



# City of Harrisonburg

409 S. Main Street  
Harrisonburg, VA 22801

## Meeting Agenda - Final-revised City Council

*Mayor Ted Byrd*  
*Vice-Mayor Charles Chenault*  
*Council Member Kai Degner*  
*Council Member Richard Baugh*  
*Council Member Abe Shearer*

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Tuesday, November 25, 2014

7:00 PM

Council Chambers

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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. Approval of minutes

**Attachments:**      [November 11, 2014 Draft Meeting Minutes](#)

- 5.b. Consider a supplemental appropriation for the Parks and Recreation Department in the amount of \$17,785.40

**Review & Recommendation:**      Citizen advocacy group "Happy Dog's Unleashed" maintained an account with the Harrisonburg Rockingham Community Foundation to hold fund raising results. Funds from this account have been transferred to the City. This request is to place the funds back into the Parks and Recreation budget.

**Attachments:**      [Supplemental Appropriation](#)

**Legislative History**

11/11/14      City Council      approved on first reading

- 5.c. Consider a supplemental appropriation for the Public Works Department in the amount of \$500,000

**Review & Recommendation:**      These funds represent additional funding above the original budget amount that will be received from the Virginia Department of Transportation's Revenue Sharing program for the City's Annual Pavement Overlay program. \$450,000 was originally budgeted for fiscal year 2015, however, \$950,000 has been approved by VDOT.

**Attachments:**      [Supplemental Appropriation \(Paving\)](#)

[FY2015 Appendix A Repaving](#)

**Legislative History**

11/11/14 City Council approved on first reading

**5.d.** Consider a supplemental appropriation for the Public Works Department in the amount of \$292,244

**Review & Recommendation:** These funds represent monies that will be received from the Virginia Department of Transportation's Safe Routes to School grant program for new sidewalks and traffic signal at Stone Spring Elementary to improve pedestrian safety to and from school.

**Attachments:** [Supplemental Appropriation \(Stone Spring SRTS\)](#)  
[Signed VDOT App A 12/17/13](#)

**Legislative History**

11/11/14 City Council approved on first reading

**6. Unfinished Business**

**6.a.** Consider a request from WRockStreet, LLC, with representative Casey Stemper, for a special use permit per Section 10-3-85(1) of the Zoning Ordinance to allow manufacturing, processing and assembly operations for a proposed brewery, on property addressed as 120 West Wolfe Street

**Review & Recommendation:** Mr. Cook plans to propose additional parking and information will be provided to council prior or during the meeting.

Planning Commission recommended approval (7-0) of the special use permit to allow manufacturing, processing and assembly operations when not employing more than fifteen (15) persons on the premises in a single shift and provided that all storage and activities are conducted within a 21,400+/- square foot building on property zoned B-1C, Central Business District Conditional and identified as tax map parcels 35-O-4 & 5, with the following conditions:

1. One parking space per 300 SF of gross floor area and parking spaces shall be clearly delineated and,
2. If in the opinion of Planning Commission or City Council, the use becomes a nuisance, the SUP can be recalled for further review, which could lead to the need for additional conditions, restrictions, or the revocation of the permit.

**Attachments:** [Extract SUP 120 W Wolfe St](#)  
[120 West Wolfe Street Site Map](#)  
[Zoning In](#)  
[Staff Report 120 West Wolfe St. SUP Brewery Manufacturing](#)  
[Current 2011 Proffers](#)  
[Application, letter, floor plan](#)  
[Zoom Way Out for Parking Areas](#)  
[Public Hearing Notice](#)  
[Surrounding Neighbors Notification](#)  
[PowerPoint](#)  
[W Wolfe SUP - 11/25/14](#)

**Legislative History**

11/11/14 City Council approved

11/11/14 City Council tabled

## 7. Special Event Application Requests

### 7.a. Consider First Night Harrisonburg for a special event request

**Review & Recommendation:** First Night Harrisonburg will be held on December 31st 2014 - January 1st 2015 in downtown Harrisonburg. HPD plans to handle the event in the same way as last year, fireworks permits are being reviewed, crowd control has been addressed with First Night Organizers and an insurance endorsement is needed prior to the event.

**Attachments:** [Special Event Application First Night](#)  
[Map](#)  
[Fireworks Contract](#)  
[Application Ariel Fireworks](#)  
[Certificate of Liability](#)  
[COL Endorsement - First Night](#)

### 7.b. Consider the First Night 5k supporting Generations Crossings for a special event request

**Review & Recommendation:** The First Night 5k will be held on December 31st in downtown Harrisonburg from 2:00pm - 5:00pm starting at the Turner Pavilion.

