



City of Harrisonburg

409 S. Main Street
Harrisonburg, VA 22801

Meeting Minutes - Draft City Council

Tuesday, July 25, 2023

7:00 PM

Council Chambers

1. Roll Call

Present: 5 - Mayor Deanna R. Reed, Vice-Mayor Laura Dent, Council Member Christopher B. Jones, Council Member Dany Fleming and Council Member Monica Robinson

Also Present: 5 - City Attorney Chris Brown, City Clerk Pam Ulmer, Police Chief Kelley Warner, Chief Matthew Tobia and Acting Deputy City Manager Amy Snider

2. Invocation

Vice Mayor Dent offered the invocation.

3. Pledge of Allegiance

Mayor Reed led the Pledge of Allegiance

4. Special Recognition

4.a. Proclamation recognizing July 2023 as Park and Recreation Month

Mayor Reed presented a proclamation to Brian Mancini, director of Parks and Recreation, and staff, recognizing July 2023 as Park and Recreation Month.

Mayor Reed stated the parks and recreation in the city touches everyone in the city, and we appreciate everything they have done. She stated she doesn't recall ever seeing our parks as beautiful as they are today. She stated the department runs an afterschool program that many don't even know about, it is part of our school system, and it is important that people understand the level of work that the department does.

Council Member Fleming stated he grew up on the Parks and Recreation system within the city, his children grew up using the facilities and programs, at some level or another everyone he knew made use of our parks and the department.

Council Member Jones stated Parks and Recreation offers the most equitable and equal opportunity to use their services, he spoke highly of several of the Parks and Recreation Department employees, he appreciates all they do.

Council Member Robinson stated Parks and Recreation was the saving grace for her and her family, her son was one of the first to participate in the preschool program, and the department continues to be a saving grace for her and her grandchildren. She stated she is oh so very grateful for everything the department provides, how well

of a job they do, and how friendly the staff has been for over three generations of her family. She stated the fees are very agreeable and when they aren't there are options. She stated she appreciates the department and services offered.

This Proclamation was approved.

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 Jones, seconded by Council Member Fleming, that this be approved. The motion carried with a recorded roll call vote taken as follows:

Yes: 5 - Mayor Reed, Vice-Mayor Dent, Council Member Jones, Council Member Fleming and Council Member Robinson

No: 0

5.a. Minutes from the July 11, 2023 City Council Meeting

These minutes were approved on the consent agenda

5.b. Consider a request from Riadh S. Mamund to rezone 130 West Mosby Road

This rezoning request was approved on second reading

5.c. Consider a request from Farhad Koyee and Mikael Bahar to rezone 937 Vine Street

This rezoning request was approved on second reading.

5.d. Consider a request from 130 Franklin Street LLC to rezone 130 Franklin Street

This rezoning request was approved on second reading.

6. Public Hearings

7. Regular Items

7.a. Consider removing delinquent Real Estate taxes for 2002 and delinquent Personal Property taxes for 2017

Jeff Shafer, Treasurer, stated per City Code Section 4-1-36 and State Code Section 58.1-3940, he requests that the personal property tax for 2017 for a total of \$178,599.20 and real estate tax for 2002 and 2003 for a total of \$1,392.58 be removed from the Treasurers books as uncollectible. He stated this comes out to be 99.98% collection rate for real estate taxes and 98.44% for personal property taxes. He stated for personal property taxes Warrants in Debt to seek judgments are sent out.

A motion was made by Council Member Fleming, seconded by Vice-Mayor Dent, that this request be approved. The motion carried with a recorded roll call vote taken as follows:

Yes: 5 - Mayor Reed, Vice-Mayor Dent, Council Member Jones, Council Member Fleming and Council Member Robinson

No: 0

7.b. Consider advertising Real Estate delinquent taxes for years 2020 & 2021

Jeff Shafer, Treasurer, stated as required by City Code Section 4-1-29 he requests if Council approves the advertisement of delinquent real estate taxes for the years 2020 and 2021. He stated delinquent letters have been sent and advertising would be the end of August 2023.

