



City of Harrisonburg

409 S. Main Street
Harrisonburg, VA 22801

Meeting Minutes - Final City Council

Tuesday, October 24, 2023

6:00 PM

Council Chambers

Work Session and Regular Meeting

Work Session (6:00 PM)

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: 4 - City Manager Ande Banks, City Attorney Chris Brown, City Clerk Pam Ulmer and Lt. Todd Miller

2. Regular Items

2.a. Civic and Community Organization Grant Program Presentation

Luke Morgan, Grants and Programs Analyst, reviewed the history Civic Community Organizations Grant Program, commonly referred to as Community Contributions, and the application and evaluation process, and noted the application process opens in December 2023 and closes on January 30, 2024. He reviewed the recommended funding categories, program challenges, comparison of funding from FY 20-21 to FY 23-24, and the recommendation for a funding request cap.

Mayor Reed stated we are one of the few localities that actually do this in their budget, she stated when she came on City Council the list was locked down, no new additional organizations were able to get funding, and through the work of City Council the program became available for all non-profit organizations. She stated she likes the idea of a cap because so many more organizations are applying for funds. She stated she really would like the organizations who receive the funds to come to Council and report back on how the funds were used.

Mr. Morgan stated semi-annual reports are required from the funded organizations, but it is just a document. Mayor Reed stated she wants to see what they are doing with the funding.

Council Member Jones stated he has been a huge advocate for change with this program and he would like to see the cap lowered in order to help more organizations. He made recommendations on the categories, he agreed to the need for presentations/updates from the organizations and stated that Mr. Morgan does a

fabulous job with presentations, they are always clear and concise. He stated we need to be careful about organizations asking for more than needed and taking advantage of this program.

Vice Mayor Dent stated the 5% of operating budget strikes her as being very low if we are looking at an organization with a very small budget, not sure how to level that playing field. She spoke on the need to tweak the percentage enough that it really gives substantial impact to the smaller organizations. Further discussion took place regarding the size of the organization and the percentage of funding given. Vice Mayor Dent spoke on how Council could choose to fund specific categories more than others dependent on the need of the city's residents.

Council Member Robinson stated she is concerned about the equitable allocation of resources and funds within the categories and feels the categories need to be more specific and have definitions for the applicants to be able to determine which one suits the services they offer the best. She stated she agreed with Vice Mayor Dent regarding making sure the smaller organizations get the same consideration as the larger ones but still get the same impact of funding. She stated categories also need to be researched to make sure some organizations aren't already benefiting from other funding allocations the city offers. Further discussion took place regarding equitable distribution of funding and categories, in particular those organizations that may receive funding for operating within the Homeless Services Center.

Amy Snider, interim deputy city manager, stated the application deadline closes within the next few days for the Homeless Services Center and she should know at that point what organizations have applied to operate it.

Council Member Fleming stated one category that would be interesting would be for start-up businesses. He stated in general providing operating funding for a non-profit has problems, in particular if a group asks for this type of funding over and over and becomes reliant on having those funds to operate. He stated funds offered should be geared to specific program and project costs rather than operating costs. He stated this could create an expansion to the organizations that apply for these funds. Further discussion took place.

Council Member Robinson suggested that a limit of time an organization can apply and receive funding might also help other organizations receive funding. Further discussion took place and ideas shared.

Mayor Reed stated it seems as though Council is requesting that categories be defined, defining the caps on funding by organization size, and having the organizations that are awarded funds present to City Council on updates of how the funds are being used.

Ande Banks, city manager, stated there is a timeliness because we need to make what changes Council is requesting and have time to communicate that to the non-profit organizations prior to the application being put online. Vice Mayor Dent suggested we ask staff to make the following changes and return back to Council via email for approval at either the first or second meeting in November.

- Categories as suggested;
- General recommendation for two or three tier caps with thresholds to be determined by staff and different percentages for each tier.

Council Member Jones left the session at 6:39 p.m.

Consideration of establishment of funding categories and funding request caps for the Civic and Community Organization Grant.

Recess

At 6:59 p.m., Mayor Reed called the meeting into recess.