**Attachments:** [Application - First Night 5k](#)  
[Endorsement - Generations Crossing](#)  
[First Night 5K PW Staff Requirements](#)

### 7.c. Consider the 2014 Holiday Parade as a special event request

**Review & Recommendation:** 2014 Holiday Parade will be held on Friday, December 5th at 7:30pm in downtown Harrisonburg presented by the Harrisonburg Parks & Recreation Department.

**Attachments:** [Application - 2014 Holiday Parade](#)  
[Holiday Parade PW Staff Requirements](#)

## 8. Regular Items

### 8.a. Consider a request to proceed with Lease Negotiations for Hardesty-Higgins House Food Service Space

**Review & Recommendation:** The City received two proposals in response to its solicitation for a food service vendor to operate within the Hardesty-Higgins House. A city staff review team analyzed both proposals and interviewed both applicants to fully understand the opportunities available with each proposal. After careful consideration, staff recommends to City Council that the city proceed with negotiations with Heritage Bakery & Caf $\square$ , LLC to lease the delineated food service space within the Hardesty-Higgins House. Further, staff recommends that Council authorize City Manager Hodgen to execute a three-year lease for this space with Heritage Bakery & Caf $\square$ , LLC at a lease rate of \$600 per month.

### 8.b. Report and recommendations on year ending 6-30-14 fund balance

**Review & Recommendation:** As you are aware, our Financial Management Policies require that the City maintain a fund balance of at least 18% of the amount of the General Fund budget. At July 1, 2014, the fund balance met that requirement amount and had an additional \$6,354,036 remaining.

Staff and Finance Committee members have met to discuss recommended allocations of the \$6,354,306 and such recommendations are included on the attached spreadsheet.

**Attachments:** [Fund Balance Report 11-18-14](#)

#### 8.c. Consider ordinance to close a portion of Driver Drive

**Review & Recommendation:** This is the ordinance to vacate the public right of way over that section of Driver Drive that abuts the city's Resource Recovery Facility located at 1630 Driver Drive in the city. This vacation will be a condition to the city's proposed sale of the Resource Recovery Facility to James Madison University. We have not yet received the plat showing the section of Driver Drive to be vacated but should receive it in the next several days and can complete the ordinance. Due to timing considerations regarding the anticipated closing of the transaction with JMU, this will be the first reading of the ordinance, with a public hearing to be held on the vacation at council's December meeting. Council can also accept public comments on the entire transaction at that time.

**Attachments:** [Driver Drive Ordinance](#)  
[Driver Drive - Amended](#)

#### 8.d. Report on state budget reductions

**Review & Recommendation:** As has been expected, the Commonwealth has imposed reductions to their aid to localities for the current fiscal year. The city received notice of the amounts of those reductions on Monday, November 17.

The direct reduction to the city totals \$148,463.00. The attached spreadsheet shows the service areas for which the reductions were imposed. In addition, as the city funds a number of "constitutional functions" jointly with Rockingham County, we will have a share in the reductions imposed on the county for court-related services, Sheriff, Jail Operations, Commonwealth Attorney's office, and Circuit Court Clerk. The city's share of the county reductions will be about \$82,000.00.

The total reduction amount for FY 15 will be about \$230,463.000. As part of the report on use of the year ending June 30, 2014, fund balance, the Finance Committee had recommended setting aside funds for the next several years to cover the anticipated state reductions, thus local funding is available to sustain these reductions.

**Attachments:** [Harrisonburg Reductions](#)

#### 8.e. Report and recommendation on solid waste disposal

**Review & Recommendation:** With the closing of the RRF, the city has been exploring options for the disposal of its solid waste. Staff has put together what we consider to be the three most viable alternatives. A report and spreadsheet providing an overview of the options is attached.

**Attachments:** [Solid Waste Disposal Scenarios](#)  
[Staff Report - Solid Waste Disposal](#)

### 9. Supplementals

**9.d.** Consider a supplemental appropriation for the Emergency Communications Center in the amount of \$1,893,485

**Review & Recommendation:** In June 2014, the Harrisonburg City Council and Rockingham County Board of Supervisors approved moving forward with the ECC radio system upgrade. A portion of the financing was to be provided by using \$2.6 million in ECC fund balance with the City and the County each providing \$748,372 in Fiscal Year 2016. This supplemental appropriation will transfer \$1,893,485 from ECC fund balance to a radio system upgrade capital project account.

**Attachments:** [Supplemental Appropriation \(ECC\)](#)  
[Radio System Upgrade Proposal](#)

**10. Reallocations**

**10.a.** Consider a budget reallocation for the Emergency Communications Center in the amount of \$706,515

**Review & Recommendation:** In June 2014, the Harrisonburg City Council and Rockingham County Board of Supervisors approved moving forward with the ECC radio system upgrade. A portion of the financing was to be provided by using \$2.6 million in ECC fund balance with the City and the County each providing \$748,372 in Fiscal Year 2016. This budget reallocation will transfer \$706,515 from the ECC's capital outlay account that was budgeted for this project initially in Fiscal Year 2015 to a radio system upgrade capital project account.

