



City of Harrisonburg

409 S. Main Street
Harrisonburg, VA 22801

Meeting Agenda - Final City Council

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

Tuesday, December 8, 2015

7:00 PM

Council Chambers

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. Minutes

Attachments: [November 24, 2015 Draft Meeting Minutes](#)

- 5.b. Consider a supplemental appropriation for the Police Department in the amount of \$28,703.39 to purchase scheduling software

Review & Recommendation: The Harrisonburg Police Department is requesting the transfer of \$28,703.39 from the federal seized assets (funds to be used for Law Enforcement purposes only) account for the purchase of POSS (Police Officer Scheduling Software). POSS Scheduling Solution is a software platform that allows officers and supervisors to create yearlong schedules based on police officer shifts that are then viewable by the department system wide.

Attachments: [Supplemental Appropriation \(Asset Forfeiture\)](#)
[Request for POSS](#)
[POSS Scheduling Benefits](#)

Legislative History

11/24/15 City Council approved on first reading

- 5.c. Consider a supplemental appropriation for the Emergency Communications Center (ECC) in the amount of \$150,000

Review & Recommendation: This is a grant awarded by the Virginia Department of Emergency Management to the ECC's Radio Cache team. The funding is earmarked for outdated equipment replacement (2006), training, planning and exercising. The Radio Cache program has been identified as one of the most crucial and successful outcomes of the Commonwealth's effort to improve interoperable communications.

Attachments: [Supplemental Appropriation \(ECC\)](#)

Legislative History

11/24/15 City Council approved on first reading

6. Public Hearings

6.a. Consider issuing a renewal of the Certificate of Public Convenience and Necessity for Checkered Cab

Review & Recommendation: The Taxi Committee recommends approval for the renewal of the Certificate of Public Convenience and Necessity for Checkered Cab. Mr. Russell Presnell continues to operate Checkered Cab in a professional manner and the City of Harrisonburg has not received any complaints against the company.

Attachments: [Checkerd Cab LLC 2015](#)

6.b. Consider a request from Edwin Joya to rezone a 7,461 +/- square foot parcel located at 707 North Main Street, from R-2, Residential District to M-1, General Industrial District

Review & Recommendation: Planning Commission recommended approval (5-0) of the rezoning request for the property identified as tax map parcel 40-T-9.

Attachments: [Extract RZ 707 North Main Street](#)
[Staff Report RZ 707 North Main Street](#)
[Application & other supporting documents](#)
[Site Maps](#)

6.c. Consider a request from 137 Water, LLC, with representative Barry Kelley to rezone a 2,460 +/- square foot parcel located at 137 West Water Street, from M-1, General Industrial District to B-1C, Central Business District Conditional

Review & Recommendation: Planning Commission recommended approval (5-0) of the rezoning request for the property identified as tax map parcel 25-C-7 with the following proffer:

The subject property shall be permitted to utilize all abilities granted by the B-1 zoning district, except that residential use of the existing single family structure shall be limited to two, one-bedroom units, where occupancy shall be restricted to a family or not more than two (2) persons.

Attachments: [Extract RZ 137 West Water Street](#)
[Staff Report RZ 137 West Water Street](#)
[Application & other supporting documents](#)
[Site Maps](#)

6.d. Consider a request from Power Acceleration Inc. with representatives Saber Khoshnaw and Bashdar Azeez for a special use permit per Section 10-3-91 (9) of the Zoning Ordinance, to allow for a reduction in the side yard setback to zero feet

on a 9,350+/- square foot parcel, zoned B-2, General Business District, and addressed as 685 East Wolfe Street

Review & Recommendation: Planning Commission recommended approval (5-0), of the special use permit, which is only permitted along the lot line of an adjoining parcel zoned B-2 or M-1, for the property identified as tax map parcel 33-V-15 with the following condition:

The special use permit shall only be applicable for the renovation of the existing principle buildings, where the zero side yard setback shall be applied along the location of those buildings and in the space between the buildings so that the two buildings may be connected to create one structure.

Attachments: [Extract SUP 685 East Wolfe Street](#)
[Staff Report SUP 685 East Wolfe Street](#)
[Application & other supporting documents](#)
[Site Maps](#)

- 6.e. Consider a request from Donna Ray Budzius for a special use permit per Section 10-3-40 (6) of the Zoning Ordinance, to allow for a major family day home on a 9,048+/- square foot property addressed as 73 Rex Road

Review & Recommendation: Planning Commission recommended approval (5-0), of the special use permit to allow a major family day home. The property is zoned R-2, Residential District and is identified as tax map parcel 9-M-3A.

Attachments: [Extract SUP MFDH 73 Rex Road](#)
[Staff Report SUP 73 Rex Road](#)
[Application & other supporting documents](#)
[Site Maps](#)
[Neighbor Letter](#)

7. Regular Items

- 7.a. Consider a request from One39 LLC, with representative Matchbox Realty and Management Inc., for a comprehensive sign plan as per section 11-7-6 (9) of the Sign Ordinance

Review & Recommendation: Section 11-7-6 (9) of the Sign Ordinance permits City Council approval of signage within the B-1, Central Business District that does not meet all sign requirements of the zoning district. Staff is recommending approval of the request.