At 7:06 p.m., Mayor Reed called the meeting back into session.

Regular Session (7:00 PM)

1. Roll Call

Council Member Jones joined at 7:50 p.m.

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 Manager Ande Banks, City Attorney Chris Brown, City Clerk Pam Ulmer, Chief Matthew Tobia and Lt. Todd Miller

Invocation

Council Member Robinson offered the invocation.

2. Pledge of Allegiance

Mayor Reed led the Pledge of Allegiance

3. Special Recognition

3.a. Proclamation Recognizing November 14, 2023 as Geographic Information Systems (GIS) Day

Mayor Reed presented a proclamation recognizing November 14, 2023, as Geographic Information Systems (GIS) Day to Chip Brown, GIS analyst, City of

Harrisonburg.

3.b. Proclamation recognizing October 26, 2023 as National Lights On Afterschool Day

Vice Mayor Dent presented a proclamation recognizing October 26, 2023, as National Nights On Afterschool Day to directors from the Boys and Girls Club, On the Road Collaborative, Harrisonburg Parks and Recreation and Second Home.

4. 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 Vice Mayor Dent, seconded by Council Member Fleming to approve the consent agenda as presented. The motion carried with a recorded vote as follows:

Yes: 4 - Mayor Reed, Vice-Mayor Dent, Council Member Fleming and Council Member Robinson

No: 0

Absent: 1 - Council Member Jones

4.a. Minutes from the October 10, 2023 City Council Meeting

These minutes were approved on the consent agenda

4.b. Consider a request from DCI Partners LLC to rezone 810 Port Republic Road.

This rezoning request was approved on second reading.

4.c. Consider a supplemental appropriation in the amount of \$733,896

This supplemental appropriation was approved on second reading.

5. Public Hearings

6. Regular Items

6.a. Presentation of the 2021 and 2022 Greenhouse Gas Emissions Reports

Keith Thomas, sustainability and environmental manager, Harrisonburg Public Works, presented an update on the 2021-2022 Greenhouse Gas Emissions (GHG) inventories. He reviewed the purpose for the inventory per the Environmental Action Plan and the 2021 project scope. He reviewed the following:

- Analysis Inputs
- Electricity use from the community and from city departments
- Electricity use from Harrisonburg City Public Schools broken down by school
- Electricity use from the Central Stores department reflecting improvements from 2016 to 2021
- Natural Gas use from the community and from city departments

- Fleet transportation fuel use
- Charts on 100-year and 20-year Global Warming Potential values for Municipal emissions reflecting a 5% decrease in greenhouse gas emissions from 2016
- Municipal emission by sector
- Municipal emission by source
- Harrisonburg City Public Schools (HCPS) emissions by category
- Charts on 100-year and 20-year Global Warming Potential values for community emissions reflecting a 3.4% decrease and 1% decrease respectively from 2016.
- Community emissions by sector and source
- The same information above reflecting 2022 changes.

Mr. Thomas reviewed the recommendations:

- Set a GHG emissions reduction goal
- Coordinate and partner with JMU and other large facilities on ways to reduce emissions
- Continue to assess GHG emissions annually
- Explore and implement ways to reduce emissions in municipal operations
- Continue support/defense of the Virginia Clean Energy Act (VCEA) of 2020
- Explore options to incentivize emission reductions at the community scale

Council Member Fleming stated he is happy to see the reductions and asked if other cities are doing something similar so we could compare. Mr. Thomas stated many other localities do emissions inventories, what they include and how transparent they are varies significantly. He stated our addition of the 20-year global warming potential values and methane leakages are fairly uncommon in most locality reports.

Vice Mayor Dent stated the last recommendation is a perfect segue to the next presentation.

This Presentation was received and filed.

- 6.b.** Consider approving the amendments to the Environmental Action Plan's Community Goals.

