had some positive comments about staff, want to be a part of the solution, some believe there are hidden agendas related to the building permit process and customer service concerns; very little communication between city staff and development community; lack of communication between staff; desired by all to fix the problem and work on a solution; all understand the importance of quality building and development to the city; all understand the importance of a process free of interference and illegal influence; and there is no routine communication mechanism with development community and between city departments. Mr. Ramsey gave the following recommendations: the city manager should appoint a team of staff to implement recommendations; implement a survey process asking applicants to rate their experience with the city process; city administration should establish a formal communication and meeting process with the development community; building inspectors should begin leaving a ticket at inspection sites after inspections; training for development related staff; process to handle violations found after approved inspections; and, consider adding staff to plans review. Mr. Ramsey also recommended automating the building permit process and to consider increasing fees to help pay for the system. He also suggested visiting other localities to find best practices. Mr. Ramsey stated many of the same issues were communicated about site plan review process and to consider a fast track process for economic development projects.

The following discussion took place: would have to have system in place to be able to track performance; Mr. Ramsey agreed to forward examples; use developers and community as a resource during staff communication; requestors that come before council always compliment staff; review processes the city does well and implement those things toward this process; and, staff is busy and a system that would eliminate staff's time for the community to check status of their permit would be helpful.

7.b. Presentation of an un-manned aerial system

Thomas Hoover, Captain of the Harrisonburg Police Department (HPD), introduced Brian Murdock, Auxiliary Police Officer with the Harrisonburg Police Department, and presented the new initiative for an un-manned aerial system. Captain Hoover stated there are specific policies and procedures that go along with the system and it will be used for public safety issues such as missing children, barricade situations and hazmat concerns. Captain Hoover stated Mr. Murdock is a commercial airline pilot and has been able to bring knowledge to the department when creating the program. Captain Hoover stated a few local business owners donated funds to the Harrisonburg Police Foundation for this system.

The following discussion took place: the system is GPS based; five to six officers

will be trained yearly to use the system initially; rely on HPD for their expertise; and, HPD will forward the policies and procedures to council.

A motion was made by Council Member Byrd, seconded by Council Member Shearer, to accept the equipment donated by the Harrisonburg Police Foundation for the safety of both the citizens and officers of the City of Harrisonburg. 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. Special Event Application Requests

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

Katie Yount, Harrisonburg Downtown Renaissance Special Events Director, stated the fall Rocktown Beer & Music Festival will be held Saturday, September 26, 2015 from 3:00 p.m. until 8:30 p.m. at the Turner Pavilion and municipal lot. Ms. Yount stated city departments have reviewed and approved the special event and local business owners were made aware of the event in December 2014. Ms. Yount noted the week prior to the event coordination takes place between HDR and the Lindsey Funeral Homes.

A motion was made by Council Member Degner, seconded by Vice-Mayor Baugh, that this special event application request 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 the Sherry Burcham Anderson 5k Run/Walk as a special event request

Ms. Yount stated the Sherry Burcham Anderson 5k Run/Walk will take place on October 11, 2015 at 3:00 p.m. in front of Skyline Middle School on Linda Lane. Ms. Yount stated approval is pending from the Purchasing Department until the endorsement for insurance is received. Ms. Yount stated additional vendors possibly will be added to the event.

Council Member Shearer stated this event is in memory of a runner in town that was killed while running and it is important to be safe while running and to look out for others while on the road.

A motion was made by Council Member Degner, seconded by Vice-Mayor Baugh, that this special event application request 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. Supplementals

- 9.a.** Consider a supplemental appropriation for the Fire Department in the amount of \$147,835.19

City Manager Hodgen stated these are Fire Program and Four for Life funds that are received from the State Department of Emergency Services each year and the amounts aren't available until after the budget is approved. City Manager Hodgen stated the budget shows estimated amounts due to some localities not accepting the grant funds, which then increases ours.

Council Member Byrd asked why localities wouldn't accept grant funds. City Manager Hodgen noted some don't want to meet the reporting requirements and/or don't have projects the funding can be used towards.

A motion was made by Council Member Byrd, seconded by Vice-Mayor Baugh, that this supplemental appropriation be approved 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.b.** Consider a supplemental appropriation for the Police and Fire Departments in the amount of \$93,159.38

City Manager Hodgen stated the Police and Fire Departments were awarded various grants in the prior fiscal year and weren't able to expend and this request will reappropriate these unexpended prior year grant awards into this year's budget.

