



City of Harrisonburg

409 S. Main Street
Harrisonburg, VA 22801

Meeting Minutes - Final City Council

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

Tuesday, July 14, 2015

7:00 PM

Council Chambers

1. Roll Call

Present: 5 - Mayor Christopher B. Jones, Vice-Mayor Richard Baugh, Council Member Ted Byrd, Council Member Kai Degner and Council Member Abe Shearer

Also Present: 5 - City Manager Kurt Hodgen, Assistant City Manager Anne Lewis, City Clerk Erica Kann, City Attorney Chris Brown and Police Chief Stephen Monticelli

2. Invocation

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)

Doris Allen, author of *The Way It Was, Not The Way It Is*, presented a copy of her book to Mayor Jones and stated the book provides the history of Harrisonburg and particularly the Newtown neighborhood. Ms. Allen noted the book costs \$15.00.

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 to approve the Consent Agenda as presented. The motion carried with a recorded roll call vote taken as follows:

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

No: 0

5.a. Minutes

These Minutes were approved on the Consent Agenda.

6. Public Hearings

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

Adam Fletcher, City Planner, presented agenda items 6.a. and 6.b. as one presentation. Mr. Fletcher described the property as well as the surrounding properties. Mr. Fletcher noted and reviewed the special use permit (SUP) and conditions that council approved in 2009 in regards to this property. Mr. Fletcher also noted to date, no complaints have been received regarding the property. Mr. Fletcher stated the property owners are now interested in being able to permanently reside at 1430 Red Oak Street. After discussion with staff, the applicant has requested an amendment to Section 10-3-97(10) of the Harrisonburg City Code; as well as, requesting modification to the previous approved SUP. Mr. Fletcher stated their submitted application materials demonstrate, although they plan to have up to five single-family detached dwellings, at this time, only two are planned to be finished in the near future. Along with the dwellings, they will have recreational and leisure time activities that include occasional special events for family and friends (not for charge) and swimming and water activities. Mr. Fletcher stated they plan to utilize water from the quarry as their water source, they understand that they could be required to connect to the city's water infrastructure and that the Harrisonburg Fire Department is requiring a fire hydrant to be installed. Mr. Fletcher stated the applicant's plan is to either connect to the city's sewage infrastructure or utilize an onsite septic system regulated by either the Virginia Department of Health (VDH) or the Department of Environmental Quality (DEQ). Mr. Fletcher noted the applicant plans to request to close the remaining undeveloped right of way (ROW) of Red Oak Street while working with adjoining property owners to the north to dedicate the necessary property around the existing temporary cul-de-sac to permanently enclose the turnaround in the public street ROW. Mr. Fletcher noted with this option, the applicant would have to formally request through Planning Commission to close the remaining public street ROW as well as permanently terminate Red Oak Street per section 10-2-41(e) of the Harrisonburg City Code. At this time, staff supports this street's permanent termination as there is no current need for it to continue through the subject property to connect to other public streets. Mr. Fletcher stated regardless of the status of Red Oak Street, the subject property, at minimum, would have to install a 16 feet wide all-weather surface road, with shoulder, beginning from the termination of the public street on and through the property for a distance appropriate to serve the dwellings. Mr. Fletcher noted with the final location of the other three planned dwellings, the 16 feet wide road as described may need to be extended further south on the property, so that emergency responders have appropriate access to the dwellings. Furthermore, the applicant will be required to request a variance from the private street standards as listed in the Design and Construction Standards Manual (DCSM) Section 2.7. Mr. Fletcher stated both staff and Planning Commission recommend amending 10-3-97(10) to add the text to allow for non-transient dwellings and to approve the SUP with the following conditions: the property shall be limited to five single family

detached dwellings; occupancy of each dwelling shall be limited to a family or two persons; and, final certificates of occupancy shall be withheld until the following items are completed or an acceptable form of surety is accepted by the city to cover the cost for such work: Red Oak Street shall be extended from its existing location to the subject property per public street standards as specified by the DCSM; or, the undeveloped Red Oak Street ROW shall be closed and purchased and the existing cul-de-sac permanently enclosed in public street ROW; at minimum, a 16 feet wide all-weather surface road, with shoulder, shall be constructed from the termination of the completed public street on and through the property. The distance/extent that the road must travel shall be determined by the Fire Department, when the final locations of the residential structures are determined; and a fire hydrant shall be extended onto the property and located at a location determined by the Fire Department.

