



# City of Harrisonburg

409 S. Main Street  
Harrisonburg, VA 22801

## Meeting Minutes - Draft City Council

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Tuesday, November 16, 2021

5:30 PM

Council Chambers

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### Special Meeting and Work Session

#### 1. Roll Call

**Present:** 5 - Mayor Deanna R. Reed, Vice Mayor Sal Romero, Council Member Christopher B. Jones, Council Member George Hirschmann and Council Member Laura Dent

**Also Present:** 5 - City Manager Eric Campbell, City Attorney Chris Brown, City Clerk Pam Ulmer, Police Chief Kelley Warner and Mayor Matthew Tobia

#### 2. Special Event Application Requests

- 2.a. Consider the special event application request for HDR's Winter Wonderfest on Saturday, December 11, 2021.

Matt Little, recreation and special events manager, Parks and Recreation, presented a special event application request for the Winter Fest and modified holiday parade on December 11, 2021, and closure of Court Square, 9am-9pm and Main Street from Martin Luther King Jr., Way to Rock Street 10am-9pm, is requested. He stated the Sip and Stroll ABC license will be in effect and the assistance of Public Works, Harrisonburg Police Department, and Harrisonburg Fire Department is requested. The estimated cost will be between \$6,000.

Vice Mayor Romero asked if there has been any feedback from the community regarding not having the normal holiday parade. Mr. Little stated he has heard there has been some feedback, but staff realized with the pandemic it was not safe to create the confined space gathering a parade would entail. He stated the modified holiday parade will put static floats throughout downtown so people can walk around and participate in the floats.

**A motion was made by Council Member Jones, seconded by Council Member Dent, to approve the request as presented. The motion carried with a unanimous voice vote.**

#### 3. Regular Items

- 3.a. Consider adopting a resolution urging the General Assembly mandate timely transfers by the Virginia Department of Corrections

Chris Brown, city attorney, reviewed the current process for state prisoners temporarily housed at Middle River Regional Jail (MRRJ), and noted for many years the state prisoners have remained in MRRJ much longer than the 60-days allowed before transferring per state code due to the allowable discretion given by the

General Assembly, during their budgeting process to the director of Department of Corrections (DOC). He stated the result of this is that MRRJ has far more prisoners than it should have because many of them should have been transferred to a state facility, which creates much of the overcrowding at MRRJ. He stated previously Council discussed about asking our members of the General Assembly to carry legislation to follow the law and not change each year during the budget discussions/amendments, the Virginia Municipal League has now gotten involved as part of their legislative priorities, the Virginia Association of Counties (VACO) has also jumped into some extent. He stated staff feels it is a good idea to create a resolution to present to Senator Obenshain and Delegate Wilt, and noted the resolution will do a couple of things:

- Asks the Senator and Delegate to sponsor and support legislation in the state budget to require DOC remove their prisoners in a timely manner (after 60 days) unless they are dealing with a jail that contracts with the state to maintain those prisoners for a longer amount of time. He stated the reason for this is that there are jails around the Commonwealth with capacity and they want to house the prisoners.
- Asks the director of the DOC to submit numbers to the Secretary of Public Safety of inmates being held in correctional facilities, how many beds are available, and how many inmates are held in regional jails.
- Asks the Senator and Delegate to sponsor amendments to the Code of Virginia to require that the jail per diem rates reimbursed is for the actual cost of housing inmates, currently the state reimburses MRRJ \$12 per day, but the actual cost is \$58 per day. He stated it is also requested the payments be adjusted each year to keep track with inflation.
- Urges other jurisdictions of the MRRJ Authority to pass similar resolutions.

Council Member Dent stated she handed a copy of this resolution to the Deputy Secretary of Public Safety and Homeland Security who is touring MRRJ, to superintendent Newton and to Casey Armstrong, Rockingham County representative. She stated she also read the Proclamation from the VML Policy that was used to craft this resolution.

Vice Mayor Romero asked if there was any dialogue about doing a joint resolution with the other participating localities of the MRRJ and does he know if the other localities will be doing a resolution like ours. Mr. Brown stated he worked on this resolution with Mr. Miller from Rockingham County and the Superintendent of MRRJ, Mr. Newton. He stated after VML got involved and made it a priority, we didn't follow up with the other jurisdictions, but Mr. Newton will share this as soon as it is passed by Council.

Mayor Reed stated during the Mayor's meeting about MRRJ it was discussed, she is on the VML Legislative Committee as well, so we are in line.

Vice Mayor Romero stated he knows that we don't always agree with other localities, but this is an item that may make more of an impact if it was a joint resolution.

Eric Campbell, city attorney, stated the MRRJ Authority Board is engaging with a lobbyist to work with us as we approach the General Assembly, and on Friday the Virginia First Cities Coalition also incorporated similar language into its legislative program.