A motion was made by Council Member Byrd, seconded by Council Member Degner, 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

10. Other Matters

- 10.a.** Finance Committee Recommendation

Council Member Byrd stated during the last meeting the Finance Committee gave a recommendation for the unallocated fund balance and clarified the Four For Life funds are accounted for. City Manager Hodgen referred to the budget adjustments for the \$0.02 tax reduction and stated the Commissioner of the Revenue has to have her land book certified by Tuesday, September 1, 2015. City Manager Hodgen noted these funds weren't available prior to the previous fiscal year. Council Member Byrd asked if these funds affect last year's ending unallocated fund balance. Council Member Byrd stated two actions were needed, one to

reduce the tax rate and the other to review the changes in the current year budget funds. Council Member Shearer stated the \$0.02 reduction doesn't have to do with the surplus that was brought by the Finance Committee. City Manager Hodgen noted the \$520,000 was shown in the fund balance that was presented previously. There was brief discussion regarding the balancing of budget funds. City Manager Hodgen noted there were non-reoccurring capital projects in the subsequent budget year. City Manager Hodgen stated \$520,000 is coming from fund balance with the remainder of \$258,000 from adjustments to projected revenues for the new budget year. Council Member Byrd noted the \$520,000 isn't FY2016 revenues. City Manager Hodgen stated he wouldn't have recommended expenditure cuts at this time if we would be using \$520,000 from this year's budget. There was discussion regarding last year's budget, this years' budget, capital expenditures and fund balance.

Council Member Degner stated he would like for requests like these to be a part of the agenda packet so all can review. Council Member Degner also stated he didn't have an issue with the city spending 3% less in expenditures and bringing in more revenues than budgeted.

Mayor Jones noted each council member does have the ability to add agenda items.

After further discussion regarding the budget process, City Manager Hodgen noted that staff presents the budget to council for review and makes himself available to make adjustments prior to the approval of the budget and he stands behind the budget that he first presented.

A motion was made by Council Member Byrd, seconded by Council Member Shearer, to reduce the tax rate to \$0.715. The motion failed with a recorded roll call vote taken as follows:

Yes: 2 - Council Member Byrd and Council Member Shearer

No: 3 - Mayor Jones, Vice-Mayor Baugh and Council Member Degner

A motion was made by Council Member Degner, seconded by Vice-Mayor Baugh, to reduce the real estate tax by 1.5 pennies. 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.b. Consider hiring additional personnel

Mayor Jones presented a job description for an Assistant Director of Economic Development to help support the Director of Economic Development. Mayor Jones also brought attention to additional personnel in the Tourism Department and a Sustainability Coordinator that he would like to see hired.

Council Member Byrd stated if council desires, research can be shown to City Manager Hodgen of what has been provided regarding personnel committees and then present the findings to this body for review and where these positions mentioned would fit into the process.

Mayor Jones stated he agreed to use the process for the other two positions, but would like to move forward with the Assistant Director of Economic Development. It was agreed to place the Assistant Director of Economic Development on the next agenda for discussion with a job description and a memorandum regarding why the position is needed.

10. Other Matters Continued

Council asked to see an agenda item on the next agenda regarding the spending of the overage that was brought forward by the Finance Committee.

Council Member Degner stated a report would be provided later, but the tour of the Middle River Regional Jail was productive.

Council Member Degner noted it was the first day of school and there will be a presentation by the School Board regarding the rapid growth being above the aggressive growth estimates provided by the state.

Council Member Byrd stated the Metropolitan Planning Organization (MPO) voted to move the following three projects forward: Route 33 Interchange, improvements to Martin Luther King, Jr. Way and the Route 11 Corridor South Study, which is a study jointly with the County of Rockingham.

Vice-Mayor Baugh asked about the animal shelter progress. City Manager Hodgen stated the group is going to select a vendor who has done similar request for proposals (RFP) and then draft an RFP.

It was noted the City Clerk would contact council regarding scheduling a special meeting.

11. Boards and Commissions

Council Member Byrd stated the Stormwater Advisory Committee (SWAC) has asked for a liaison member from council. After brief discussion, Council Member Byrd will continue serving as part of SWAC.

12. Closed Session

At 10:52 p.m., a motion was made by Council Member Shearer, seconded by Council Member Degner, to enter into closed session as authorized by the Virginia Freedom of Information Act, Virginia Code Section 2.2-3711(A), under: Subsection 3 for the discussion of acquisition of real estate for a public purpose. 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 11:16 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 11:17 p.m., there being no further business and on motion adopted, the meeting was adjourned.

CITY CLERK

MAYOR