



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, October 27, 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, Deputy 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.

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

James "Bucky" Berry, 30 Washington Street, stated Harrisonburg High School won the Challenges of Valley Food Drive event. Mr. Berry stated there will be a food drive at Wal-Mart from December 10, 2015 through December 27, 2015. Mr. Berry also stated there would be a food drive held both at the Rockingham County Wal-Mart and James Madison University (JMU). Mr. Berry would like to see the city apply for a grant to help with the homeless situation and he would also like to see a fifth fire station placed to serve the Park View area.

David Ehrenpreis, 282 Franklin Street, spoke in regards to the renovation of the Harrison House and the real estate purchase contract between the trustees of Asbury United Methodist Church and the city and the Memorandum of Understanding with the Historical Society. Mr. Ehrenpreis noted the Historical Society recently reviewed and voted that the Frazier Associates' plans do not conform to historic practice. Mr. Ehrenpreis asked council to consider sending the plan from Frazier Associates before Planning Commission for them to review for consistency to sound historic preservation practices prior to council's review.

Mary-Hope Vass, Public Information Officer, stated she had invited a citizen to speak regarding a donation of a piece of artwork for City Hall.

Jon Henry, 854 Old Furnace Road, introduced Nate St. Amour, James Madison University student, and presented a landscape painting from members of the community who were imagining what the city would look like in 2034. Mr. Henry also noted that a field office for the US Department of Arts and Culture will be opening here this winter and that it will be one of ten offices across the country.

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. 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.

5.b. Joint Meeting Minutes

These Minutes were approved on the Consent Agenda.

5.c. Consider a request from Eddie Warner to rezone a 37,643 +/- square feet parcel located at 475 Lucy Drive/2065 Reservoir Street, from R-3, Medium Density Residential District to B-2, General Business District

This Rezoning was approved on second reading.

5.d. Consider amending and re-enacting Section 6-1-15 and 6-1-26 of the Harrisonburg City Code

This Ordinance was approved on second reading.

5.e. Consider amendments to the City Code relative to Assistant City Manager

This Ordinance was approved on second reading.

5.f. Consider a supplemental appropriation for the Police Department in the amount of \$13,315

This Supplemental Appropriation was approved on second reading.

5.g. Consider a supplemental appropriation for the Police Department in the amount of \$6,416.00

This Supplemental Appropriation was approved on second reading.

5.h. Consider a supplemental appropriation for the Police Department in the amount of

\$22,243.64

This Supplemental Appropriation was approved on second reading.

6. Public Hearings

6.a. Consider resolution for VDOT's Transportation Alternatives Program (TAP) for Safe Routes to School, Spotswood Elementary School project

Thanh Dang, Public Works Transportation & Environmental Planning Manager, presented a grant application to council for the VDOT's Transportation Alternatives Program (TAP) to fund the construction of sidewalks on the east side of Reservoir Street between Hawkins Street and Kenmore Street, the installation of rectangular rapid flash beacon crosswalk with push-button actuation at the intersection of Norwood Street, and two flashing school zone signs on Reservoir Street. The TAP program is a reimbursement program administered by VDOT that may be used for projects that meet certain criteria for enhancing surface transportation. The program requires a 20% minimum match by the locality and the total project cost is estimated at \$189,980. Mrs. Dang stated endorsements have been received from both the Metropolitan Planning Organization and the school.

At 7:15 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 Monday, October 5, 2015 and Monday, October 19, 2015.

Anthony Bopp, 69 Sharon Street, stated he is in favor of the application, in favor of the city promoting pedestrian traffic, and requested the police enforce pedestrian right of way.

James "Bucky" Berry, 30 West Washington Street, stated he would like to see lighted crosswalks installed and he was not in favor of the new roundabout.

At 7:18 p.m., Mayor Jones closed the public hearing and the regular session reconvened.

It was noted that grants such as this happen due to staff efforts. It was suggested that if the city doesn't receive the grant, then we should budget these items in the future.

A motion was made by Council Member Byrd, seconded by Council Member Shearer, to support the resolution for the grant application. 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 Resolution for VDOT's FY 2016-2017 Revenue Sharing Program

Tom Hartman, Assistant Director of Public Works, presented to council a resolution for Revenue Sharing Program grants. Mr. Hartman stated VDOT expects a reduction of revenue sharing funds over the next six years and invited council to speak to state officials about the popularity of the program here in the city. Mr. Hartman reviewed the five projects that are being submitted that require 50% city matched funds, which were the following: finance construction for the Reservoir Street Reconstruction Project in the amount of \$2M, the scope of the project has been reduced and has been split into phases after receiving an overpriced bid; finance construction for the South Main Street/Martin Luther King Jr. Way Improvements in the amount of \$2.7M, this submission is backup funding being sought in case the House Bill 2 submission isn't approved; finance design, right of way, and construction for the Garbers Church Road Shared Use Paths in the amount of \$3M, seeking three different projects of 10 foot wide paths; finance construction of the Grace Street Extension Project on the campus of James Madison University in the amount of \$2.5M, the matching funds will be received from JMU for the 28 foot wide roadway that will be maintained by JMU and the city will charge an administrative fee to JMU during the project; and, finance a portion of the annual paving program in the amount of \$1.9M, these funds are a supplement to the city's maintenance funds. Mr. Hartman stated over the past two months the Public Works Department has submitted \$64,443,194 in grant requests with a required local match totaling \$6,087,996. Mr. Hartman noted the applications are due to VDOT by October 30, 2015.