At 7:13 p.m., Mayor Jones closed the regular session and called the first public hearing to order for both the zoning amendment and the SUP. A notice appeared in the Daily News-Record on Monday, June 29, 2015 and Monday, July 6, 2015.

Jay Chambers, Anthem representative, stated Anthem owns property to the south of the location, tax map 046 C 4A, and they plan to develop their property under guidelines of the City of Harrisonburg Codes in Article R-M-1 General Industrial District and in concert with the city's Comprehensive Plan. Mr. Chambers stated there are no objections with the motions put forth by the applicants as long as Anthem has the assurance from city leaders that the motions, if approved, will allow Anthem to develop the property for use as permitted under Section 10-3-96; and in reviewing these motions, the review standards outlined in Section 10-3-125 are used with their future development in mind. Mr. Chambers noted a letter that was sent to City Manager Hodgen from their Director of Corporate Real Estate.

Council Member Shearer asked City Attorney Brown about the concerns being presented. City Attorney Brown stated the items being approved tonight won't affect Anthem's property.

Dick Blackwell, one of the property owners, stated this was a unique piece of property and made himself available for questions.

At 7:17 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 approve the Zoning Ordinance amendments 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

6.b. Consider a request from Jamison Black Marble Wildlife Preserve, LLC for a special

use permit per Section 10-3-97 (10) of the Zoning Ordinance to allow for recreational and leisure time activities with nontransient dwellings within the M-1, General Industrial District

Council Member Shearer noted that it is a unique piece of property and couldn't imagine another use for it.

This agenda item was presented along with item 6.b.

A motion was made by Vice-Mayor Baugh, seconded by Council Member Shearer, to approve the Special Use Permit with the stated conditions. 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 PSJ4, LLC with representative Bill V. Neff, Sr. for a special use permit per Section 10-3-97 (3) of the Zoning Ordinance to allow for a business office within the M-1, General Industrial District

Council Member Byrd read the following statement of disqualification: "The Virginia State and Local Government Conflict of Interests Act requires that I make disclosure, to be recorded in the city records, in any matter in which I am prohibited by law from participating. Therefore, I make the following disclosure: the transaction involved is agenda item 6(c), request from PSJ4, LLC for a special use permit; my personal interest affected by this transaction is my wife and I have an ownership interest in the property, 961 Acorn Drive, Harrisonburg, which is the subject of this request; and, I affirmatively state that I will not vote or in any manner act on behalf of city council in this matter." At 7:19 p.m., Council Member Byrd exited Council Chambers.

Mr. Fletcher reviewed the property and the surrounding properties and noted previously the building had been used as an industrial warehouse and associated office space. Mr. Fletcher stated the applicant is requesting a SUP per Section 10-3-97(3) of the Zoning Ordinance to allow business and professional offices in the M-1, General Industrial District and would like this building for business offices. Mr. Fletcher noted, if approved, the building may require a change of use permit from building inspections to meet specific building code standards. The applicant would have to have 24 appropriately delineated parking spaces, which will be confirmed during the building permit process. Mr. Fletcher noted staff and Planning Commission showed no concerns at this site and recommended approve with no conditions. It was also noted that adjacent properties had been approved the same SUP.

At 7:23 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, June 29, 2015 and Monday, July 6, 2015.

Bill Neff, property owners' representative, stated the building is not changing

much, as there are already some office spaces located within. The owners plan to update the inside and outside and there is plenty of parking. Mr. Neff made himself available for questions.

At 7:24 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 Shearer, to approve the Special Use Permit as presented. The motion carried with a recorded roll call vote taken as follows:

Yes: 4 - Mayor Jones, Vice-Mayor Baugh, Council Member Degner and Council Member Shearer

No: 0

Abstain: 1 - Council Member Byrd

At 7:25 p.m., Council Member Byrd entered Council Chambers.

