



## Meeting Minutes City Council

*Mayor Christopher B. Jones*  
*Vice-Mayor Richard Baugh*  
*Council Member Ted Byrd*  
*Council Member Kai Degner*  
*Council Member Abe Shearer*

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Tuesday, February 9, 2016

7:00 PM

Council Chambers

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### 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:** 4 - City Manager Kurt Hodgen, Deputy City Manager Anne Lewis, City Attorney Chris Brown and Police Chief Stephen Monticelli

### 2. Invocation

Vice-Mayor Baugh 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)

Ann Nielson, 256 Rocco Ave, Apt A, requested that council consider closely the concerns that have arisen about Middle River Regional Jail (MRRJ) regarding both medical and hygiene issues. Ms. Nielson stated that there are three city representatives and three county representatives that oversee that operation for the citizens but only one is an elected official, the Sheriff, so the citizens of the city have very little input. Ms. Nielson stated that the things that have been uncovered by channel 29. While there is an attempt to prevent that information getting out to the public, it is now well known to many of us that have seen the series. Ms. Nielson requests that based on those that attended the meeting last week, and what has been seen and heard from families and the DNR as a report on the meeting, the council take consideration into these matters. Mayor Jones stated the council will consider and he will report to other council members what was reported at last Thursday's meeting.

James "Bucky" Berry, 30 West Washington Street, stated he met with the new Sheriff Smith in Augusta County, known as the "people's sheriff". Mr. Berry stated the reason for the visit was to learn something new. Mr. Berry stated the

government center has housed the food pantry for the past 5 years. Mr. Berry stated that he advised the sheriff they would like to span his food drive operations to Augusta County and will visit for a week and start up a food drive there. Mr. Berry stated the next local event will be held from March 4, - March 9th, 2016. Mr. Berry also recommended to the council to talk to Sheriff Smith regarding Middle River Regional Jail, he could be a wealth of information.

Panayotis "Poti" Giannakouros, 98 Emery Street, distributed a graphic to the council members to be considered as an indicator of community well being, which is an update of the data he has been receiving regarding incarceration rates from Capt. Shortell. Mr. Giannakouros stated that in addition to the usual tracking of the incarceration rate, he has also added an additional set of data from Harvey Yoder which shows the ratio of new marriages to divorce filings received from the Circuit Court each year. He is not sure how closely these are related, but the drop in 2014 of incarceration was accompanied by an improvement of the stability of home lives. Mr. Giannakouros stated that this data is also published on the [Buildingbettercommunities.org](http://Buildingbettercommunities.org) website. Mr. Giannakouros stated that the uptick referenced at the last meeting,, where this issue was discussed has persisted, and we continue to stay at the record high levels of incarcerations. However things look good in the spring and perhaps we can look at previous lessons learned and go into an engaged and productive new harvest.

Jimmy Flynn stated he graduated from JMU, is a retired service member, and moved back to the area to start a small business. Mr. Flynn stated he wanted to raise awareness, as a potential small business owner, that the city has a long way to go as far as encouraging small businesses to establish themselves in the city. Mr. Flynn stated his process has been extremely difficult. Mr. Flynn stated he believes it would be wise for the city to collaborate with the small business owners to see how the system could be improved with small steps that would especially help those that do not have funds to hire attorney's to help them thru the system to establish a business in the city . Mayor Jones asked Mr. Flynn if he has had an opportunity to speak to Mr. Shull. Mr. Flynn stated he has spoke to several people within the city staff and his issues have been addressed and has reached a resolution, but the point he is trying to make is that small businesses don't have the funds that help navigate the ways to start a business, in particular to manufacturing when there are a lot of things to take into consideration and costly. Mr. Flynn stated that if the city talked to others that are going thru the system, to perhaps create a step by step pamphlet on how to start a business in the city, it would be extremely helpful.

**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 Degner that this be adopted. 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**

**The Minutes were approved.**

**5.b. Consider amending and re-enacting Section 15-2-1, Conditions of Where Animals Are Kept, Tethering of Dogs, of the Harrisonburg City Code**

**This Ordinance was approved on second reading.**

**5.c. Consider a supplemental appropriation for the Police Department in the amount of \$33,044.00 from the 2016 Department of Motor Vehicles Speed and Alcohol Enforcement Grant**

**This Supplemental Appropriation was approved on second reading.**

**5.d. Consider a supplemental appropriation for the Public Utilities Department in the amount of \$110,000 from the Sewer Enterprise Fund Balance**