Council Member Jones stated the language that is in the resolution is a culmination of language we have talked about for years.

Council Member Dent stated this was talked about during the most recent Community Criminal Justice Board (CCJB) meeting, to have a resolution with teeth.

Further discussion took place regarding this resolution.

**A motion was made by Council Member Dent, seconded by Council Member Jones, to adopt the resolution as presented. The motion carried with a recorded vote as follows:**

**Yes:** 5 - Mayor Reed, Vice Mayor Romero, Council Member Jones, Council Member Hirschmann and Council Member Dent

**No:** 0

### **3.b. American Rescue Plan Act (ARPA) Overview**

Eric Campbell, city manager, reviewed the following related to the American Rescue Plan Act (ARPA):

1. City's allocated funds from the Coronavirus State and Local Fiscal Recovery Funds (\$23,834.094), noting allocations will be paid in two equal allotments and must be obligated by December 31, 2024, and spent by December 31, 2026;
2. The five primary allowable uses;
3. U. S. Treasury Interim Final Rule for public health response, negative economic impacts, disproportionately impacted groups, essential workers, government services, and water, sewer, and broadband infrastructure. He noted the city likely does not meet the eligibility requirements to use its funds for broadband infrastructure but may be designated under the new Infrastructure Bill that has its own designated funding uses;
4. Spending Plan;
5. Recommendations from staff that include commitment of the first allocation of ARPA funding, development of community engagement and the hiring of an ARPA Coordinator;
6. Recommended city projects, with the top four out of 20 as follows:

- Construction of a new Fire Station 5
- Construction of a new Public Works Administrative Building
- Construction of a facility to serve as a homeless shelter
- Update of the Uninterruptible Power Supply for Harrisonburg Rockingham Emergency Communications Center

Mayor Reed asked what amount of funding Rockingham County received. Mr. Campbell stated it was \$15.9M.

Mayor Reed stated the work session is for Council to discuss what projects they would like to see move forward.

Council Member Dent stated she firmly believes Council needs to emphasize recovery from the harm done by the pandemic to the community, the citizens, and the workers, rather than just pick up with business as usual as if the pandemic never happened. She stated of the list of city projects the only one she is enthusiastically supporting is the homeless shelter. She stated the Public Works administrative building has been on the Capital Improvement Projects (CIP) for a long time but doesn't think that is enough to justify that the pandemic did enough harm to justify the largest line-item expense we have on there. Council Member Jones stated the current Public Works building is in a flood way, city staff presented the new building project around the same time we were talking about the new high school, the recent 4 cent increase in taxes due to the new high school hindered the way the bond was set up and we were not able to include the new building project for Public Works, this department is one of the biggest service providers, using ARPA funds would be a huge way of moving the city forward to alleviate future burdens. Mr. Campbell stated the Public Works building was included in the original bond discussion prior to the pandemic, the building would also house storage and meeting space for HFD and a police substation, but it was suspended from the bond due to the pandemic.

Mayor Reed stated with the 16 projects recommended there are some projects that are directly associated with water services and asked if any of these projects may be funded by another pot of funding. Mr. Campbell stated utility projects could possibly be waiting on additional information under the Infrastructure Bill. Mayor Reed stated her priorities would be funding towards the northeast neighborhood for street paving, sidewalk repair, tree removal, fencing of cemetery, etc. Council Member Dent stated she agreed with the Mayor and those items are within line with ARPA priorities of addressing needs in underserved neighborhoods in the qualified census tracts. Council Member Jones stated he agreed as well, however, a fence was talked about before and received kick-back from the community, he suggested we get Public Works involved as to what the needs are to be brought up to code, to get an actual check list of what needs to be done and a proposal.

Council Member Hirschmann asked if the update of the uninterruptible power supply

for Harrisonburg Rockingham Emergency Communications Center project includes an upgrade for the communications center. Mr. Campbell stated there has been long term discussion about upgrading or relocating the communications center and on its own power generating backup, but this is just upgrading where it exists today. Mr. Hirschmann stated he wouldn't list this project as a priority of the first allocation of funding but would need to do it at some point later down the line.

Council Member Jones asked if we could include the churches in the Northeast Neighborhood, specifically First Baptist Playground and John Wesley community spaces. He asked Council if they all agree to hire an ARPA Coordinator. He stated for the community engagement he would like to see it put in the hands of James Madison University (JMU) to facilitate and the Harrisonburg Rockingham Chamber of Commerce (HRCOC) to host, in various neighborhoods, various dates and various times, so they could pull in non-profit organizations, businesses, religious sectors and the community members, and HRCOC has the time to handle the messaging and best way to reach the most people.

