



# City of Harrisonburg

409 S. Main Street  
Harrisonburg, VA 22801

## Meeting Minutes - Draft City Council

*Mayor Deanna R. Reed*  
*Vice-Mayor Richard A. Baugh*  
*Council Member Ted Byrd*  
*Council Member George Hirschmann*  
*Council Member Christopher B. Jones*

---

Tuesday, September 12, 2017

7:00 PM

Council Chambers

---

### 1. Roll Call

**Present:** 4 - Mayor Deanna R. Reed, Vice-Mayor Richard Baugh, Council Member Ted Byrd and Council Member George Hirschmann

**Absent:** 1 - Council Member Christopher B. Jones

**Also Present:** 4 - Deputy City Manager Ande Banks, City Attorney Chris Brown, Police Chief Stephen Monticelli and City Clerk Banks Ande

### 2. Invocation

Mayor Reed offered the invocation

### 3. Pledge of Allegiance

Mayor Reed led the Pledge of Allegiance

### 4. Special Recognition

**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 Hirschmann to approve the consent agenda as presented. The motion carried with a recorded roll call vote taken as follows:

**Yes:** 4 - Mayor Reed, Vice-Mayor Baugh, Council Member Byrd and Council Member Hirschmann

**No:** 0

**Absent:** 1 - Council Member Jones

#### 5.a. Minutes from City Council meeting August 22, 2017

**These Minutes were approved on the Consent Agenda**

- 5.b.** Consider a request from Marusstodd Properties, LLC with representative Blackwell Engineering to rezone five (5) parcels containing a total of 1.3 +/- acres from R-1, Single Family Residential and R-3, Medium Density Residential to R-5C, High Density Residential District Conditional and addressed as 1340, 1348, and 1356 South Main Street and 1341 Edgelawn Drive.

**This Rezoning was approved on second reading**

- 5.c.** Consider a supplemental appropriation for the purchase of radios for the city/county radio system in the amount of \$8,791,000

**This Supplemental Appropriation was approved on second reading**

- 5.d.** Consider amending and re-enacting Sections 16-6-36 and 16-6-41 of the Harrisonburg City Code

**These Ordinance amendments and reenactments were approved on second reading.**

- 5.e.** Consider amending and re-enacting Section 6-2-38, Refuse Disposal for Multifamily and Boardinghouses, of the Harrisonburg City Code

**This Ordinance amendment and reenactment was approved on second reading**

## **6. Public Hearings**

- 6.a.** Consider a request from Benjamin Ray Landes to rezone one parcel, located at 1164 South High Street, from M-1, General Industrial District to B-2C, General Business District Conditional.

Adam Fletcher, director of Planning and Community Development, presented a request from Benjamin Ray Landes to rezone one parcel, located at 1164 South High Street, from M-1, General Industrial District to B-2C, General Business District Conditional and noted this request does conform with the Comprehensive Plan.

Mr. Fletcher stated staff recommended approving and Planning Commission recommended approval of rezoning the 1.18 +/- acre property identified as tax map parcel 20-A-5.

At 7:07 p.m., Mayor Reed closed the regular session and called the first public hearing to order. A notice appeared in the Daily News-Record on Monday, August 28, 2017 and Monday, September 4, 2017. One man got up to speak but was speaking on a different topic and was asked to come back during the public

comments at the end of the meeting

There being no one desiring to be heard, Mayor Reed closed the public hearing at 7:07 p.m., and the regular session reconvened.

**A motion was made by Vice Mayor Baugh seconded by Council Member Byrd to approve rezoning request as presented. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 4 - Mayor Reed, Vice-Mayor Baugh, Council Member Byrd and Council Member Hirschmann

**No:** 0

**Absent:** 1 - Council Member Jones

- 6.b.** Consider a request from Acorn LC with representative Alan Strawderman for a special use permit to allow a religious use which does not provide housing facilities within the M-1, General Industrial District on a proposed 4.82 +/- acre site that would have frontage along Mount Clinton Pike.

This item has been tabled until the October 10, 2017 meeting.

**This PH-Special Use Permit was tabled.**

- 6.c.** Consider a Certificate of Public Convenience and Necessity for Rocktown Transportation, LLC dba Yellow Cab

Reggie Smith, director of HDPT, presented a request from Rocktown Transportation, LLC dba Yellow Cab for a renewal of the Certificate of Public Convenience and Necessity. Mr. Smith noted Mr. Gary Beatty continues to operate Yellow Cab in a professional manner and the City of Harrisonburg has not received any complaints against the company. Mr. Smith noted this is the second renewal for this company, no complaints have been received, their fees have been paid, and all of the background checks came back satisfactory.