Keith Thomas, sustainability and environmental manager, Harrisonburg Public Works, presented a request to approve the Addendum to the Environmental Action Plan Community Goals. He reviewed why adding community goals is important and reviewed the goals as follows:

1. Promote reducing GHG emissions at a speed and scale consistent with current science
2. Ensure that the transition to a low carbon future is effective, affordable, equitable and inclusive and prioritize actions that increase financial stability of Harrisonburg households and businesses reaching carbon neutrality by 2050

- and reduce GHG emissions by 45% by 2030.
3. Promote adoption of clean, renewable energy
 4. Prioritize actions that have intersectional benefits with other environmental and City priorities
 5. Promote public engagement in GHG reduction emission planning including increasing public education, awareness, and involvement
 6. Public Engagement
 7. Promote local climate resiliency and adaptation measures

Council Member Fleming stated between now and 2030 we grow, when we are reducing by 45% how is that accounted for. Mr. Thomas stated it depends on how the inventories are done, we use absolute values, so as we grow, we grow more efficiently.

Council Member Robinson asked what it looks like to reduce the GHG emission by 2030. Mr. Thomas stated it is ambitious but actions like reducing vehicle miles traveled, things like that. He stated we as staff do not have a clear picture of what it would take to reach the 45% reduction as of yet.

Council Member Robinson stated we know that there is a lack of resources put into historically black communities, but she doesn't see a "promote" piece in goal #2. She stated currently there is a big push for the Community Housing Partners (CHP) Weatherization Program, we are getting some buy in, but there is still lack of a sizable number of applications and there are so many people that still don't know about these programs. She stated she is wondering if we are doing enough promotion in the right areas so that people will know these programs exist even if they rent. Mr. Thomas stated it would take a large piece to try to partner with CHP to promote what they are doing, get the word out, we have not historically had much of a push beyond occasional addition into newsletters or social media. He stated there will be more emphasis for promoting of that program as well as state and federal rebate programs, grant funds, etc. Council Member Robinson stated the majority of residents do not know that these programs exist, and we need to concentrate on a promote piece for this goal, meeting people where they are to get the information out.

Council Member Robinson stated for goal #4, if you look at the hottest sections of the city, the northeast area is a heat island, it has the least amount of tree coverage, how would we encourage tree planting in that area and how could we make that happen. Mr. Thomas stated historically we focused on public right of way within our funding and programs, we do have the Harrisonburg Conservation Assistance Program (HCAP) which is cost-share program where we will pay for individuals to plant trees on their private property and be reimbursed, this has been, so far, our best effort and is fairly new.

Council Member Robinson stated for goal #5 public engagement target groups, has a process been developed as to how these target groups are going to be engaged

depending on the group. Mr. Thomas stated that is part of the process but not yet identified. Council Member Robinson stated it is like doing an individualized education plan, you can't reach all of these groups of people the same way and get the same results as far as turnout. She stated each group should be looked at individually to see what the best way is to get the word out. She asked if there is a goal that speaks more directly to environmental justice. Mayor Reed stated this is just the goals, how the goals are implemented has not been determined yet.

Vice Mayor Dent stated in July 2023, we passed a request for the community goals, she first had in mind that it would be under the umbrella of the Focus Area One - Buildings and Energy, and to staff's great credit they lifted it up to the very top level of the Environmental Action Plan, which means we are not just focusing on what we as the City can do with the buildings and transportation that we control, but empowering and holding the whole community accountable. She stated if we set these goals and keep the measurements going, we can see how we are doing as a community. She stated one of the communities we are reaching, Harrisonburg businesses, through the C-PACE Program, there is an invitation to local stakeholders to an open house next week that our Economic Development Department is holding. She stated it is for people who want to participate in getting energy efficiency and renewable energy solar on the big flat roofs of the businesses. She stated commercial and residential are both about 30% of the emissions. She stated reduce the emissions with the speed and scale in keeping with the science, and even though it is ambitious it is what we need to do.

Council Member Fleming stated there is a lot of talk about education, the general notion is that the education is pushed to people who need to learn about sustainability, energy efficiency, etc., he thinks it is a bit circular on the education side, what may help address the issues of those neighborhoods that have least been able to take advantage of the programs, the information from them needs to get up to the goals, reflecting the obstacles. He stated education is not only educating the public it is also understanding where we have low adoption, understanding, or ability to implement the programs. He stated we need to figure out how to get more diversity on our Environmental Performance Standards Committee (EPSAC). He stated once that is figured out people will feel as if they fit in with the goals.