**This Supplemental Appropriation was approved on second reading.**

**6. Public Hearings**

**6.a. Consider an amendment to the 2014-2015 CDBG Action Plan**

Kristin McCombe, Grants Compliance Officer, stated that in the 2014 CDBG plan year, Mercy House was awarded \$28,210 in Community Development Block Grant (CDBG) funds to rehab and expand their space that they use for their Little Mercy's Day Care area that serve families that live in their shelter units. Ms. McCombe stated that as the planning phase progressed, due to the many federal regulations surrounding CDBG funding, it was determined that this project would not be a wise use of CDBG funds. Ms. McCombe stated that CDBG staff encouraged Mercy House to consider looking at alternative projects. Ms. McCombe stated the greatest current need is the replacement of appliances in the units. Ms. McCombe stated Mercy House has requested \$14,106 of these funds be transferred to the Kitchen Appliance Upgrade Project which will allow the purchase of eleven new refrigerators, ranges, microwave ovens. Ms. McCombe

stated this project will provide a much healthier and pleasant living environment for the residents. Ms. McCombe noted that Mercy House has been very careful to comply with federal regulations and use the CDBG funds in the most cost effective way in the community. Ms. McCombe stated that out of the original 2014 CDBG grant funding allocated to Mercy House, \$14,104 will remain after the recommended amendment. Ms. McCombe stated that Mercy House will continue to identify additional needs and if there are no other needs, then the funding will be put in the general pot for future action plan funding recommendations. Ms. McCombe presented the schedule for the amendment and the 30 day public comment period will begin February 9, 2016 until 9:00 a. m. on March 14, 2016 and comments can be submitted to Ande Banks.

At 7:13 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, February 1, 2016.

There being no one desiring to be heard, Mayor Jones closed the public hearing at 7:13 p.m., and the regular session reconvened.

**This Presentation was received and filed.**

- 6.b.** Consider a request from Astroverto Arellano and Juan J. Arellano for a special use permit per Section 10-3-40 (7) of the Zoning Ordinance within the R-2, Residential District to allow occupancy of not more than four (4) persons on the property addressed as 680 North Liberty Street

Mr. Fletcher presented a special use permit request for single family home on 680 North Liberty Street containing approximately 6200 square feet and zoned R2, located on the outskirts of the downtown area between West Washington Street and Kratzer Avenue on the 60 block of the eastern side of North Liberty Street. Mr. Fletcher stated the property is located in a mixed use area, and is often times associated with properties that we would look to favorably as potentially being rezoned to B1 category. Mr. Fletcher noted that R1 and R2 have the same occupancy restrictions, but one is owner occupied and the other is non-owner occupied. Mr. Fletcher noted that as part of the requirement for the approval of this special use permit, the property must be able to accommodate off street parking for 4 vehicles. Mr. Fletcher acknowledged this property has the required space. Mr. Fletcher noted that staff recommended in favor with no conditions and Planning Commission voted unanimously in favor of this request.

At 7:18 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 Thursday, January 28, 2016 and Wednesday, February 3, 2016.

Destiny See spoke, on behalf of her elderly mother, Barbara See, who lives next door to the property. Ms. See stated she had previously sent a letter in regard to this request stating that on street parking is at a minimum and requests that off

street parking be available and required for this special use permit request.

Council Member Degner asked Ms. See if her request is to encourage the use of the parking spaces on the 680 N Liberty St. property by its tenants.

Ms. See noted that her mother does not have any off street parking available.

Council Member Degner stated that council cannot control the parking but encouraging the tenants of 680 N Liberty to use the spaces provided on the lot is the best way to alleviate some on street parking issues.

Ms. See noted that her brother's vehicle has been run into three times while parked in front of her mother's house.

Mayor Jones noted concern of the grade of the highway at that location.

Ms. See stated she thinks it was a mistake for the city to remove the traffic light at that intersection.

Mayor Jones acknowledged her concern.

Council Member Shearer stated that he believes that part of the requirements to approve this special permit is that the off street parking spaces are available. Vice-Mayor Baugh confirmed this requirement but reiterated that it not possible to control the on street parking usage and it is the best attempt to take care of the parking issue.

James "Bucky" Berry, 30 West Washington Street, stated that he has been a resident of the north end for 50 years, he travels the hill every day, and just recently almost had an accident. He stated that back in 1996 during the Washington Street Bridge repair the city removed the light and he recommends the light be replaced.

Mayor Jones acknowledged Mr. Berry's concerns.

At 7:23 p.m., Mayor Jones closed the public hearing and the regular session reconvened.