**Attachments:** [Budget Reallocation \(ECC\)](#)  
[Radio System Upgrade Proposal](#)

**11. Other Matters**

**12. Boards and Commissions**

**12.a.** Board of Equalization

**Review & Recommendation:** Gerald Bland's term expires December 31, 2014 and is eligible for another term. Mr. Bland is interested in serving another term and his reappointment application is attached. A new application has been attached for another individual interested in serving.

Historically, in Council election years Council has waited until its reorganization meeting on January 2 to make board and commission appointments for terms expiring on December 31 of the election year.

**Attachments:** [Gerald Bland - Reappointment Application](#)  
[Chris Pipkins - Application](#)

**12.b.** Board of Zoning Appeals

**Review & Recommendation:** There are two current openings on the Board of Zoning Appeals. Cynthia Runnells term expired March 20, 2014 and she wasn't interested in serving again. The other vacancy comes from the resignation of David Nahm.

**Attachments:** [Thomas Jenkins - Application](#)  
[Matthew Phillippi - Application](#)  
[David Nahm - Resignation](#)

### 12.c. Building Code Board of Appeals

**Review & Recommendation:** There are three upcoming term expirations on November 30, 2014. Wayne Lilly has contacted the three individuals and has been informed by John Sease and Bob Landes they are interested in serving another term. However, Cynthia Runnels is not interested in another term. Wayne Lilly has contacted the owner of Engineering Business, Mark Viola, and he is interested in serving. All applications are attached.

Historically, in Council election years Council has waited until its reorganization meeting on January 2 to make board appointments for terms expiring on December 31 of the election year.

**Attachments:** [Robert Landes - Reappointment Application](#)  
[John Sease - Reappointment Application](#)  
[Mark Viola - Application](#)

### 12.d. Harrisonburg Electric Commission

**Review & Recommendation:** Doug Light's second term expires on December 31, 2014 and he is unable to serve another term. HEC has submitted a panel of names for this vacancy.

**Attachments:** [HEC - Letter - Doug Light](#)

### 12.e. Harrisonburg Rockingham Community Policy and Management Team

**Review & Recommendation:** Harrisonburg Rockingham Community Policy and Management Team (CPMT) respectfully submits Ms. Mary Ellen Chewning and Mr. Dane Byers for re-appointments to CPMT. Both terms would expire December 31, 2015. Attached is a letter from the CPMT Chairman.

**Attachments:** [CSA Letter](#)

### 12.f. Industrial Development Authority

**Review & Recommendation:** There are two vacancies due to resignations and both terms were due to expire on April 24, 2016. Appointments that are made will be filling an unexpired term.

### 12.g. Parks and Recreation Commission

**Review & Recommendation:** Mr. Joseph Riley's first term expires on December 31, 2014 and is interested in serving another term.

Historically, in Council election years Council has waited until its reorganization meeting on January 2 to make board appointments for terms expiring on December 31 of the election year.

**Attachments:** [Joseph Riley - Re-appointment Application](#)

### 12.h. Planning Commission

**Review & Recommendation:** Judith Dilts and Debra Stevens Fitzgerald's first terms expire on December 31, 2014. Mrs. Dilts and Mrs. Stevens Fitzgerald are able to serve another term and both have submitted re-appointment applications. There are also three new applications attached.

Historically, in Council election years Council has waited until its reorganization meeting on January 2 to make board and commission appointments for terms expiring on December 31 of the election year.

**Attachments:**      [Dilts, Judith - Reappointment Application](#)  
[Fitzgerald, Deb - Reappointment Application](#)  
[Steere, Robert - Application](#)  
[Phillippi, Matthew - Application](#)  
[Chris Pipkins - Application](#)

## 12.i. Transportation Safety & Advisory Commission

**Review & Recommendation:**      There is currently one at-large position opening, one upcoming Northeast opening and one upcoming Southwest opening. William Blessing (NE) and Leonard VanWyk's (SW) terms expire on December 31, 2014 and both are interested in serving another term. There are two additional applications for Joshua Humphries and Matther Phillipi attached. Brad Reed, Public Works, spoke to Mr. Humphries and he plans to stay in the area after graduating from JMU.

Historically, in Council election years Council has waited until its reorganization meeting on January 2 to make board appointments for terms expiring on December 31 of the election year.

**Attachments:**      [Leonard VanWyk - Reappointment Application](#)  
[William Blessing - Reappointment Application](#)  
[Joshua Humphries - Application](#)  
[Matthew Phillippi - Application](#)

## 13. Adjournment