At 7:09 p.m., Mayor Reed closed the regular session and called the third public hearing to order. A notice appeared in the Daily News-Record on Saturday, September 2, 2017.

There being no one desiring to be heard, Mayor Reed closed the public hearing at 7:09 p.m., and the regular session reconvened.

**A motion was made by Council Member Byrd seconded by Council Member Hirschmann to approve the request as presented. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 4 - Mayor Reed, Vice-Mayor Baugh, Council Member Byrd and Council Member Hirschmann

**No:** 0

**Absent:** 1 - Council Member Jones

**6.d.** Consider CDBG 2016-2017 Consolidated Annual Performance Evaluation Report (CAPER)

Kristin McCombe, Grant Compliance Officer, made a short presentation on the Consolidated Annual Performance & Evaluation Report (CAPER), a document required by the U.S. Department of Housing & Urban Development (HUD) for the evaluation and review of Community Development Block Grant (CDBG) programs in fiscal year 2016-2017. Ms. McCombe stated this presentation will be followed by a public hearing and will commence a 15 day public comment period, which will end at 9:00am on September 28, 2017. Ms. McCombe stated the programs include the following:

1. HRHA Harrison Heights renovation receives funding yearly for debt servicing.
2. Crescent Drive, North Liberty Street, and Monroe Street utility projects are on hold for the time being and have been reprioritized.
3. City administrative costs are carefully managed. We have been efficient and have not had to spend this from last year and have been able to put this money toward other projects.
4. On the Road Collaborative has just a small balance remaining.
5. Second Home project has been complete.
6. JMU's Suitcase Clinic is underway and will spend remaining over the next winter.
7. Meals on Wheels project is completed.
8. Open Doors emergency shelter will continue using funding through the winter.
9. Explore More - Community Maker Space has been complete
10. The Arc project is almost done and just have a little more to spend on technology.
11. AED devices will eventually be in every city vehicle and building.

Ms. McCombe noted no action is required as this opens the 15-day public comment period.

At 7:13 p.m., Mayor Reed closed the regular session and called the fourth public hearing to order. A notice appeared in the Daily News-Record on Monday, September 4, 2017 and Monday, September 4, 2017. The public hearing opened at 7:13 p.m.

Pamayotis "Poti" Giannakaouros 98 Emory Street, stated this hearing is part of the mandated process for public process in CDBG and as he reviewed the projects he wondered if CDBG funding was needed for utility and fire infrastructure or is this

something that could be funded from the general fund and property taxes. Mr. Giannakaouros stated it seems like CDBG funding should be more targeted to some of the other programs that have a small slice of the pie. Mr. Giannakaouros stated the public must come with ideas and the assessment of fair housing, done in 2015, pointed out there are housing discrimination issues within the city and populations self-segregated. Mr. Giannakaouros stated he feels that as a city we should make exclusionary practices more difficult to conduct. Mr. Giannakaouros stated we have seen this around chickens, where passing the chicken ordinance without neighbor waivers was a positive step and stated he feels other ordinances, procedures, and attitudes by staff may give comfort to folks who might contribute to a segregating atmosphere. Mr. Giannakaouros feels that participation from entities with projects that could receive CDBG funding are reluctant to apply because of the difficulty and stated it seemed like it would be appropriate for city staff to dedicate personnel to aid in this process.

James "Bucky" Berry, 30 West Washington Street, stated it took a very long time to get new sidewalks in front of his house, but the city was finally able to construct sidewalks because of the federal funding. Mr. Berry stated fixing the bridge won't stop the flooding and he would like to see more money put in the northeast section of town. Mr. Berry stated there is a bottleneck on the north end of town and feels more federal block grant money should be put in run down neighborhoods.

Mayor Reed closed the public hearing at 7:22 p.m., and the regular session reconvened.

**This PH-Action Item was received and filed.**

## 7. Regular Items

### 7.a. Consider a resolution recognizing Welcome Week

Ande Banks, deputy city manager, presented a resolution stating this week there will be a series of events that work to bring together immigrants, refugees, and native born residents and as part of the first full year of being a Welcoming City, we are working together to promote these events.

Nelly Morena Shenk, a member of the Welcoming Council, thanked City Council for the resolution. Ms. Shenk stated she loves and feels this is her home now, hopes other immigrants feel the same way and wants to help celebrate the diversity.