Vice-Mayor Baugh stated that this was discussed with the Planning Commission, and this request is consistent with the larger planning and direction for the specific neighborhood.

**A motion was made by Vice-Mayor Baugh, seconded by Council Member Byrd, to approve the special use permit request 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

- 6.c. Consider a request from Harold and Thelma Williams Life Estate with representative Tara Koontz for a special use permit per Section 10-3-40 (6) of the Zoning Ordinance within the R-2, Residential District, to allow for a major family day home on a 24,000+/- square foot property addressed as 98 Pleasant Hill Road

Mr. Fletcher presented a special use permit request to allow a major family day home to operate on property located at 98 Pleasant Hill Drive, near the intersection of Willow Hill and Central Avenue. Ms. Tara Koontz is the applicant's representative as the property is currently under contract. Mr. Fletcher noted that Ms. Koontz currently has a permit to operate a minor family day home at 627 S Mason St. from May, 2010, and is requesting to move the business and the family to the new location.

Mr. Fletcher stated that the property is currently zoned R-2, and has some difficult viewing areas when pulling onto Pleasant Hill Road. Mr. Fletcher stated that since the construction of Erickson Avenue, the traffic volume on Pleasant Hill Road has decreased significantly, but still is a fairly high traffic area. Mr. Fletcher stated the property is predominantly surrounded by R-2 residential and some R- 1.

Mr. Fletcher stated that after staff and Planning Commission review, there was only one major concern with this site which was associated with backing in and out of Pleasant Hill Road from the property. The site is currently accessible by one driveway, but staff was concerned about promoting additional vehicle usage onto Pleasant Hill Road. Mr. Fletcher stated that condition for approval was that a vehicle turnaround or backup spot be provided on site. Mr. Fletcher stated that although a specific design is not required it just needs to allow vehicles to physically turn around on site in order to safely maneuver out onto Pleasant Hill Road. Mr. Fletcher stated the Planning Commission voted unanimously to approve this special use permit request with the stated condition. Mr. Fletcher acknowledged that Ms. Koontz is in attendance should council have any questions.

Council Member Shearer asked if the plan was to have the turnaround completed within a specific time frame before staff would approve.

Mr. Fletcher stated that provided this turns out favorably, and she moves into the property and is ready to start the business, zoning will coordinate to insure the appropriate turnaround is installed on site prior to giving her the go-ahead. However if council is requesting a certain time frame for her to complete this he can relay this, requirement.

Council Member Shearer stated that he was not asking for a specific time frame, just wanted to make sure that the specific design of the turnaround was met.

Mr. Fletcher clarified that a specific design for the turnaround is not required,

provided it allows for appropriate space for vehicular turn around, which zoning will evaluate to make sure is appropriate to satisfy the condition set forth.

Vice-Mayor Baugh stated there are two options: either a back up area or a circle. The concern is to insure that people are facing forward when entering back onto Pleasant Hill Road.

At 7:30 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 Thursday, January 28, 2016 and Wednesday, February 3, 2016.

At 7:31 p.m. Mayor Jones closed the public hearing and the regular session reconvened.

Vice-Mayor Baugh stated that these requests were for a long time rare and trepidation had been shown in the past. However with this being a special use permit, if there is a problem it can be revisited. Vice-Mayor Baugh feels this business is being seen more and more and there is no shortage of quality health care in our area.

Mayor Jones stated that this shows that small business is doable in the city and thriving and hopes to see more of these requests.

**A motion was made by Council Member Byrd, seconded by Council Member Degner, to approve the Special Use Permit Request 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

- 6.d.** Consider a request to amend the Zoning Ordinance Sections 10-3-196 & 197 to modify the minimum setback regulation required for concealed wireless telecommunications facilities in residential districts and the MX-U district as well as the B-1 and B-2 districts

Mr. Fletcher presented a request by staff to amend Section 10-3-196 and 10-3-197 of the Harrisonburg Zoning Ordinance. Mr. Fletcher stated this ordinance was adopted approximately six months ago and staff has been actively working with major carriers and third parties to apply the regulations on different locations throughout the city. Mr. Fletcher stated they have been recently working with Network Building and Consulting LLC contracted by Verizon Wireless and found one location, known as 23 Tony Street, which is impacted as to where concealed wireless telecommunication facilities could be located as it is non conformant to set back regulations. Mr. Fletcher explained that concealed wireless telecommunication facilities are defined as any concealed wireless telecommunication facility that is integrated as an architectural feature of any existing or new structure ( i.e. bell towers, flagpoles, smokestacks etc.). Mr.

