



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, April 28, 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

Council Member Shearer offered the invocation.

3. Pledge of Allegiance

Mayor Jones led the Pledge of Allegiance.

3.a. Proclamation - Travel and Tourism Week

Mayor Jones invited Brenda Black, Harrisonburg Tourism Director, forward to speak about the upcoming event that will take place on Wednesday, May 6, 2015.

Mrs. Black stated the event is a Tourism Expo in conjunction with National Travel and Tourism Week. Mrs. Black stated this is the first year for the event and it is a partnership between Rockingham County Tourism, Harrisonburg/Rockingham County Chamber of Commerce and the Hospitality Committee. Mrs. Black thanked council for their support and stated the Tourism Department will be ten years old this July.

Mayor Jones presented Mrs. Black with a proclamation proclaiming May 2 - 10, 2015 as National Travel and Tourism Week.

4. Comments from the public, limited to five minutes, on matters not on the regular agenda. (Name and address are required)

Mike Layman, 1880 N. College Avenue, stated he was concerned about the 10 acres being considered for the school on Garbers Church Road. Mr. Layman stated he had three other matters that he wanted to address. The first matter was to assume that The First Tee of Harrisonburg/Rotary Learning Center does not exist and to assume there was a proposal from 300 or so businesses and individuals to give the city

\$500,000 to design, build and fully equip a First Tee Learning Center in return for the city providing the 10 acres being considered for a school. Mr. Layman spoke about The First Tee of Harrisonburg programs and what it does for the community. Mr. Layman also noted that by allowing The First Tee to create a short-game area on the 10 acres would help the financial future of Heritage Oaks. Mr. Layman additionally stated there are details from a nationally known driving range consultant that suggests at least \$75,000 of additional revenue could occur from a driving range. Mr. Layman pointed out that if the tennis courts ever needed to be relocated, a coordinated design would be accepted to create a win/win by sharing parking and more. Mr. Layman presented council with a handout providing details on the estimated additional costs to the 20 acre site. Mr. Layman suggested using plans from other schools to save money.

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 Shearer, seconded by Council Member Degner, that the Consent Agenda be approved. The motion carried with a recorded roll call vote taken as follows:

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

No: 0

5.a. Minutes

These Minutes were approved.

5.b. Consider a request from K&K, LLC to rezone a 0.915-acre parcel by amending one of the six existing proffers that were approved when the property was rezoned to R-3C in 1999

This Rezoning was approved on second reading.

6. Public Hearings

6.a. Presentation on the proposed FY2015-2016 budget

City Manager Hodgen reviewed the General Fund revenues and expenditures projected at \$100,475,097. City Manager Hodgen provided a graph of a dollar bill demonstrating where local tax dollars go, which were the following: \$0.33 schools; \$0.22 public safety; \$0.13 debt services; \$0.09 joint services; \$0.10 public works; \$0.05 parks, recreation and cultural; \$0.05 general government administration; \$0.02 planning and community development; and, \$0.01 health and welfare. City Manager Hodgen reviewed a summary of all funds' expenditures which totaled \$221,541,693, which is approximately a 6% increase from the current year. City Manager Hodgen reviewed the revenue highlights which included the following: \$6.6M increase for all funds compared to the FY14 original budget; some growth from commercial and retail;