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

Mr. Fletcher stated this request is a staff request to allow for particular wireless facilities to be administratively reviewed and approved in the commercial and industrial districts, which will expedite the process for wireless infrastructure installation. The new regulations also create the opportunity for facilities to be located in 13 of the city's zoning districts as opposed to the current provisions, which only allows them in three. Mr. Fletcher reviewed the process of this ordinance project that began in 2011 which included being reviewed multiple times by Planning Commission and has received feedback from multiple times by multiple wireless providers. In all, the amendments include modifying multiple existing sections and adding a new article to the zoning ordinance. Changes to the existing code include those needed in the definitions section and then proceeding through code sections of the R-1, R-2, both R-3s, R-4, R-5, R-6, R-7, MX-U, B-1, B-2, M-1 and U-R zoning districts and specifying the different types of wireless telecommunications facilities that would be permitted and whether they would be allowed by right or by SUP. The proposed new article includes the specifics of how wireless telecommunications facilities would be permitted within all residential districts, the MX-U district, the B-1 and B-2 districts, and the M-1 district. For all facilities that are permitted to be reviewed and approved administratively, staff suggests applicants pay a \$175 review fee, and the reviews would take less than two weeks. All facilities that require a SUP would, just like all other SUPs, pay the \$375 plus \$30 per acre application fee and proceed through the public hearing process with both Planning Commission and City Council. Mr. Fletcher stated to rectify the WHSV property located at 50 North Main Street, B-1 district, staff is

proposing to add the following text: radio and television station and studios or recording studios. Mr. Fletcher noted that as an additional set of uses permitted by right, the ordinance requires all antennas and satellites and associated equipment shall be screened, which would only pertain to WHSV if new antennas and satellites dishes would be installed.

At 7:34 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, June 29, 2015 and Monday, July 6, 2015.

There being no one desiring to be heard, Mayor Jones closed the public hearing at 7:35 p.m., and the regular session reconvened.

A motion was offered by Council Member Shearer, seconded by Vice-Mayor Baugh to amend zoning ordinances listed on the agenda and to add a new Article CC. Wireless Telecommunication Facilities with new Sections 10-3-195 through 10-3-203. 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. Consider a request from John Daly to preliminarily subdivide a 12.5 +/- acre parcel into seven lots (six new single family home lots and the remaining parent tract) with variance requests to the Subdivision Ordinance Sections 10-2-41(a), 66 and 67

Mr. Fletcher stated City Council is reviewing this request due to the variances that were approved with the preliminary plat by Planning Commission. Mr. Fletcher reviewed the property and the surrounding properties and stated the applicant is requesting to preliminarily subdivide a parcel that has approximately 400 feet of street frontage along Ramblewood Road. Mr. Fletcher stated the subject parcel is part of a large farm that has 12.5 +/- acres within the city and many more acres located within Rockingham County. The plan of development includes creating seven parcels, six single-family home lots and the remaining parent tract, along with dedicating a new public street. Mr. Fletcher noted the platting of the six lots meet or exceeds the area and dimensional requirements of the R-1 district. A temporary cul-de-sac would be provided just outside the city limits. The Director of Planning with Rockingham County noted that the temporary cul-de-sac complies with their ordinances. Ultimately, it is the applicants desire to extend this street to what could become an extension of Peach Grove Avenue in the county. To demonstrate the overall development plan, the applicant has submitted an early draft of what they hope to develop, which includes several new roads in the county and another phase within the city. The county portion of their property could not be

developed as shown without being rezoned and then preliminarily platted. Mr. Fletcher stated the first deviance pertains to Section 10-2-41(a); specifically, the proposed design of the street does not conform to several sections of the DCSM. The deviations to the DCSM are the following: the proposed ROW width is 36 feet; the proposed sidewalk would be constructed adjacent to the curb with no grass strip; and, the proposed pavement width is 20 feet plus 2-foot gutters on each side (12-foot travel lanes). Mr. Fletcher noted the three items set forth by the DCSM that can be approved on a case-by-case basis. Mr. Fletcher stated the applicant is also requesting to deviate from Sections 10-2-66 and 67. Mr. Fletcher noted as indicated on the overall development plan included with the preliminary plat, the applicant desires to realign the existing Ramblewood Road as part of another phase for this subdivision, extending the road into the county portion of the development, ultimately tying into the extension of Peach Gove Avenue. Given the sharp curve along this portion of the existing Ramblewood Road, staff is supportive of the realignment for a new road. Rather than build improvements, staff would prefer that the applicant put forth the same financial obligations and engineering efforts toward connecting future Ramblewood Road with the existing improved Ramblewood Road to the south. The amount required would be whatever the cost is to improve existing Ramblewood Road along the applicant's frontage. Mr. Fletcher stated the applicant will be required to submit an approved form of surety for all costs at the time of final platting for this phase. Mr. Fletcher stated that both staff and Planning Commission recommended approval for the preliminary plat with the variances.