A motion was made by Vice-Mayor Dent, seconded by Council Member Robinson, that this request be approved. The motion carried with a recorded roll call vote taken as follows:

Yes: 5 - Mayor Reed, Vice-Mayor Dent, Council Member Jones, Council Member Fleming and Council Member Robinson

No: 0

7.c. Update on American Rescue Plan Act (ARPA) Program and Projects

Luke Morgan, grants and program analyst, City of Harrisonburg, provided an update on the ARPA Funding and summary of projects. He reviewed the following:

1. Requirements of ARPA funding
2. Approved ARPA Project Categories:
 - a. Enhanced Community Spaces
 - b. Other Government Services
 - c. Expand Accessible, Affordable Housing
 - d. Improve Neighborhoods
 - e. Increase Affordable, Accessible Childcare
 - f. Invest in Community Mental Health
3. ARPA Capital Projects:
 - a. Parks and Recreation

Brian Mancini, director of Parks and Recreation, stated the city is growing and the parks system needs to grow with it, and he appreciates the ARPA funding provided by Council. He reviewed the status of ARPA funded projects within the city parks to include:

1. Smithland Athletic Complex Lights
2. Smithland Athletic Complex Restrooms - West Side
3. Thomas Harrison Soccer Field
4. Ralph Sampson Park Splashpark

Discussion took place regarding the lighting at the athletic complex and Thomas

Harrison soccer field.

Mayor Reed stated the Splash Park will be bigger than the splash pad at Westover Pool and has been in the 2008 Comprehensive Plan for the city and never got done. She stated this was something the community wanted, and even though a pool was also wanted it would cost over \$11M which would have taken the majority of the ARPA Funding. Mr. Mancini stated he envisions the splash park to be a gathering place with facilities that could be used for people to dry off, will have appropriate age areas, and will be a very creative space, similar to A Dream Come True Playground. He stated that is his vision, the community may have a different vision, and hopes to be able to get a company to develop the park with creativity in mind. Mayor Reed stated other localities have these types of facilities all throughout the city. She states she envisions Ralph Sampson Park full of amenities such as the Splash Park, basketball courts, Futsal courts, kids all over the place.

Council Member Robinson, asked what Mr. Mancini envisions for the future of Ralph Sampson Park. Mr. Mancini stated he envisions a park that is the most walkable of our parks where transportation is not needed to access, with things that will stand the test of time, more shelters, and sufficient parking.

Council Member Robinson asked what type of programs will be offered for youth over the age of 12. She stated she is not opposed to the Splash Park but is hoping that a second pool in the city is in future planning, not necessarily in the Northeast Neighborhood, although that would be ideal, as there is a need for another pool. Amy Snider, interim deputy city manager, stated discussions have taken place about the need in the near future to go through another Parks and Recreation master planning process and the discussion of a second pool would be a part of that. Council Member Robinson stated if the public knew that was going to happen there wouldn't be so much angst about ARPA funding being the only chance to get a second pool in the city.

Council Member Jones stated we have public meetings in which anyone in the community can attend, they are also recorded, saved, filed and archived on our website, if people really want to know what is being discussed and considered it is just a couple clicks away. Further discussion took place regarding access to information by the community.

Mr. Mancini continued his review on the status of ARPA funded projects within the city parks:

1. Kids' Castle Replacement
2. Westover Skate Park

Mr. Mancini spoke in detail about the skatepark, the current contract on the project, and noted staff's recommendation to continue with the contract with American Ramp Company with engagement from the community and with all efforts possible to satisfy the desires of the skateboard community within the budgeted amount. Ms. Snider

stated it is unusual for staff to ask Council on how to proceed with contracts, but because of the amount of public interest in the project and recommendation to change the scope of the project from what Council voted on during the ARPA funding, she thought it would be best for Council to provide input on how to proceed. She stated Mr. Mancini's request is to change the project scope to no longer replacing the obstacles with metal, to change to designing and constructing a new skate park that is informed by community engagement with multiple options of materials. She stated staff is suggesting maintaining the contract with American Ramp Company and stay within the project budget. She stated the alternative would be to terminate the contract with American Ramp Company, which would further extend the project timeline and create legal and financial implications. Chris Brown, city attorney, stated he reviewed the contract, and if the contract were to be terminated, the cost to the city would be \$60,000.