Art Stultzfus works with Faith in Action and announced that in collaboration between the chamber and JMU, a grant was received which funding will be used to study the impact on the local economy by immigrants to the city and Rockingham County.

**A motion was made by Vice Mayor Baugh, seconded by Council Member Byrd to approve the resolution as presented. The motion carried with a recorded roll call vote taken as**

**follows:**

**Yes:** 4 - Mayor Reed, Vice-Mayor Baugh, Council Member Byrd and Council Member Hirschmann

**No:** 0

**Absent:** 1 - Council Member Jones

**7.b. Report from the Harrisonburg-Rockingham Community Service Board**

Ellen Harrison, director of the Community Services Board (CSB) presented a request to renew the contract for services between the city and CSB.

Ms. Harrison noted In the Code of Virginia, the Department of Behavioral Health and Developmental Services is established as the state authority for publicly funded mental health, developmental disabilities, and substance abuse and stated the local authority are the CSB and the single point of entry in the public funded system.

Ms. Harrison stated this year there has been a 7% increase in funding for CSB's budget, with 78% into mental health, 12% to developmental services, and 10% into substance abuse services being the notable changes from last year and noted the Department of Justice (DOJ) continues to be a predominate force in the developmental disability services. Ms. Harrison stated one of the new requirements is the emergency services events and the developmental services for adults, which adds requirements to case managers. Ms. Harrison stated there were expansions in prevention services, additional requirements in crisis stabilization in weekend programming, and six new performance measures to report to central office on a monthly basis.

Ms. Harrison presented statistics on the local office and people they serve.

Ms. Harrison stated the services for children and adolescent services are provided and increases are seen for these services needed. Ms. Harrison stated the CSB is out in the community and clinic-based, they are in the jail, providing transition planning for released inmates, crisis stabilization in a residential setting, adult mobile crisis, training for crisis intervention with law enforcement, crisis intervention at the hospital, emergency services provided 24/7, therapy, case management services, mental health skill building, peer services, residential services for persons with serious mental illness, mobile medication, and medication management services are all provided.

Ms. Harrison stated eight CSB offices were tapped by the General Assembly to provide same day access and Harrisonburg-Rockingham is one of those and by 2019, all 40 CSB's will be providing this for all citizens in the Commonwealth and is a game-changer, which will increase the volume of people having access.

Ms. Harrison stated they just started intensive outpatient services and continue to be

a strong partner with the new drug court program and employs more than 250 full and hourly staff.

Council Member Ted Byrd thanked CSB for the work they are doing and services provided to the community.

Ms. Harrison noted that approval of the performance contract should be endorsed by council.

**A motion was made by Council Member Byrd, seconded by Council Member Hirschmann to approve the performance contract as presented. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 4 - Mayor Reed, Vice-Mayor Baugh, Council Member Byrd and Council Member Hirschmann

**No:** 0

**Absent:** 1 - Council Member Jones

**7.c.** Report of the I-81/I-64 Inter-Regional Public Transportation Feasibility Study

Reggie Smith, director of Harrisonburg Department of Public Transportation (HDPT), presented the feasibility study to City Council. Mr. Smith stated this report was released to the media and felt it was necessary for council to receive a copy.

Mr. Smith noted there has been concern for some time about transportation between local cities and some of HDPT's planning funds were used to assist with this study.

Mr. Smith stated there is no commitment needed at this time, this document is to just be reviewed and at a later time a recommendation will be made.

Council Member Ted Byrd was appreciative of the study and asked what other localities committed in funding or services in-kind.

Mr. Smith explained at the last meeting only three partners were present, including HDPT, and the amount it will cost will vary depending on how many participate and noted there are still a great deal of questions to be answered.

**This Report was received and filed.**

**7.d.** Presentation of new transit system and phone application available to transit customers.

Reggie Smith, director of Harrisonburg Department of Public Transportation (HDPT), introduced Alex Milburn, transit technology analyst, who managed the project and will present how it functions. Mr. Smith stated a great deal of credit goes to Mr. Miburn for this project as this request for proposal has been seen nationally because it addressed a lot of issues and this is something HDPT is very proud of.

Mr. Milburn stated last summer HDPT selected AVAIL technologies and the cost of this project, over a five year period is approximately \$1 million which most of this funding coming from federal funding and state funds, with a 10% being local funding.