Mayor Reed stated we all feel the need to diversify all of our boards and commissions.

Further conversation took place on the ambitious goals that will help us reach our goals of carbon neutrality for the city and making sure that all people in the city are reached and educated on the programs available.

A motion was made by Vice Mayor Dent, seconded by Council Member Fleming, to approve the addendum to the Environmental Action Plan as presented. The motion carried with a recorded vote as follows:

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

No: 0

- 6.c.** Consider amending and reenacting Title 13 Motor Vehicles and Traffic, Chapter 1 Traffic and Parking Regulations, Article C Stopping, Standing and Parking Division 1 General Provisions, Section 13-1-60.01 Residential Permit Parking Zones

Amy Snider, interim deputy city manager, stated on behalf of the inter-departmental committee that is looking at parking, she asks agenda item 6c be tabled until the December 12, 2023, City Council meeting. She stated a comment was received from one resident who lives on the street involved in the initial request and the committee is requesting more time to review the concerns.

A motion was made by Council Member Fleming, seconded by Council Member Jones, to table the request until December 12, 2023. The motion carried with a unanimous voice vote.

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

No: 0

- 6.d.** Consider amending and reenacting Title 13 Motor Vehicles and Traffic, Chapter 1 Traffic and Parking Regulations, Article C Stopping, Standing and Parking Division 2 Downtown Parking, Section 13-1-81 Downtown Parking Area Defined

Amy Snider, interim deputy city manager, presented an amendment to the parking ordinance Section 13-1-81 - definition of the downtown parking area. She provided a map of the area, reviewed the ordinance amendments, and the change in the boundary of the downtown parking area consists of.

A motion was made by Council Member Jones, seconded by Council Member Fleming, to approve the ordinance amendment as presented. The motion carried with a recorded vote as follows:

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

No: 0

- 6.e.** Consider amending and reenacting Section 7-3-3(e)(1) - When and Where Connection Required to Public City Sewer Main, of the Code of Ordinances, City of Harrisonburg

Chris Brown, city attorney, presented a draft ordinance amendment for Section 7-3-3(e)(1) related to when and where connection is required to public City sewer main. He stated Council previously approved an ordinance amendment for the water and sewer connection fees, the presented section raises the \$4,500 fee waiver authorization up to \$5,000 to make it consistent. He stated the purpose of this section is to try to get people who have septic systems in the city off of septic systems and on to public sewer. He stated this amendment helps create a financial incentive.

A motion was made by Council Member Fleming, seconded by Council Member Robinson, to approve the ordinance amendments as presented. The motion carried with a recorded vote as follows:

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

No: 0

- 6.f.** Consider approving an easement from Berry Road to the new Public Works building and other buildings on the property to Columbia Gas of Virginia

Chris Brown, city attorney, stated Mr. Hartman, director of Public Works Department, has been working hard on getting the new Public Works building up, and gas service is needed to that building and a few other buildings. He stated this request is for an easement granted to Columbia Gas to provide the service.

A motion was made by Council Member Fleming, seconded by Vice Mayor Dent, to approve the request as presented. The motion carried with a recorded vote as follows:

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

No: 0

7. Supplementals

- 7.a.** Consider a supplemental appropriation in the amount of \$80,926.38 for the Police and Parks & Recreation Departments

Ande Banks, city manager, presented a supplemental appropriation for a total of \$80,926.38, of which \$17,500 is state asset forfeiture funds that will be coming to the city and the cities Police Department is proposing he use of those funds to purchase an electric golf cart for the ever growing events in the downtown area, and \$63,400 has been in a reserved fund for several years intended for the repair of the liner of the irrigation pond at Heritage Oaks Golf Course. He stated since this is a needed irrigation pond from which we draw water from for the Golf Course, it needs to be done.