John Daly, applicant, stated he feels that it is going to be a nice community off of Ramblewood, he is trying to save a number of mature trees and it will improve the traffic flow in the future for the area. Mr. Daly made himself available for questions.

Vice-Mayor Baugh stated this type of development has become scarce in the city, likes the approach to tree preservation and the project has been in the works for some time.

A motion was made by Vice-Mayor Baugh, seconded by Council Member Shearer, to approve the preliminary plat with the requested variances. 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.b.** Consider a refund for a portion of the 2014 and 2015 Business, Professional and Occupational License (BPOL) tax refund to WilcoHess LLC

City Attorney Brown stated Wilco Hess LLC discontinued a portion of their business the last quarter of 2014 and they have requested a refund on that part of the business. They also included the prior year's receipts on that portion of the business in their 2015 license renewal. City Attorney Brown stated it is requested to reimburse \$3,242.41 for the 2014 portion and \$6,999.34 for the 2015 portion. He stated it is coming before council because the 2014 payment had been appropriated to the General Fund and the 2015 amount exceeded \$5,000.

Council Member Byrd asked if the refund reflects the interest rate of Virginia State Code and raised concerns about the amount. City Attorney Brown stated due to Harrisonburg City Code we are obligated to pay whatever interest rate we charged.

A motion was made by Council Member Byrd, seconded by Council Member Shearer, to approve the rebate of the over payment. 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.c. Consider establishing a voter precinct on the JMU Campus

City Manager Hodgen stated at council's May 26, 2015, meeting a motion was approved tasking the Electoral Board with the following: to review the request for a JMU precinct, present pros and cons associated with this request; provide estimates on the costs associated with the request; examine other localities that have on campus precincts; present options they feel are appropriate for Harrisonburg to consider; and, make a recommendation to City Council. City Manager Hodgen noted the July 8, 2015 e-mail council received from the Electoral Board with a recommendation of establishing a precinct on the JMU campus. City Manager Hodgen stated Electoral Board members along with Debbie Logan, Registrar, were present to answer questions.

Council Member Shearer stated with his review, only two of the five questions were addressed and he was unable to make a decision. Council Member Shearer referenced the Electoral Board minutes regarding no discussion on the pros and cons of the matter and they would be discussed at a later date. Council Member Shearer asked if there were a list of pros and cons discussed. Chairman Coffman stated he thought information had been provided and the pros and cons were listed within that document. Council Member Shearer noted that the information he was working off of was the one page email and noted a packet was handed to council five minutes prior to the meeting. Council Member Shearer asked about the discussion held regarding the effectiveness being reviewed at a later date and more precincts would be set up if a requester asked and financed it. Chairman Coffman stated the majority of the Electoral Board felt that the board would address those items as they arose rather than the "what if" scenarios. Council

Member Shearer stated question three he felt would have provided the most information and asked what other communities were looked at. Registrar Logan stated she had contacted the following major universities in Virginia: UVA, Liberty, Virginia Tech, George Mason, Radford, University of Richmond, ODU, Christopher Newport and VCU. Registrar Logan stated all the universities she contacted, with the exception of Liberty, are not campus only voting precincts. Liberty does have a campus only voting precinct, but it was established four years ago due to the concentrated student populated area. UVA and George Mason share their precincts with the surrounding area. George Mason did say by sharing it with the surrounding area, it also includes some off-campus students, which could be included with one here. Registrar Logan also shared that ODU, Christopher Newport, VCU and Richmond do not have any on-campus voting. She noted that Radford attempted on-campus voting, but was rejected because of the complications of citizens coming on campus. Council Member Shearer clarified that there is only one college campus in the state of Virginia that has a dedicated on-campus voting precinct. Registrar Logan stated yes, Liberty. Registrar Logan noted the students at Virginia Tech had to travel 5.6 miles to a local fire station. She also noted they had a turnout of 353 students out of 14,000 eligible. Council Member Shearer stated off-campus students would be the majority of JMU students would not be affected by this change as they are included in the already established precincts. Council Member Shearer asked are on-campus precincts in other communities designed for all college students. Vice-Chair Ney noted that the UVA campus is on two different voting district areas and stated the Electoral Board looked at adding residential to this precinct. However, Vice-Chair Ney it was suggested to begin with just allowing on-campus students to vote and in the future to review and possibly add off-campus voters. Council Member Shearer asked for the number of student voters from previous elections. Registrar Logan stated 800 voted in the presidential election, 173 students in the last election and 63 in the mid-term election. Registrar Logan shared the lowest number of voters in other precincts which ranged from 894 to 1,062. It was noted that the 894 number was the Spotswood area, which included students. Council Member Byrd asked if precincts are set by the number of voters or by the number of residence. Registrar Logan stated precincts are set up after the census is completed. The only other time that precincts were changed, was when one precinct exceeded 5,000 voters. Registrar Logan stated the last time the city redistricted, the number of registered voters were used and that is how equal precincts at that time were established. It was noted, all of the precincts have room for expansion. Secretary Price-Stroble stated she wanted to make a few comments since she had made the motion. Secretary Price-Stroble noted that she had found an e-mail from 2011 regarding a similar request, so this is not something new. She also noted that when discussion occurred she felt that it is the Electoral Boards number one job to increase voters