Fletcher stated the language of the amendment request is simple - to modify the code to treat colocated concealed wireless telecommunication facilities equal to all other colocated facilities and to reflect that unless a property is colocated, it must meet the setback regulations for facilities in all residential districts, MX-U, Mixed Use Planned Community District, and B-1 and B-2 Districts.

At 7:36 p.m., Mayor Jones closed the regular session and called the fourth public hearing to order. A notice appeared in the Daily News-Record on Thursday, January 28, 2016 and Wednesday, February 3, 2016.

There being no one desiring to be heard, Mayor Jones closed the public hearing at 7:36 p.m., and the regular session reconvened.

**A motion was made by Vice-Mayor Baugh, seconded by Council Member Byrd, that this PH-Zoning 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 by the Salvation Army on Giving 2015

Major Hank Harwell, Core Commanding Officer for the Salvation Army, expressed his gratitude to the council for the dedication and desire to serve the public good. Major Harwell stated he was grateful that we live in a community that has a council that is trying to do the best for the community as a whole, and has a desire to come to the best decisions possible. Major Harwell thanked the council for its interest and support in the organization and in particular, the shelter. Major Harwell provided a one page summary of services provided for 2015: 19,500 nights of lodging were provided, \$15,000 a month in utility assistance provide for low income families, 4,241 volunteers, provided 13,761 hours of volunteer hours which would equal seven full time positions.

Mayor Jones accepted Major Harwell's gratitude and expressed the council's appreciation for all that the Salvation Army does for the community and for keeping it a welcoming, friendly city. Mayor Jones stated he and other council members have participated in events, and he has known several individuals that started out using the shelter as a launching pad and are now acclimated active members in the community. Below is the information that was distributed to council:





Ms. Dang provided an update on the recent projects and accomplishments within the city related to the storm water program, specifically as follows: In July, the EPA inspection team assessed the city stormwater MS4 permit, spending two full days, interviewing city staff, visiting stormwater facilities, active construction sites and various city properties. Ms. Dang acknowledged the public works staff and all their efforts in particular Kelly Junco, MS-4 Program Coordinator who was behind the success of the results of the inspection. Ms. Dang stated in December a letter was received from the EPA stating they do not plan any further action on the inspection. Ms. Dang stated that in 2010-2012 when EPA conducted various inspections throughout the state, penalties ranged from \$50,000 to \$164,000 in other communities. Ms. Dang stated they will continue to work on program and prevent water pollution.

Ms. Dang provided an update on the stormwater fund: 12,277 first semi-annual bills were sent out and 96% were returned with payment. Ms. Dang stated the department is still going thru those that hadn't paid and will be reviewing.

Ms. Dang stated that the RSC project is funded by half of DEQ stormwater local assistant fund (SLAF) grant and half by the city's Stormwater Fund, a one to one match. Ms. Dang stated this project helps the city meet the requirements of the MS4 permit and the Chesapeake Bay TMDL pollution reduction. The project is estimated to remove 18.56 lbs of total phosphorous per year. Ms. Dang stated estimated cost per pound of phosphorus removed is \$32,672 per lb. With the SLAF grant covering half the costs, the cost effectiveness for city dollars is \$16,336 per lb. of phosphorus removed and over the course of several permit cycles. Thru 2028 current models suggest the city will be required to remove 673 lbs. of total phosphorous. Ms. Dang noted for comparison, the SLAF grant's maximum threshold for projects to be considered was \$50,000 per lb. of phosphorus removed.

Mr. Rissmeyer stated his company was brought on board in November to start the design of the project including survey base mapping, geo technical studies which looked at soil conditions for run off reduction, and presented the proposed project to the tree advisory board for their input on tree replacement, etc. Mr. Rissmeyer presented a map that showed the three areas of this project: the RSC, a dry swale retrofit and a bio-retention basin. Mr. Rissmeyer stated that the RSC will help eliminate problems with rip-rap and improve water quality and aesthetics, the dry swale will improve water quality and aesthetics and the bio-retention basin will improve water quality and aesthetics. Mr. Rissmeyer presented photographs of the anticipated appearance of the projects upon completion and the benefits they provide. Mr. Rissmeyer presented the estimated time line, from final engineering design approval of February 2016 thru the construction phase of May-September 2016.