growth in street and highway maintenance funding; real estate revenue remained flat and about \$650K increase from new construction; \$2.161M increase in state revenue for School Fund; \$1,788,100 in new stormwater fees; \$205K in additional water revenues generated from a proposed rate increase of \$0.10 per 1,000 gallons; \$518K in additional solid waste management fees generated from a proposed increase of \$3.00 per month; and \$2.578M increase in Federal capital revenue for transit. City Manager Hodgen reviewed the expenditure highlights which included the following: includes \$1,986,165 in new funding for the city's share of the buy-in at the Middle River Regional Jail (MRRJ); \$748,372 for the city's share for the Emergency Communication Center's (ECC) radio project; \$121,000 shared cost for four additional communicators for the ECC; increase of \$191,418 in city appropriations to the Community Services Board for the "Access to Services" model; increase of the city's share of \$276,761 to Social Services for four new foster care workers; salary adjustments for the second phase implementation of the 2014 salary study; debt services for ABM project and City Hall totaling \$414,357; five new positions for the Police Department to implement a "Community Action Team" with start-up cost of \$19,000; School Board budget requests totaling \$1,166,000; new cost in the amount of \$597,000 for shared services, \$260,000 being a one-time capital expense and \$337,000 going to a new Day Reporting Program and Jail Data Analyst position, 2% increase for shared constitutional office employees, a new pre-trial services positions, and two new positions with the Sheriff's Office. City Manager Hodgen reviewed recommendations for balancing the budget which included the following: \$0.06/\$100 increase for real estate tax rate; \$0.10/1000 gallons increase for water fee; and, \$3.00/month increase for Solid Waste Management Fees. City Manager Hodgen shared comparative tables to other localities: Harrisonburg is second lowest in the surrounding areas for real estate taxes; fifth lowest real estate tax rate of the 38 cities in Virginia; lowest of any city with a population over 45,000; lowest in the surrounding area for water rates; and, second lowest for sewer rates. City Manager Hodgen stated the budget emphasized on meeting core service needs which included the following: education; public safety; human services; and, water and solid waste management. City Manager Hodgen reviewed projects that are underway, nearing construction phase or in design phase and they were as follows: Reservoir Street Widening; Smithland Park Soccer Fields; Ramblewood Park and Landfill Remediation; City Hall; Carlton Street Roundabout; Park View Water Tank; Chicago Avenue/Mt. Clinton Pike Widening; Stone Spring Erickson Phase 4 (pending); and North End Greenway (NEG) Phase 1 (design pending). City Manager Hodgen reviewed the additional projects that were pending: new elementary school and pre-k facility; completion of the Eastern Water Line; Police Records Management/Crime Analysis System; replacement of Pleasant Valley Road Bridge; construction of Solid Waste Transfer Station/Conversion of Recycling Facility; completion of Bluestone and NEG bike trails; completion of Ramblewood Park restoration; and, renovations to the existing Municipal Building.

Council Member Shearer questioned the water rate slide. City Manager Hodgen stated it is a \$0.10 increase per 1,000 gallons and which based on the average residential use of 5,000 gallons/month equals \$13.88. The following discussion took place regarding health care costs: staying flat; \$150,000 made in adjustments to what employees actually had; vacant positions are labeled as single plan; offset equals

12% increase; hospital insurance is flat; and, dental insurance is in its own separate line item.

At 7:33 p.m., Mayor Jones closed the regular session and called the first public hearing to order. A notice appeared in the Daily News-Record on Saturday, April 18, 2015.

Tom Domonoske, 461 Lee Avenue, read a group drafted letter in response to discussions about the MRRJ buy-in that took place during the September 23, 2014 council meeting; suggested to gather more data to understand the spike in numbers; go back three years and get relevant data points such as age, sex, highest education level, marital status, minor age children, etc; have data available to the community, so they can help decide; day reporting should decrease beds needed; and, should wait to take action until jail analysis position is filled and see what they can do.

Noel Lavan, 156 Maryland Avenue, stated a group has been discussing in what they have been doing to assist with the development of an Incarceration Reduction Plan. Mr. Lavan stated it occurred to him that there is money available within the city to help with these alternatives and suggested to find those agencies that have programs in place and that the city/county/CCJB should research and provide funding to those agencies.

At 7:44 p.m., Mayor Jones closed the public hearing and the regular session reconvened. The following discussion took place: a City Council Budget Work Session is scheduled for Monday, May 11, 2015; place comments on Be Heard Harrisonburg; the budget presentation will be posted online; and, MRRJ payment is an annual payment for the next ten years.

7. Regular Items

7.a. Consider the issuance of a Downtown Outdoor Dining Facility License for Bella Gelato and Pastries

City Attorney Brown stated the owner of Bella Gelato and Pastries, located at 49 West Water Street, is requesting a Downtown Outdoor Dining Facility License for five (5) tables and ten (10) chairs outside his business. City Attorney Brown stated if council grants the request, staff's comments will be worked into the license.