and participation in elections. Secretary Price-Stroble knows that not all 6,000 students will vote, but currently they don't have tangible evidence to see if there is a change with on-campus voting. Council Member Shearer stated he doesn't disagree with the Electoral Board's number one job to increase voters and participation. Council Member Shearer noted that his number one job is to do adequate due diligence before making a decision. Council Member Shearer stated all this information is new for him and the community. Mayor Jones agreed with Council Member Shearer's thoughts, but feels a draft ordinance should be presented along with a public hearing. Council Member Shearer would like access to all the information prior to the public hearing. Chairman Coffman requested council to submit questions in writing. Mayor Jones noted there were five questions previously submitted and council would like documentation to all those questions. Vice-Chair Ney stated he never saw the questions. Secretary Price-Stroble stated she remembers there was an e-mail, but it was a general paragraph and she asked for more direct questions. Council Member Shearer noted that the e-mail was number one through three with one of the questions having two subsections. It was noted the pros and cons were noted in the packet that is now with council. Secretary Price-Stroble stated she felt that those provided are from the registrar and feels that there are more cons listed due to the registrar's recommendation and she would like to add additional information to that list. Mayor Jones clarified that a drafted ordinance and supporting documents will be provided prior to the public hearing for review. A brief discussion was held regarding the time line regarding this matter. City Attorney Brown noted the public hearing isn't required; the public notice is to provide information to the public on where the information can be found.

A motion was made by Council Member Degner, seconded by Vice-Mayor Baugh, to hold a public hearing next month regarding this matter.

A motion was made by Council Member Degner, seconded by Vice-Mayor Baugh, to amend the motion to include an ordinance that is prepared consistent to the Electoral Board's recommendation. 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.d. Presentation on submission regarding the 2015 Edward Byrne Memorial Justice Assistance Grant

Police Chief Monticelli stated the Harrisonburg Police Department has submitted a grant application for the Edward Byrne Memorial Justice Assistance Grant for the FY15-16 with the entitled amount of \$13,315. Police Chief Monticelli stated the application requires a 30-day public review period and information can be found on their website. Police Chief Monticelli reviewed the project proposal: two 57-inch

MondoPad computers: one mobile cart, one hard-mounted; and, Apple TV and iPad for mobility and connectivity. Police Chief Monticelli presented the benefits to the proposal which were the following: ability to present, annotate and collaborate with other participants in the room and off-site; can be controlled by and shared with other tablets, smartphones and similar devices; and, would allow conferencing with existing emergency operations center (EOC) and HFD Mondopads. The objective is to increase the ability to provide training, conferencing and meetings without being tied down to rooms with existing equipment and the ability to connect to a command center or an emergency operations center from anywhere in the building. Police Chief Monticelli reviewed the project timetable that included the following: October 1, 2015, receive the grant reward; October 2015 purchase equipment; and, November and/or December install and train. It was noted that council would vote after the public review time ended.