Council Member Byrd asked if the uptake from the plants is where the phosphorous removal occurs. Mr. Rissmeyer stated it is a combination of the engineered soils and the plants. Council Member Byrd questioned if this process

would create additional leaf litter and end up in landfill. Mr. Rissmeyer stated the plants like phosphorous and nitrogen, and that is why vegetative practices are used. Some of the plants and trees are low maintenance and should not be a factor in additional leaf litter. Mayor Jones asked how the bio-retention basin will be affected with proposed new construction on Country Club Road. Ms. Dang stated the traffic area will not be affected as the work is primarily in the median areas. Mayor Jones noted his concern that with the new possible construction at that intersection, the forestry will be removed and could affect the runoff. Ms. Dang stated the developer for the new construction would be responsible for managing the stormwater management as part of the development. Council Member Shearer questioned if the estimate provided for the phosphorous removal given by SLAF was an accurate estimate. Ms. Dang stated the estimate was provided by the DEQ grant and is their maximum threshold for consideration of the project. Council Member Shearer requested an estimate of the average cost to remove one lb. of phosphorous. Ms. Dang stated she is not able to provide that figure as it varies depending on the site conditions and type of practice put in. Council Member Shearer stated it would be extremely helpful to know that figure for this project for total cost estimation. Council Member Byrd stated Council Member Shearer had a good point. Using the average figures provided, this project would cost \$21.5M plus the nitrogen removal required, which could end up being a \$45M project, which is anticipated to be funded by the stormwater fee. Council Member Byrd stated that initially in the first five years we haven't reached the 5% reduction. Ms. Dang stated that they have been able to accomplish that via the street sweeping that has been done. Council Member Byrd stated the project will be a big number attached to each property owner between now and 2028. Mayor Jones stated that the nitrogen removal fees are not part of this presentation. Mr. Rissmeyer stated nitrogen removal is not part of the criteria of the DEQ although in the regulations. However, this practice does remove nitrogen as well. Council Member Degner questioned how the amount removed is determined. Mr. Rissmeyer stated the calculations are based on a run off reduction method depending on the practice chosen or by the "expert panel" method, which the latter was used in this project. Ms. Dang stated that the methods come from studies that have been conducted on practices installed with monitoring equipment. Council Member Degner asked if the method results show that 18 lbs. will be removed every year for the next ten or twenty years. Ms. Dang stated as long as it is maintained the results will remain at 18 lbs. annually. Mayor Jones asked if the city would get credit for the nitrogen removed. Ms. Dang stated that a credit will be given for the nitrogen and sediment as well. Council Member Byrd stated these figures are based on a model, not actual pounds.

Council Member Shearer stated he has had many citizens question what the stormwater fee is, and in reality this project will be more expensive as we move forward and we need to be prepared from a fiscal standpoint. Mayor Jones stated that the council needs to be transparent moving forward.

Ms. Dang noted the SWAC staff will be kicking off the stormwater improvement efforts and working with SWAC on developing a cost share program.

Mayor Jones stated the business community wants to see fruits of the labor, and feels we are a proactively environmentally conscientious city.

City Manager Hodgen stated that he hopes this first project confirms to our citizens that all of our departments are relentless in the pursuit of matching funds for anything we do.

City Manager Hodgen noted the upcoming major construction on our two main east/west corridors for a short period of time: the project on East Market Street and the upcoming Reservoir Street project.

Mayor Jones expressed his appreciation for the public works team for all the hard work over the last few weeks, and he receives compliments on a weekly basis.

**This Presentation was received and filed.**

## **8. Other Matters**

City Attorney Brown noted he has received a request from the school superintendent to start the process of conveying the 11 acres on Garber Church Road necessary for the construction of the elementary school. City Attorney Brown stated it requires a public hearing and would like to schedule for the February 23, 2016 council meeting. City Attorney Brown stated when the bids are open for the project we will be prepared to move the property to the school board and they can enter into construction contracts as needed. Mayor Jones stated bids will be opened on February 25, 2016.

Vice-Mayor Baugh noted the Planning Commission meeting is on February 10, 2016 and they will be obtaining public input on the chicken ordinance, and have received quite a bit of comments already.

City Manager Hodgen announced Fire Chief Shifflett's retirement on August 1, 2016. City Manager Hodgen acknowledged his 47 years of experience with the city and has done a tremendous job creating a highly respected, well trained department.