Mayor Reed asked if American Ramp Company has agreed to working with staff and the community on what is desired within the budget and without penalty due to changing of scope. Mr. Mancini stated they are absolutely willing to work with us, they will do the community engagement as well. Council Member Robinson asked if backtracking the project to include the community engagement would take us outside of the budgeted funding. Mr. Mancini stated the contractor is well aware of our budget, and we will build whatever we can within those budget constraints. Further discussion took place on time constraints, budget, quality of American Ramp Company's work, speaking to other companies for pricing and quality comparisons, non-steel construction,

Mr. Morgan Luke further continued with his update on with ARPA Funding and summary of projects. He reviewed the following:

1. Homeless Services Center
2. Neighborhood Improvements
3. Fire Station 5
4. Four ARPA-Created Funds:
 - a. Small Business Assistance Fund
 - b. Housing Fund
 - c. Mental Health Fund
 - d. Child Care Fund

Council Member Fleming stated staff has done a great job on this, moving quickly, and in talking with Virginia Housing they have a range of grants they want to bring to the city, so it would be worth reaching out to them to discuss what we have in the works and what our projects are and how their grants may fit in.

Vice Mayor asked about the timeline of funds awarded under the housing fund, would that be by the end of 2023, she asked if the projects we award have to built by the end of 2026 or as long as the funds have been allocated, we are covered. Mr. Morgan

stated the ARPA funds have to be spent by the end of 2026. Vice Mayor Dent stated site readiness is a criterion for funding.

Mayor Reed stated staff did a great job with the different organizations that received funding under the Mental Health Fund, and she is most proud of the category and how it is going to be utilized throughout the city.

Council Member Fleming stated there could be potential resources under the Child Care fund projects from the Virginia Department of Education's Ready Region program.

Council Member Jones stated he is thrilled to see the Child Care Pipeline as it shows economic development, entrepreneurship, homeownership, education, and it pushes people forward. He stated staff did a perfect presentation for this.

Mayor Reed stated the presentation gives life to what Council is trying to do for the community, most other localities didn't take the time to really fill the needs of the community with ARPA Funds, we have done a phenomenal job.

Vice Mayor Dent stated although she may have wanted to shift some of the funding originally but the way it has been structured to have the funds that we award to a variety of organizations is great. She stated the idea of having loans as well as grants for the housing fund, loan funding will come back to the city, and we will be able to use it to seed an ongoing fund. She stated we should have some sort of scaling to emphasize the loans so that we can have that ongoing funding.

Mayor Reed stated sometimes funding is always about having a specific build project, sometimes it as simple as training people to be successful, and that is what we are doing with a lot of these funds. Further discussion took place as to how these funds are helping people look at things in a positive manner, making things work, the hope of people taking part and using these funds.

Council Member Robinson stated she is very impressed with the Child Care Fund, the Mental Health Fund and the Housing Fund, we are in baby form of doing all the things Nashville is doing with their affordable housing, and she remembers the presenters from Nashville at a previous Council meeting speaking about using loan funds for future programming and loans. She stated she feels we are heading in the right direction; we are one of the major cities that people will be talking about once they hear what we are doing here. She stated the previous Council and today's Council did a great job.

Council Member Fleming stated it is exciting that a lot of these funds are engaging residents who are trying to do problem solving in our community. He stated staff is also learning how to be more knowledgeable on these issues and how to address them.

A motion was made by Council Member Jones, seconded by Vice Mayor Dent, to seek other Sourcewell firms for comparison as to what could be built out of concrete for \$400,000 and compare to American Ramp Companies contract. The motion carried with a roll call vote as follows:

Yes: 5 - Mayor Reed, Vice-Mayor Dent, Council Member Jones, Council Member Fleming and Council Member Robinson

No: 0

7.d. Consider approving an amendment of the existing Franchise Agreement between Comcast and the city for Comcast to provide a HD PEG access channel to the city

Chris Brown, city attorney, presented an amendment to our Franchise Agreement with Comcast to provide high-definition PEG channels.