Attachments: [Staff Report One39 LLC](#)
[Applicant's letter, sign drawing, maps](#)

- 7.b. Presentation of the City's Fiscal Year 2015 Comprehensive Annual Financial Report (CAFR)

Review & Recommendation: As required by Section 45 of the City Charter and Section 15.2-2511 of the Code of Virginia, the CPA firm that audited the City's financial records for Fiscal Year 2015 will present the CAFR to City Council. The CAFR was prepared by the Department of Finance and audited by Brown, Edwards & Company, LLC which has issued an unmodified opinion on the CAFR

Attachments: [2015 CAFR](#)

- 7.c. Harrisonburg Downtown Renaissance semi-annual report

Review & Recommendation: HDR will provide an update on Main Street, Economic Development, and Design programs and projects. The new HDR executive director will also be introduced.

7.d. Consider a resolution to issue up to \$10 million in general obligation bonds to finance various capital projects

Review & Recommendation: The city issued a RFP for a not to exceed \$10 million tax-exempt bank qualified bond issue to finance the Park View water tank project, a portion of the Reservoir Street improvement project, a portion of the Pleasant Valley Road bridge project and the Fire Station No. 1 renovation project. The required public hearing was held on November 24, 2015.

The resolution provides for the basic terms of the loan to not exceed 20 years and a fixed interest rate to not exceed 2.42%. The terms also give the city the option to pre-pay the loan without penalty at any time during the term of the bonds. The city's Financial Advisor and city staff reviewed proposals and is recommending that it is in the best interest of the city to award the bond issue to American National Bank and Trust Company. The Finance Committee is further recommending that the city accept the bank's proposal for 15-year bond issue at a fixed interest rate of 2.32%.

Attachments: [Bond Resolution](#)

7.e. Consider amending and enacting Section 15-2-1 of the Harrisonburg City Code

Review & Recommendation: At the November 10, 2015 City Council meeting, Vice-Mayor Baugh advised that he had received suggested changes to Chapter 15 of the City of Harrisonburg Code relating to animal welfare specifically rules regarding tethering of dogs. City Council requested staff review and make recommendations.

Current city ordinances in Chapter 15 Section 2 provide for the condition of the premises where animals are kept and define cruelty to animals in relation to food, drink, sheltering and emergency veterinary attention. The proposed changes define how a dog can be tethered, adequate space, and duration of time.

Attachments: [Memo to Council](#)
[Ordinance - current](#)
[Ordinance reflecting proposed changes](#)
[Ordinance final version pending approval](#)

8. Other Matters

9. Boards and Commissions

9.a. Building Code Board of Appeals

Review & Recommendation: There are three upcoming vacancies and the city clerk has notified the individuals that are up for re-appointment and hasn't heard anything to date. The city clerk has also contacted an individual that had their application on file to see if he was still interested in serving. These three terms would expire November 30, 2018.

119.3 Officers and qualifications of members.

The LBBCA shall annually select one of its regular members to serve as chairman. When the chairman is not present at an appeal hearing, the members present shall select an acting chairman. The locality or the chief executive officer of the locality shall appoint a secretary to the LBBCA to maintain a detailed record of all proceedings. Members of the LBBCA shall be selected by the locality on the basis of their ability to render fair and competent decisions regarding application of the USBC and shall to the extent possible, represent different occupational or professional fields relating to the construction industry. At least one member should be an experienced builder; at least one member should be an RDP, and at least one member should be an experienced property manager. Employees or officials of the locality shall not serve as members of the LBBCA

9.b. Deer Population Task Force

Review & Recommendation: There are two current vacancies. The city clerk hasn't received any applications and there aren't any applications on file.

9.c. Harrisonburg Transportation Safety Commission

Review & Recommendation: Mr. Russell Presnell (NW) and Mr. Calvin Ferrell's (SE) terms will expire December 31, 2015. Mr. Ferrell has contacted the city clerk stating he is not interested in serving another term. These terms would expire December 31, 2018.

Attachments: [Chance Ebersold \(SE\)](#)
[Chris Pipkins \(NW\)](#)
[Russell Presnell \(NW\)](#)

9.d. Harrisonburg Electric Commission

Review & Recommendation: The commission is recommending reappointing both Mr. William Culbreth and Mr. Thomas Mendez to the Harrisonburg Electric Commission with terms to expire December 31, 2018.

Attachments: [Letter - Shifflett](#)
[Letter - Mendez](#)

9.e. Industrial Development Authority

Review & Recommendation: There are three current vacancies and two of the members are unable to serve an additional term. Appointment made for these terms would expire April 24, 2019.

9.f. Parks and Recreation Commission

Review & Recommendation: There is one at-large upcoming vacancy on the Parks and Recreation Commission that is due to expire December 31, 2015. The city clerk has contacted Mr. Anthony Hill, current member, and hasn't heard about his interest in serving. The term for this appointment would expire December 31, 2019.

Attachments: [Chris Pipkins](#)

10. Adjournment