The Harrisonburg Police Department has submitted a grant application for the Edward Memorial Justice Assistance Grant for the FY15-16 with the entitled amount of \$13,317. The grant is required to be presented to the governing body and to allow an opportunity for citizen comment. A brief presentation will be provided by staff outlining the grant plan. Contact information can be found at <<http://www.harrisonburgva.gov/police>> No formal action needed.

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

Mike Collins, Director of Public Utilities, provided background on this matter that began in 1991 with the Harrisonburg-Rockingham Sewer Authority (HRRSA) regarding Total Dissolve Solids (TDS). Mr. Collins stated it was brought to his attention that the limits for TDS have been raising concerns with development interests within the city. Mr. Collins stated this request is to remove unnecessary concerns from an economic development standpoint. The amendment would change the limits for TDS to one thousand (1,000) mg/l. Mr. Collins stated there are dissolved solids at three hundred (300) mg/l that could upset the plant, but they are more specifically addressed in subsection 4. Mr. Collins stated HRRSA has revisited this issue and agrees that the limits can be changed to 1,000 mg/l.

Council Member Shearer stated it is a tremendous tool potentially to make or break us to receive new businesses. Council Member Byrd asked if this changed discharge limits through HRRSA. Mr. Collins stated this is a change that we can make for our facilities.

A motion was made by Council Member Shearer, seconded by Council Member Degner, to amend and re-enacting Section 7-3-84 in the Harrisonburg City Code, for TDS on the 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.f. Update on the Park View Water Tank and Pump Station project

Mr. Collins reminded council that he gave a detailed report in January regarding this project and that we'd be facing a \$3.5M at the beginning of the year. Mr. Collins stated after refining the project the fire flow will more than double (122%) and be a tremendous improvement to public safety. Mr. Collins stated the current tank should have lasted us approximately 50 out of 75 years, but the price to improve the tank to standards is significant and the pump station portion of the project has to be done. Mr. Collins noted the preliminary engineering report (PER) was approved by the Virginia Department of Health (VDH) with no comments being received. However, VDH didn't like the idea of having the public near or in the facility, so we will not be moving forward with the amenities discussed in January. Mr. Collins stated engineering work has started along with lining up the engineering contracts so a bid can be released in November. He stated a few projects would be delayed and money from those projects will be used until funds from the bonds are received and placed back into those accounts. Mr. Collins stated approximately \$600,000 worth of work will take place between now and November and he will come back to council with the bids and request for funding.

A brief update will be given by the Director of Public Utilities.

8. Other Matters

Mayor Jones thanked all those who participated in Valley Fourth events.

Mayor Jones noted he and the Vice-Mayor will be meeting Thursday morning with the county about SPCA, jail data and Community Criminal Justice Board.

City Manager Hodgen also noted the JMU Liaison meeting will take place on July 30, 2015.

Mayor Jones again noted the ribbon cutting ceremonies he had attended and thanked businesses who are choosing Harrisonburg.

Council Member Byrd commended all who participated in the Fire Department's Smoke Alarm/Pizza night and noted just under 600 homes were checked. Council Member Byrd noted he, Council Member Shearer, Assistant City Manager Lewis, City Clerk Kann and Public Information Officer Vass volunteered to help with the event.

Council Member Shearer noted the HFD was appreciative of the Ramblewood Road paving.

Council Member Shearer stated he had received concerns regarding the Southeast Connector, east of the Ramblewood section the county line, and the

speed limits along the road. After discussion, it was referred to the Transportation Safety and Advisory Commission. Vice-Mayor Baugh also noted the section west of Main Street.

Council Member Degner wondered about any updates regarding the Community Criminal Justice Board matters previously discussed. City Manager Hodgen stated he had sent information to the county administrator.

8.a. Consider appointment to the Shenandoah Valley Partnership Board of Directors

A motion was made by Mayor Jones, seconded by Council Member Degner, to re-appoint Brian Shull, Director of Economic Development, to the Shenandoah Valley Partnership Board of Directors to expire June 30, 2017. 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

Other Matters Continued

City Manager Hodgen stated the new trash/recycling process will begin August 3, 2015 and the public information process will begin July 20, 2015.

Council Member Degner asked about private roads and private developments that might not be served. City Manager Hodgen stated those who aren't currently being served will continue their own trash/recycling process.

9. Boards and Commissions

No action taken.

10. Adjournment

At 8:48 p.m., there being no further business and on motion adopted, the meeting was adjourned.

CITY CLERK

MAYOR