A motion was made by Council Member Jones, seconded by Council Member Fleming, to approve the amended Franchise Agreement as presented. The motion carried with a roll call vote as follows:

Yes: 5 - Mayor Reed, Vice-Mayor Dent, Council Member Jones, Council Member Fleming and Council Member Robinson

No: 0

8. Other Matters

8.a. Comments from the public, limited to five minutes, on matters not on the regular agenda. (Name and address are required)

Panayotis "Poti" Giannakouros, state he has been riding around the city measuring PM2.5 pollution, it is clearly elevated around the poultry houses adjacent to the new Bluestone Town Center development lot. He stated this development is moving forward against the law not having done an environmental assessment before taking action. He spoke on the millions of dollars the poultry industry is receiving in which part will be used for their recycling infrastructure. He spoke on transportation, urban renewal, poultry industry sacrifice zones, change in public comment time, the history of the Martin Luther King Jr., Way renaming, and an upcoming meeting of the Martin Luther King, Jr. Coalition,

8.b. City Council and Staff

Council Member Jones spoke on his attendance to a National League of Cities Leadership Conference in Tacoma, WA. He stated he learned a lot and has some good things to discuss from it. He also attended a pre-conference with the Race Equity and Leadership Institute.

Vice Mayor Dent stated she also attended the conference in Tacoma, she is on the Energy, Environment, and Natural Resources Federal Advocacy Committee and there were in-depth discussions on planning tools for climate resilience and capital budget planning, which help with ideas on how to reduce green house gas emissions,

and adapting to the fact that climate change is coming and how do we become more resilient. She stated another topic was permitting reform, which is a hot topic in DC these days, and spoke further on how this affects everyone. She stated she will be attending an EPSAC meeting on July 26, 2023.

Council Member Robinson stated she attended the Community Criminal Justice Board meeting on July 10, 2023, and the Public Defender's Exploratory Committee has come to an end and will be supplying the board with a list of recommendations as to how to move forward.

Council Member Fleming stated he attended a Virginia First Cities meeting with Liz Webb, Housing Coordinator, and good conversations were had and a follow up meeting has been scheduled for August 9, 2023, to talk about more tangible things as a group of cities we can come up with related to proffering and challenges with vacant and unused property. He stated he attended the forum at Blue Ridge Community College put on by Virginia Housing, there were quite a few local organizations present, about grants, funding, and processes going on, and it became very apparent that working through tax credits and other things for affordable housing are very complex, and for small developers it can be difficult. He stated Virginia Housing stated they are committing to bringing in technical assistance and to help other groups to do that. He stated he also attended the NLC conference in Tacoma, he is on the Finance Administration and Intergovernmental Affairs committee, he received information on a rebate that is being offered to city projects, but it was filled with potholes and penalties that the rebate wasn't worth the risk and hopes it will be redrafted. He spoke on the Emmett Till Memorial and the importance of actively stepping in to keeping accurate history alive. He thanked Council members for being so involved. Council Member Jones stated he appreciates the sentiments. Council Member Robinson thanked Council Member Fleming for always mentioning what is relevant in Black History, what is being celebrated in the moment, and it shows the turn of tide that has come about and how this Council is so very different from Council's everywhere else.

Mayor Reed stated her family owns 252 N. Mason Street, which used to be a Green Book house, and a presentation of the history will be offered at the house on August 10, 2023, if any Council Member or city staff would like to see it. She stated the Hispanic Festival is on August 5, 2023, at Ralph Sampson Park from 9 am to 6 pm. She stated she will be doing the "State of the City" presentation on July 31, 2023, at the Rotary meeting. She stated she is working on bringing 7 HBCU Schools to Harrisonburg Highschool in November 2023, and she is on the Social Services Board and has been working on getting more interns in to fill positions they cannot fill.

Amy Snider, interim deputy city manager, stated applications for the Citizens Academy are now available, National Night Out is on August 1, 2023, the Community

Connectors Grant has been submitted, and the next Council meeting on August 8, 2023, will begin at 5:30 pm with dinner at 5:00 pm.

9. Boards and Commissions

9.a. Economic Development Authority

A motion was made by Council Member Jones, seconded by Vice Mayor Dent, to reappoint Chris Pipkins to a 3rd term to expire April 24, 2027, on the Economic Development Authority. The motion carried with a unanimous voice vote.

10. Adjournment

At 10:09 p.m. there being no further business and on motion adopted, the meeting was adjourned.

CITY CLERK

MAYOR