Vice Mayor Romero stated he likes to plan in steps and agrees with needing community engagement and a need for some sort of committee to handle it. He stated Council has a pretty good pulse on what is going on in the community but there is a lot of power in being able to start community engagement in the very beginning of the process, to see where the most need is versus what he wants to see personally as we are limited because the funds are not endless. He stated the first four projects are critical and important, but we can prioritize best by working together with staff and community involvement. Council Member Jones agreed, but instead of creating a committee lets make it more of a broad reach. Vice Mayor stated he is thinking multiple approaches, but the timeline should take in consideration as to when and how our community gets involved. Mayor Reed stated we can do multiple approaches, but do we agree to the recommendation from Council Member Jones to have JMU and the HRCOC to get started. Vice Mayor Romero stated we do a great job engaging the already engaged, we need to be able to get out to those that don't have the access or knowledge to be engaged. Council Member Dent stated expertise and representatives from the stakeholders to address the problems we have is important as well. Further discussion took place regarding this matter.

Vice Mayor Romero stated broadband would make a big impact on everyone in the community, we have seen the tremendous gaps of access over the past two years, and this should be a priority. Ande Banks, deputy city manager, stated staff's interpretation of the Interim Rule on broadband infrastructure is that it is meant for rural areas that don't have any broadband providers in existence. He stated there are potential opportunities for ARPA funds to be used for broadband under the family assistance components and in the new Infrastructure Bill there is a set aside line item for broadband voucher programs to assist low-income individuals with paying the bill, and Comcast/Xfinity does have that type of program in addition to lower cost packages that still provide broadband services.

Vice Mayor Romero stated another priority would be childcare, there are less than a handful of programs that service our students before and after school, supplementing and creating new programs should be focused on. Council Member Jones stated he would like to see us go a step further and look at something where we could provide a place but not the operations of for child-care by a non-profit organization or organization subsidized by the city. Mayor Reed agreed, and perhaps this need will be shown during community engagement. Council Member Hirschmann stated the Harrisonburg Rockingham Day Care Center received \$160,000 in fund raising for Dancing with the Star in the 'Burg. He stated the need is there for more child-care spaces. Vice Mayor Romero stated this is an essential function of our community, but part of the problem is staffing of these childcare programs as well.

Council Member Jones stated the new Fire Station must be a priority, he shared his reasonings, and noted this may be one of the only times we could do something like this that won't create a huge tax burden and will move the city forward when it comes to public safety.

Mayor Reed stated she supports the funding for the northeast neighborhood, childcare, and the homeless shelter. She stated she knows there are different pots of funding going to organizations that we need to know about so we don't double-dip. She stated we can take care of a lot of things if we know who got what and how are they using it. Mr. Campbell stated that will be one of the primary roles of the ARPA Coordinator. Mayor Reed asked for more information on the Non-Profit COVID-19 Recovery Grants and Business COVID-19 Recovery Grants projects recommended to be funded through the second allotment of ARPA funds. Mr. Campbell stated it is similar from what we did with the CARES funding, where we opened grant opportunities to local businesses and non-profits just using different resources this time. Council Member Jones stated we should see what other people are doing first before we offer this, it is the cost of a homeless shelter. Mr. Campbell stated it is something that if Council has a consensus on can be part of the community engagement piece. Mayor Reed asked for more information on the Washington Street Tank Repainting. Mr. Banks stated it is to cover the state championship and overall tank and was at the request of the director of Public Utilities. Mayor Reed stated this shouldn't be a priority. Mr. Campbell stated a lot of the utility projects can move to the Infrastructure Bill funding.

Vice Mayor Romero asked how Council can acknowledge and compensate the essential workers, those that worked throughout the pandemic and put themselves at the line of fire to ensure our economy kept going, not just farm workers and poultry workers but city employees. He asked if other communities are doing it how are they doing it. Mr. Campbell stated staff hasn't found any locality in Virginia that has engaged on giving money to essential workers among their workforces, but there has been discussion on how we declare our workforce essential workers who help supplement the people that are working. Council Member Jones stated he is all for

the funding for essential city employees, looking at the amount of recruitment, advertising and employment opportunities that are out there means there is a shift in the marketplace that he doesn't feel comfortable that we as a government should participate in, but our employees are overburdened, overtaxed, and we should figure out how to get funding to employees. Mayor Reed agreed. Vice Mayor Romero stated if we had a better inventory as to what other funding has been received to other organizations, we would have a better idea as to what the needs are but does agree with taking care of our employees first. Mr. Campbell stated ARPA is one-time, and we may not have the same flexibility as we did with the CARES Act funding regarding offering it in the form of a bonus and it could impact budgets for future years. Larry Propst, director of Finance, stated something could probably be designed that was in the form of a bonus and still follow ARPA requirements.