Mr. Milburn stated the system update includes GPS on all transit buses, automated announcements both visually and audibly, mobile data terminal with route information, schedule adherence, reporting for management, and mobile application for passengers. Mr. Milburn stated passengers are able to see where buses are instantly on a map, trip planning, arrival alerts, service messages, and provide feedback. Mr. Milburn noted the passenger side of the application looks nicer and is a better interface, the maps update every 30 seconds and passengers can see where the bus physically is, an alert can be set for when a passenger wants to know by email or text when a bus is a certain amount of time away, and service messages can provide alert due to service changes or detours. Mr. Milburn noted the new bus signs explain the three different ways you can receive bus arrival information.

Mr. Milburn noted there is a free mobile app that can be downloaded for this new software. HDPT worked with JMU to develop an app for students that uses HDPT's information and that in the past, third party apps were developed without HDPT's information that put out old information.

Mr. Milburn stated HDPT can monitor schedule adherence of routes, view ridership, and send out service alerts/changes in service and with the information collected, HDPT can plan for the future to optimize routes.

Council Member Ted Byrd asked how many apps had been downloaded. Mr. Milburn stated there are approximately 300 that have been downloaded.

Council Member Ted Byrd asked if numbers are constant compared to last year on ridership. Mr. Milburn stated usually, by the third week of classes more students begin to ride the bus and JMU sold 1,200 more parking passes this year compared to last year.

Mr. Milburn stated In regard to technology, HDPT is as advanced as some of the larger cities. Mr. Smith explained this system does a pre-trip check that requires the driver to take care of it before driving the bus.

**This Presentation was received and filed.**

- 7.e.** Consider amending and re-enacting Section 15-2-24, Fowl, chickens and other domestic birds, of the Harrisonburg City Code

Teachers from Skyline Middle School were joined with students in the STEM program, while City Attorney Chris Brown presented the proposed amendment.



Mr. Brown stated the proposed amendment to Section 15-2-24, Fowl, chickens and other domestic birds, would allow schools to keep chickens on school property, provided the property otherwise meets the conditions for a chicken permit, increases the number of chickens allowed with a permit from four (4) to six (6), clarifies that chickens kept in violation of the ordinance may be impounded and confiscated by the animal control officers, and clarifies the requirements for chicken pens.

Mr. Brown stated the students and teachers sent a request for an amendment to the chicken ordinance that would permit students to raise chickens at Skyline Middle School and the students received a grant from Lowes to receive materials to build the necessary housing.

Mr. Brown stated the city attorney's office and the Planning and Community Development Department worked together on this request and the proposed amendments.

Mr. Brown noted other changes were made while this ordinance was being revised as apparently, chicks are sold in batches of six and not four, which is what our permit allows, therefore the proposed amendment to the ordinance will allow an increase from four to six chicks.

Mr. Brown stated in working with the animal control officer, she wanted to ensure if she found chicks at large or from someone in violation she has permission to impound the chicks as many coops have been found to not have a solid roof, so the ordinance was clarified to explain the coop needs to have a solid top.

Mr. Brown noted staff contacted the poultry federation and the local representative had no objections.

One of the teachers requested clarification that any school can have the same permission to do this based on the work the students did.

Council Member Hirschmann asked if they expect much noise. The teacher clarified there will not be any roosters, just hens and that the chickens were actually born at the middle school but are currently located away from the school so the most noise would come from the excitement of the students.

Vice Mayor Baugh stated the change from allowing 4 to 6 chickens is very common among other localities.

Council members were invited by the teachers to come out and see the chickens and see the work of the students in the STEM academy.

Council Member Ted Byrd encouraged them to use safe practices of biosecurity. The teacher explained that any time a new topic is introduced, they teach safety. This is a

natural progression for the students to learn basic animal care and safety.

Vice Mayor Richard Baugh explained the buffer areas are unique to our area and something that was done to protect the industry.

**A motion was made by Vice Mayor Baugh, seconded by Council Member Byrd to approve the ordinance amendment and reenactment as presented. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 4 - Mayor Reed, Vice-Mayor Baugh, Council Member Byrd and Council Member Hirschmann

**No:** 0

**Absent:** 1 - Council Member Jones

- 7.f.** Consider a VML Conference Voting Delegate and an Alternate Voting Delegate for the upcoming VML Conference

Deputy City Manager Ande Banks stated business is conducted at the annual VML conference and the city must identify a voting member and alternate. Mr. Banks stated Vice Mayor Richard Baugh is nominated as the voting member and Council Member Ted Byrd is the alternate.

