



# City of Harrisonburg

409 South Main Street  
Harrisonburg, VA 22801

## Meeting Agenda - Final City Council

*Mayor Ted Byrd*  
*Vice-Mayor Charles Chenault*  
*Council Member Kai Degner*  
*Council Member Richard Baugh*  
*Council Member Abe Shearer*

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Tuesday, September 23, 2014

7:00 PM

Council Chambers

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1. Roll Call
2. Invocation
3. Pledge of Allegiance
4. Comments from the public, limited to five minutes, on matters not on the regular agenda. (Name and address are required)
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)

- 5.a. Approval of minutes

**Attachments:**      [September 9, 2014 Draft Meeting Minutes](#)

- 5.b. Consider a request to amend multiple sections of the Zoning Ordinance to allow public uses to deviate from requirements of the Zoning Ordinance by approval of a special use permit

**Review & Recommendation:**      Planning Commission recommended approval (6-0) of the Zoning Ordinance amendments that would include adding an additional subsection to each zoning district's list of available special use permits to allow public uses to apply to deviate from zoning regulations. The sections of the Zoning Ordinance that would be amended include: 10-3-34, 10-3-40, 10-3-46, 10-3-48.4, 10-3-52, 10-3-55.4, 10-3-56.4, 10-3-57.4, 10-3-58.4, 10-3-63, 10-3-71, 10-3-79, 10-3-85, 10-3-91, 10-3-97, and 10-3-180.

**Attachments:**      [Staff Report](#)  
[Extract](#)  
[Advertisement - Notification](#)  
[PowerPoint Presentation](#)

- 5.c. Consider a request from Farhad Koyee, Bahar Mikael, and Sabir Haji to rezone a 0.38-acre (16,553 +/- sq. ft.) portion of a 0.52-acre (22,600 +/- sq. ft.) parcel from R-2, Residential District to B-2C, General Business District Conditional

**Review & Recommendation:** The property is located along the north side of Ashby Avenue but is addressed as 907 North Main Street. The parcel has 104 feet of lineal road frontage, where 40-feet of it is zoned B-2 and 64-feet is zoned R-2.

Planning Commission recommended approval (6-0) of the rezoning request for a portion of the property identified as tax map parcel 41-C-44 with the following proffers:

- \* Along the entire length of the western and northern property lines, where the adjacent property is zoned residentially, for a width of 10-feet, the existing vegetation (including all trees and shrubbery) shall be maintained to assist in providing a buffer between the property and the adjacent residentially zoned property. In addition, evergreen trees shall be planted and maintained within the 10-foot buffer zone with the intent to form a dense screen. The evergreen trees shall be three to four feet in height at the time of planting and shall be planted at no greater than 5-foot centers.
- \* A six-foot solid, opaque fence shall be installed along the same boundaries as identified above.

**Attachments:** [Site Map](#)  
[Zoning Map](#)  
[RZ 907 N. Main Street Staff Report](#)  
[Extract RZ 907 North Main Street](#)  
[Application and Info](#)  
[City Council Advertisement](#)  
[PowerPoint Presentation](#)

**5.d.** Consider two supplemental appropriations for Economic Development Department totaling \$70,000

**Review & Recommendation:** Consider a supplemental appropriation to re-appropriate \$35,000 granted by the Harrisonburg IDA to the Harrisonburg Business Loan Program and to appropriate \$35,000 of grant funds received from the Virginia Department of Housing and Community Development for the new "What's Cooking" entrepreneurial program.

**Attachments:** [Supplemental Appropriation \(Economic Development\)](#)  
[DHCD MOU](#)

**5.e.** Consider a transfer of funds to the Health Insurance Fund

**Review & Recommendation:** Funds from the City and the School Board will be used to replenish the fund balance of the Health Insurance Fund. It is also requested that the transfer of funds be retroactive to Fiscal Year 2014 for audit report purposes.

**Attachments:** [Supplemental Appropriation \(Health Insurance\)](#)

**6. Regular Items**

**6.a.** Update on Stormwater Advisory Committee (SWAC) activities and draft Stormwater Utility Ordinance

**Review & Recommendation:** The Stormwater Advisory Committee (SWAC) has evaluated methods to fund the City's MS4 stormwater permit program. An update on SWAC's activities and a draft of the proposed Stormwater Utility Ordinance will be presented. Public Input Meetings will take place in November and December 2014.

**Attachments:** [Harrisonburg Stormwater Utility Ordinance DRAFT 2014-09](#)

**6.b.** Consider a request for a mural contest and hear an update from Harrisonburg Downtown Renaissance and Arts Council of the Valley

**Review & Recommendation:** An update will be given on the recent parking deck enhancement projects and proposals for future enhancements, including a mural contest for the Elizabeth Street parking deck.

**Attachments:** [Mural Project Grant 2014](#)  
[Mural Application Form](#)  
[Cost Estimates - PW](#)

**6.c.** Update on Hotel Conference Center discussions and request for public hearing

**Review & Recommendation:** Prior discussions with JMU and the JMU Foundation regarding the Hotel and Conference Center discontinued in June of this year when portions of the financing component of the project could not be worked out in a manner that was satisfactory to Foundation and the City. In recent weeks the two parties have reengaged in discussions about the project and appear to have a tentative agreement on new contract language, subject to final approval of the City and Foundation attorneys.

As such, it is requested the Council authorize the advertisement of a public hearing for October 14, at which time project details and associated documents will be presented to Council and the general public.

## 7. Supplementals

**7.a.** Consider a supplemental appropriation for the Police Department in the amount totaling \$52,887.50

**Review & Recommendation:** These funds were requested from Federal Seized Asset Forfeiture funds, to be used for law enforcement purposes only and will be used for the purchase of the following:

Outer vests:

To supply uniformed personnel with an exterior vest cover to allow officers to remove their ballistic vests easily when in office settings, or in an assignment where the vest could be removed for comfort and easily donned for emergency responses. Existing ballistic panels will slide into exterior carriers purchased. This supplemental appropriation totals \$17,296.00.

Axon body-worn cameras:

Thirty Axon flex, body-worn cameras, docking stations, and evidence.com storage for video footage. The thirty cameras will provide on-duty personnel with a body worn camera.

The cameras will provide an improvement of evidence collection, strengthen officer performance and accountability, enhance agency transparency, document encounters between police and the public, and help to investigate and resolve complaints and officer involved incidents. This supplemental appropriation totals \$35,591.50

**Attachments:** [Supplemental Appropriation](#)  
[Outer Vests Quote](#)  
[Body Worn Cameras Quote](#)

## 8. Other Matters

## 9. Boards and Commissions

## 10. Closed Session

- 10.a. Consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel

**11. Adjournment**