Council Member Hirschmann stated these are all worthwhile ideas, and an ARPA Coordinator would be a great asset to help Council and staff figure all this out. Mayor Reed stated we all are in agreement with that, and we just need to make a formal motion at the end of the work session.

Mayor Reed asked if there is anything on the 16 recommended projects list that Council can get behind. She stated she is behind the Kid's Castle replacement, installation of the splash pad at Ralph Sampson Park, and skate park improvements at Westover. Council Member Jones stated we need restrooms and lights at the Smithland Athletic Complex, it has an amazing field and has water. Vice Mayor Romero agreed with Council Member Jones, and the development of the Smithland Athletic Complex would bring more people together and we would have the opportunity to host tournaments and games. Council Member Hirschmann stated we should be careful with permanent bathrooms as they become public restrooms and opens it up to vandalism and transient occupancy. Further discussion took place on this topic as well as other Parks and Recreation projects.

Mr. Campbell stated once staff knows what the priorities are of Council, they can go and provide estimates and look at what we can and can't incorporate. He stated staff's approach was based on things needed in the Master Plan, but variations can be accommodated.

Mayor Reed asked for clarification on the upgrade of sidewalks. Mr. Banks stated that project is carrying the street scape from Campbell St. all the way to Bruce St. Mayor Reed stated she can agree to most of the projects in some shape or fashion but is not supporting the repainting of the Washington Street Tank. She asked for clarification of the South Main Truckstop watermain project. Mr. Banks stated Public Works has had repeated issues with the waterline located there, continually breaking, and needing repair and/or replacement. Mr. Campbell stated all the utility projects may get funding from the Infrastructure Bill, but we won't know until it is deciphered to see what all is included in that Bill. Mayor Reed stated if that is the case then the funding for those projects could be used towards the priorities discussed earlier -

childcare, northeast neighborhood improvements, and Smithland Park.

Council Member Dent stated she has three priorities she feels are needed. She stated Community Violence Intervention would be one, domestic abuse, child abuse and sexual assault all spiked during the pandemic nationwide, she received a proposal for funding needs of Victim Services, and would be a joint funding with Rockingham County, if they agree. She reviewed what was in the proposal. She stated another priority should be funding for the Harrisonburg Rescue Squad, which is all volunteer, and has taken a huge hit during the pandemic, and is in need of upgrades of equipment. She stated her third priority would be transitional and supportive housing but would need more input from the community. She elaborated on the reasoning for and uses of these types of housing needs. Mayor Reed stated she agreed, and once again, finding out what funding other organizations are getting will be key in this. Council Member Jones referenced the funding already provided to the Community Services Board (CSB) for their new building, sidewalks, and infrastructure, so we need to find out what funding is already been received by these types of organizations and if there are any gaps and/or shift available ARPA funding elsewhere. Council Member Dent stated there may be new opportunities that would not have been possible otherwise, such as providing a facility for permanent supportive housing, and the operation of it would be the CSB. Further discussion took place regarding this topic. Mr. Banks shared information on available funding through Virginia ARPA funding for state programs.

Council Member Dent stated although the state funded programs are receiving funds for services, they may not have the facilities, and maybe we can help match and place those facilities with services locally.

Vice Mayor Romero asked if they could think about how the next work session on November 30, 2021, will look like. He would like to know what to anticipate. Mr. Campbell stated based on the current discussions with Council, city staff will go back and try to compile a document based on what was heard to see the preferred priorities and present at the work session. He stated Council will then be able to review and edit if needed. Council Member Dent stated she will have more information on the items she proposed as well by then. Mayor Reed stated she hopes Council can solidify its priorities at the next work session. Further discussion took place as to what is anticipated for the next work session by both staff and Council.

**A motion was made by Council Member Hirschmann, seconded by Vice Mayor Romero, to move forward in finding an ARPA Coordinator. The motion carried with a recorded vote as follows:**

**Yes:** 5 - Mayor Reed, Vice Mayor Romero, Council Member Jones, Council Member Hirschmann and Council Member Dent

**No:** 0

**A motion was made by Council Member Jones, seconded by Council Member Hirschmann,**



to approve the Harrisonburg Rockingham Chamber of Commerce work with community non-profits, businesses and coordinate with James Madison University to facilitate community engagement. The motion carried with a recorded vote as follows:

**Yes:** 5 - Mayor Reed, Vice Mayor Romero, Council Member Jones, Council Member Hirschmann and Council Member Dent

**No:** 0

**4. Adjournment**

At 7:37 p.m., there being no further business and on motion adopted, the meeting was adjourned.

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CITY CLERK

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MAYOR