City Manager Hodgen stated he had received a letter (see below) from Middle River Regional Jail (MRRJ) related to the medical issues that have been raised. City Manager Hodgen presented the letter, which shows some of the medical treatment issues presented in addition to what channel 9 reported on. Mayor Jones stated the bullet points on the letter are some changes in response to concerns as well as some ongoing concerns. City Manager Hodgen stated that the issues that were reported on were issues that happened prior to the city's involvement with MRRJ, but does not lessen the significance by any means. Mayor Jones stated that city staff has a low tolerance for insufficient treatment of prisoners, which in turn was our reasoning for entering into the agreement and will

do what needs to be done to ensure the issues get resolved. Council Member Degner stated he appreciates Supervisor Cuevas's leadership asking the county to follow up on the MRRJ issue. Council Member Degner noted that Supervisor Cuevas is on the Community Criminal Justice Board (CCJB), as chairman, and Supervisor Cuevas is not aware of any upcoming scheduled meeting, but it is different from the board for MRRJ. Council Member Degner asked the City Manager if any meetings for the MRRJ Committee have occurred or on the upcoming schedule. City Manager Hodgen stated the board for MRRJ meets quarterly, with the next meeting being held next month. Council Member Degner stated a meeting of citizens was organized last week where the discrepancy of charges per inmate from local jail versus MRRJ was discussed. Council Member Degner stated that the citizens feel MRRJ's fees are an extra burden on families and suggests City Manager Hodgen discuss this at the next MRRJ quarterly meeting. Council Member Shearer asked if extra services are offered at MRRJ that aren't being offered at the local jail. Mayor Jones noted that with the uptick of medical services requested, an increase in these fees might occur. Vice-Mayor Baugh suggests the council determine what the fees are based on and go from there.

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Medical  
Department

The following are changes that have been made or will be made in the near future for the Middle River Regional Jail due to the increased inmate population from an average of 350 inmates to 750 inmates:

- We are in the process of purchasing the Electronic Medication Administration Records

We have upgraded our medical staff to the following:

- Nursing staff:
  - 2 Registered Nurses
  - 5 Licensed Practical Nurses
- Mental Health Staff:
  - Planning to hire a full time Pharmacy Technician
  - 1 full time Mental Health professional
  - 1 halftime Mental Health professional will be hired to run programs
- We contract with a Physician, Psychiatrist and Dentist (Psychiatrist and Dentist come in twice a month)
- Physician is at the jail two days a week instead of once a week and is on call24/7
- The Medical Administrator is also on call24/7
- We have tweaked our withdrawal protocols and reviewed all medical policies
- We use agency nurses to supplement nursing staff when needed
- 80% of all officers have received Crisis Intervention Training; the goal is 100%
- All officers go through in-service; CPR/First Aid and Suicide Prevention

- The Medical request forms have been updated to give a more detailed ideal of inmate issue
- A Mental Health form has been created for the inmate to give a detailed explanation of service needed
- All segregation holds are reviewed daily by Chief of Security, weekly by Administration and monthly by security
- We have had a significant increase in the number of drug and alcohol abuse since the inmate population increase
- We are looking at the protocols for drug screening; also the cost

- 8.a.** Consider a motion to appoint Deputy City Manager Anne C. Lewis as clerk pro tempore during the absence of the City Clerk.

Council Member Shearer offered a motion to appoint Deputy City Manager Anne C. Lewis as clerk pro tempore during the absence of the City Clerk. The motion was seconded by Council Member Byrd and approved with a unanimous voice vote.

## **9. Boards and Commissions**

- 9.a.** Board of Equalization

**A motion was made by Council Member Byrd, seconded by Vice-Mayor Baugh, to appoint Phyllis Coulter, 475 Ott Street, to the Board of Equalization 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.b.** Building Code Board of Appeals

Council Member Byrd noted that the applicant was not a resident of the city. City Attorney Brown stated the applicant does not have to be a resident and in fact we could contract another jurisdiction if need be.

**No action was taken.**

## **11. Closed Session**

Virginia Code Section 2.2-3711(A), under Subsection 7 for consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.

At 8:18 pm a motion was made by Council Member Shearer seconded by Council Member Byrd to enter into closed session as authorized by the Virginia Freedom of Information Act, Virginia Code Section 2.2-3711(A), under Subsection 7 for consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.

**The motion was approved by the following roll call vote:**

**Yes:** 5 - Mayor Jones, Vice-Mayor Baugh, Council Member Byrd, Council Member Degner and Council Member Shearer

**No:** 0

**12. Adjournment**

At 8:53 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 8:53 p.m., there being no further business and on motion adopted, the meeting was adjourned.

\_\_\_\_\_  
CLERK PRO TEMPORE

\_\_\_\_\_  
MAYOR