A motion was made by Council Member Jones, seconded by Council Member Robinson, to approve the supplemental appropriation request 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)

Ruth Jost, 1491 Virginia Ave, stated on behalf of the Valley Justice Coalition, which is a citizens group that just advocated for improvements in our criminal justice system locally for the past seven years. She stated the criminal justice planner position has recently become vacant and we have been speaking with Stephen King about the new job description to be posted for hiring of the next one. She stated although the County is the fiscal agent for these matters, the City as well as the County makes decisions in this area and the citizens of both jurisdictions are equally affected by those decisions. She stated she is asking City Council to encourage and support city staff to be actively involved in this process of filling this position. She spoke on Middle River Regional Jail, the fiscal responsibility of the City, the steady stream of grant opportunities available from State, Federal and private foundations to assist local jurisdictions with creative ways to reduce incarceration, and the previous criminal justice planner. She urged Council to work together with Rockingham County in the important step of hiring a new Criminal Justice Planner and the Coalition looks forward to working with the city.

Panayotis "Poti" Giannakouros, stated the Harrisonburg Martin Luther King Jr. Way Coalition has been building towards the King holiday on January 15, 2024, known as People's Day. He stated the building has been tremendous, a vast number of people have been reached through local festivals, with more to come. He stated there will be a meeting on October 30, 2023, and hopes people will go to the Coalition website and sign up to be a part of the organizing. He stated people sacrifice a lot to bring events together, overcoming great hurdles. He spoke on the importance of Council paying attention, our mistakes take time to get into the spotlight, things Council Members have said, short term rentals, and the many differences we have in our city residents.

Bucky Berry, spoke on Harrisonburg Rescue Squad and the need for more local ambulances to assist them when needed.

8.b. City Council and Staff

Council Member Jones thanked Council for their support of the Smithland Soccer and Football Complex's upgrades, he is so proud of this project, it was a great investment. He stated as Council and public servants it is important, we can provide better service to the staff which allows us to provide good service to our residents and business owners. He shared a photograph of Harrisonburg's Bengal Tigers at Smithland field.

Vice Mayor Dent stated she attended the Virginia Clean Energy Summit and received so much astounding information, and the one word that stuck with her the most was inter-connection, previously she had asked Senator Kaine what should be put in their NLC Energy Policy recommendations, and he said to talk about interconnection. She stated interconnection is the huge backlog of renewable energy

projects that can't be added to the grid yet because of the permitting and grid updates that have to happen. She stated this came out through the representative of Federal Energy Regulatory Commission (FERC). She stated more projects could be permitted at once through a cluster process and is a possibility under review through FERC. She spoke further on this topic and noted a recent grant from Senator Warner and Senator Kaine of over \$71M to improve electric grid resiliency across Virginia.

Council Member Robinson stated the ERA Vote Equality RV at EMU took place, it was a nice event, it is nice to experience life on EMU, we are a town of two colleges. She stated the city had employee appreciation week last week and she was able to go down to the Police Department for several shifts to hand out meals to all the public safety employees in the Public Safety Building, it was so nice being there and seeing how busy our employees are, it was a pleasure to get to know them on a different level. She is excited about seeing strong connections and hopes to see the benefits of those connections across community lines. She stated the community lost two icons: Robert Blakey was such a giving and caring man, he did so much for the churches and gave so much of himself, he knew so much history of Harrisonburg and the start up families of the northeast neighborhood; Sharon Barber, was the founding member of Shenandoah Valley Black Heritage Project, she added so much to what is done at this organization, she was a constant reminder of the struggles that we have gone through to get where we are as a people today, her voice will be missed, she taught about adding voice to our narrative and acknowledged that there is a historiography out there that tells about our people, in a more truthful story of what our history is. She stated she will be missed.

Council Member Fleming stated his daughter loved the ERA Vote Equality poster. He stated on October 18, 2023, we celebrated the 20th anniversary of Explore More Museum, it was a great event and a great turnout, and he realized it is a singular place in the city, it was the youngest to the oldest, across all sorts of economics, all interacting together; it is an amazing resource and so well done. He stated he attended an interactive Racial Equity webinar, on how to measure changes in racial equity in a locality, through NLC REAL Institute, some staff members joined as well, it included cities across the country, and there was a lot of valuable information and tools provided. He stated along with Vice-Mayor Dent and Tom Hartman, director of Public Works, he has been working on the Smart Scale changes that are coming, changes such as funding, formulas, mechanisms from the Virginia Department of Transportation, and we are trying to find ways to make sure the changes don't impact us in the ways the original iteration of the changes were showing. He spoke further on this topic.