Wade Luhn, owner, thanked council for their consideration and stated he hopes to open prior to graduation, there will be no alcohol served, and tables and chairs will be brought in daily.

A motion was made by Council Member Shearer, seconded by Council Member Degner, to approve the issuance of a Downtown Outdoor Dining Facility License for Bella Gelato and Pastries. 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

8. Supplementals

- 8.a. Consider a supplemental appropriation for the General Capital Projects Fund in the amount of \$39,819

City Manager Hodgen stated these funds are for conduit the city placed during the Downtown Streetscape Phase II construction as part of the Franchise Agreement with Shentel for the operation of a fiber optic network within city streets or other public lands.

A motion was made by Vice-Mayor Baugh, seconded by Council Member Byrd, that this Supplemental Appropriation be approved. The motion carried with a recorded roll call vote taken as follows:

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

No: 0

9. Other Matters

Council Member Byrd suggested the JMU Liaison meet regarding fraternities and sororities and their alcohol use. Council Member Byrd stated this request comes after several comments from neighbors after the first weekend of JMU banning alcohol from fraternities and sororities and the change in the nature of the neighborhood.

Council Member Shearer noted a citizen almost got hit on Mason Street due to a car speeding. Council Member Shearer noted that the City Manager has passed the speeding concerns in the downtown area onto the Transportation Safety and Advisory Commission. Vice-Mayor Baugh noted the traffic flow improvement after the traffic light was removed on Bruce Street, but the subsequent increase in speed.

Council Member Degner asked about the CCJB and MRRJ documents. City Manager Hodgen stated he had not heard about a next meeting for the CCJB, but it is at the mercy of the Judges and the Commonwealth Attorney. Vice-Mayor Baugh stated the group usually meets biannually, but he is interested in seeing them meet more. City Manager Hodgen stated this afternoon he received the third and final document regarding the MRRJ and will send out after review.

Mayor Jones stated he has heard complaints about speeding within the city and citizens need to slow down and abide the speed limit. Mayor Jones thanked City Manager Hodgen, Assistant City Manager Lewis, City Attorney Brown and City Clerk Kann for their hard work. Mayor Jones also thanked City Manager Hodgen and Public Works Director for getting the sidewalk fixed quickly after the swastika was spotted.

Mayor Jones stated that our hearts and thoughts go out to those in Baltimore and thanked the Harrisonburg Police Department for the relationship they have with our

citizens and students.

10. Boards and Commissions

10.a. Stormwater Advisory Committee (SWAC)

A motion was made by Council Member Byrd, seconded by Council Member Degner, to appoint Dale Chestnut, 452 W. Water Street, three (3) year term; Daniel Michael, 1469 Mt. Crawford Avenue, three (3) year term; Eldon Kurtz, 555W. Wolfe Street, two (2) year term; Rob Alexander, 977 S. Dogwood Drive, two (2) year term; and, Joanna Mott, 297 Blue Stone Hills Drive, one (1) year term to the Stormwater Advisory Committee. 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

11. Closed Session

11.a. Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made

At 8:02 p.m., a motion was made by Council Member Byrd, seconded by Council Member Degner, to enter into closed session as Authorized by the Virginia Freedom of Information Act, Virginia Code Section 2.2-3711(A), under subsection 5, discussion concerning a prospective business or industry or the expansion of an existing business or an industry where no previous announcement has been made. 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

12. Adjournment

At 8:25 p.m., the closed session ended and the regular session reconvened. City Attorney Brown read the following statement, which was agreed to with a unanimous recorded vote of Council: I hereby certify that to the best of my knowledge (1) only public business matters lawfully exempted from open meeting requirements under Chapter 37 of Title 2.2 of the Code, of Virginia, 1950, as amended, and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the closed meeting by the City Council.

At 8:26 p.m., there being no further business and on motion adopted, the meeting was adjourned.

City Clerk

Mayor