Council thanked staff for their daily work.

A motion was made by Council Member Shearer, seconded by Council Member Byrd, that the resolution with the correct amount 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

7.b. Discussion regarding the joint City Council and School Board meeting of October 15, 2015

The following discussion took place regarding the joint meeting: the meeting was productive, good financial information was provided to the School Board, the architect report will be provided to council, population numbers need to be established that council would like to work with because the Weldon Cooper Center numbers aren't realistic, numbers being presented from the School Board have fluctuated, a liaison meeting is being scheduled, still in favor of another joint meeting, funding is limited because of revenue being brought in by the city, would like to maintain the infrastructure of the city as a whole while being financially responsible, council would like to see the original design of the high school site and if it was planned to be expanded, knowledge of the site could assist with future decisions, if council is comfortable with financial policies the School Board

needs to be informed, council asked to see comparisons to other financial policies from other localities, and there were concerns that current complaints are being used for the future instead of the present. It was discussed the architect was hired to establish a footprint for a middle school on the north side of the building, but shifted to the south side due to the outdoor facilities. It was noted the footprint could have been placed on the south side due to the square footage and the analysis included square footage for core spaces. Further discussion took place regarding the role of council in the process and the argument that council needs to know the facts prior to providing a number to the School Board. City Manager Hodgen stated the main criterion that needs to be addressed in affordability is the percent of our General Fund budget that we can afford in our debt service. It was also noted that council is being asked questions that they are currently unable to address and would like to be able to address rather than sending those citizens to School Board members. It was mentioned by one council member they he would like to provide a number to the School Board by early February. It was mentioned by another member that if the Weldon Cooper numbers are correct, we have to remember the entire city is going to be thriving and we are going to have to be able to maintain the city. We have to be prepared for the future financially. There was also discussion about the need to discuss the current overcrowding situation and what could happen to provide relief. It was noted that there is uncertainty about future funding from grants for future projects as noted earlier by the Public Works Department. It was noted that education serves as economic development, but so does our tax rates.

8. Other Matters

City Manager Hodgen stated he and the finance director would be meeting with financial advisors and reviewing the possibilities of issuing the debt that was planned to be issued after the first of January to be issued at the end of the year in order to pursue bank qualified financing. City Manager Hodgen stated once information is received, a Finance Committee meeting would be held. City Manager Hodgen noted there is a \$10M limit.

Council Member Degner referenced Mr. Ehrenpreis' comments from earlier in the meeting regarding the vote the Historical Society took about the Harrison House and asked for an update about the project. It was noted a final plan hasn't been received. City Manager Hodgen stated the plan is to renovate the Thomas Harrison House not the Hall House based on the money being provided by the Foundation and the approval of council. City Manager Hodgen stated the focus of the project is stabilizing the Harrison House and finishing up the feasibility study. City Manager Hodgen stated there is a working group that consists of city staff, foundation members, church members, and the architect. City Manager Hodgen stated once a report is received, a formal presentation can be provided. It was asked if the Hall House had already been approved to be torn down. City Manager Hodgen stated yes with the actions taken when the initial presentation was given and he doesn't believe the foundation would have been a part of the project if it was included. Council Member Degner showed concern to the process and the tearing down of a historical building. City Manager Hodgen stated council

approved the initial plan and the financial partners include the city and the Foundation. City Manager Hodgen stated the Historical Society was kept informed due to the possibility of them helping staff and operate the building, but there are other discussions about the Tourism Department staffing the building. It was noted the Frazier Associates plan currently includes taking down the remnants of the Hall House. There was brief discussion regarding the historic expertise of Frazier Associates. It was suggested this item be placed on the next agenda for further discussion.

Mayor Jones thanked JMU and city staff for their great work in making ESPN's Game Day a success in the city.

Mayor Jones noted his Arkansas trip and noted he would like to make the same presentation to council that he made in Arkansas about the northern section of the city.

Mayor Jones also asked for council's support to attend the US Conference of Mayors in January.

Mayor Jones thanked the staff at Sentara during their stay during the delivery of Seth Christopher Jones on October 23, 2015.

Vice-Mayor Baugh reviewed upcoming Planning Commission items and verified that off-site parking doesn't come before council for final approval. Vice-Mayor Baugh reported that Planning Commission approved the Minnick School off-street parking request.

9. Boards and Commissions

No action taken.

10. Closed Session

10.a. 2.2-3711(A)(3) Discussion or consideration of the acquisition of real property for a public purpose

At 8:24 p.m., a motion was made by Council Member Shearer, seconded by Vice-Mayor Baugh, to enter into closed session as authorized by the Virginia Freedom of Information Act, Virginia Code Section 2.2-3711(A), under: subsection 3 for the discussion of the acquisition of real estate for a public purpose. 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. Adjournment

At 8:48 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.

City Manager Hodgen reported that the city will not borrow funds for the Municipal Building, but we will determine appropriate measures to stabilize it until we can determine its future uses.

At 8:53 p.m., there being no further business and on motion adopted, the meeting was adjourned.

CITY CLERK

MAYOR