Mayor Reed stated Lights on After School will take place on October 26, 2023; JMU Homecoming is this weekend, and she will be participating in homecoming activities starting on Friday; she stated she attended the annual SWAT Competition even though Harrisonburg Police Department didn't compete but there were 11 teams that came, and it was fun to attend. She stated we celebrated Ms. Wilhelmina Johnson's

95th birthday, she thanked Harrisonburg Police Department for coming out to help block the area so the celebrations could be outside; she thanked Tom Hartman, director of Public Works, for working with Ed Layman at EMU about the Valley Arts Council Doors of Inclusion coming to campus; she attended a great collaboration between Virginia Union University's gospel choir and Eastern Mennonite University, chamber singers, and they sung together with the legendary Hezekiah Walker, it was fabulous; and she will be doing her 3rd annual Thanksgiving Blessing Boxes to feed families in need;

2023 NLC City Summit Voting Delegate and Alternate

Pam Ulmer, city clerk, stated the NLC Business Meeting will take place on November 18, 2023, at 2:15 pm, and a vote is required to appoint the Council Member to vote at this meeting as well as an alternate.

A motion was made by Council Member Jones, seconded by Council Member Fleming, to appoint Mayor Reed as voting delegate and Vice Mayor Dent as alternate, for NLC's Business Meeting at the 2023 NLC City Summit in Atlanta, GA from November 15 – 19, 2023. The motion carried with a unanimous voice vote.

9. Boards and Commissions

9.a. Harrisonburg Transportation Safety and Advisory Commission

A motion was made by Council Member Robinson, seconded by Council Member Jones, to reappoint John Scherpereel to a 2nd term to expire January 4, 2027, and Stanley Jezior to a 1st term to expire on October 24, 2026, to the Harrisonburg Transportation Safety Advisory Committee (TSAC). The vote carried with a unanimous voice vote.

9.b. Economic Development Advisory Committee

A motion was made by Council Member Fleming, seconded by Council Member Jones, to reappoint Edna Reid to a 3rd term to expire July 9, 2027, and reappoint Chance Ebersold to a 2nd term to expire on July 23, 2027, to the Economic Development Advisory Committee (EDAC). The vote carried with a unanimous voice vote.

A motion was made by Council Member Fleming, seconded by Vice Mayor Dent, to appoint Jalal Maqableh to a 1st term to expire on October 24, 2027, to the Economic Development Advisory Committee (EDAC). The vote carried with a unanimous voice vote.

A motion was made by Council Member Robinson, seconded by Council Member Jones, to appoint Kyle Glenn to a 1st term to expire October 24, 2027, to the Economic Development Advisory Committee (EDAC). The vote carried with a unanimous voice vote.

9.c. Blue Ridge Community College Board of Trustees

A motion was made by Council Member Jones, seconded by Council Member Robinson, to reappoint John Butler to a 2nd term to expire on June 30, 2027, to the Blue Ridge Community College Board of Trustees. The vote carried with a unanimous voice vote.

10. Closed Session

- 10.a.** Closed Session as authorized by the Virginia Freedom of Information Act, Virginia Code Section 2.2-3711(A), under: Subsection 8 for a discussion with legal counsel regarding specific legal matters involving contractual negotiations requiring the provision of legal advice by such counsel.

At 9:04 p.m., a motion was made by Vice Mayor Jones, seconded by Vice Mayor Dent, to enter into closed session as authorized by the Virginia Freedom of Information Act, Virginia Code Section 2.2-3711(A), under: Subsection 8 for a discussion with legal counsel regarding specific legal matters involving contractual negotiations requiring the provision of legal advice by such counsel. 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

11. Adjournment

At 9:23 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 9:23 p.m. there being no further business and on motion adopted, the meeting was adjourned.

CITY CLERK

MAYOR