**A motion was made by Council Member Byrd, seconded by Vice Mayor Baugh, approve the nominations as presented. The motion carried with a unanimous voice vote.**

## **8. Special Event Application Requests**

- 8.a.** Consider a Special Event application for Skeleton Festival, October 21, 2017

Andrea Dono, director of Harrisonburg Downtown Renaissance, presented a special event request for the Skeleton Festival to be held on October 21, 2017, from 4-8 p.m. Ms Dono stated a portion of Main Street, from Franklin Street to Wolfe street will be closed, including Court Square and everything should be cleaned up and reopened by 10 p.m.

Ms. Dono noted there is one change with the application in that there will be no beer garden or fire dancers.

**A motion was made by Vice Mayor Baugh, seconded by Council Member Hirschmann to approve the special event request as presented. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 4 - Mayor Reed, Vice-Mayor Baugh, Council Member Byrd and Council Member Hirschmann

**No:** 0

**Absent:** 1 - Council Member Jones

- 8.b.** Consider a special event application for the Harrisonburg Holiday Parade to be held on December 1, 2017

Andrea Dono, director of Harrisonburg Downtown Renaissance, presented a special event request for the Holiday Parade on December 1, 2017, sponsored by Harrisonburg Parks and Recreation.

Ms. Dono stated Main Street, from MLK to Gay Street, including Court Square will be closed at 6 p.m., parking at the municipal parking lot will be prohibited from 4-11 p.m. and staging will take place at the Rockingham County government center parking lot, with the parade moving southbound.

**A motion was made by Vice Mayor Baugh, seconded by Council Member Hirschmann to approve the special event request as presented. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 4 - Mayor Reed, Vice-Mayor Baugh, Council Member Byrd and Council Member Hirschmann

**No:** 0

**Absent:** 1 - Council Member Jones

## **9. Supplementals**

- 9.a.** Consider a supplemental appropriation for the Fire Department in the amount of \$313,162.17 from Fire Program and Four-for-Life funds

Deputy City Manager Ande Banks stated the city receives funding from the Commonwealth and this will budget those unexpended prior year funds received in these programs

**A motion was made by Council Member Byrd, seconded by Vice Mayor Baugh to approve the supplemental appropriation as presented. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 4 - Mayor Reed, Vice-Mayor Baugh, Council Member Byrd and Council Member Hirschmann

**No:** 0

**Absent:** 1 - Council Member Jones

- 9.b.** Consider a supplemental appropriation and transfer of funds to fund the purchase of radios for use by the ECC in the amount of \$215,000

Deputy City Manager Ande Banks stated as part of the original financing for the city-county radio package and as part of that package, there should have been a supplemental appropriation from the HRECC fund balance into the proper capital line item, which was not done. This item is to rectify that and put the money in the proper fund.

A motion was made by Council Member Byrd, seconded by Council Member Hirschmann, to approve the supplemental appropriation as presented. The motion carried with a recorded roll call vote taken as follows:

**Yes:** 4 - Mayor Reed, Vice-Mayor Baugh, Council Member Byrd and Council Member Hirschmann

**No:** 0

**Absent:** 1 - Council Member Jones

- 9.c.** Consider a supplemental appropriation for the Police Department in the amount of \$9,135.00

Deputy City Manager Banks presented a supplemental appropriation that reallocates state asset forfeiture funds, which is to purchase new fingerprint and child ID kits.

A motion was made by Council Member Byrd, seconded by Vice Mayor Baugh to approve the supplemental appropriation as presented. The motion carried with a recorded roll call vote taken as follows:

**Yes:** 4 - Mayor Reed, Vice-Mayor Baugh, Council Member Byrd and Council Member Hirschmann

**No:** 0

**Absent:** 1 - Council Member Jones

- 9.d.** Consider a supplemental appropriation for the Police and Fire Departments in the amount of \$179,386.12

Deputy City Manager Banks stated these funds are unspent grant funds to go into next year's budget, in the proper line items.

A motion was made by Council Member Byrd, seconded by Council Member Hirschmann, to approve the supplemental appropriation as presented. The motion carried with a recorded roll call vote taken as follows:

**Yes:** 4 - Mayor Reed, Vice-Mayor Baugh, Council Member Byrd and Council Member Hirschmann

**No:** 0

**Absent:** 1 - Council Member Jones

## 10. Other Matters

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

Charles Rohr, 5701 North Valley Pike, Rockingham, stated he wanted to speak about the unnecessary killing of our cats at the SPCA. It was brought to his attention by an

article in the local newspaper, more than two-thirds of the cats are being put down and felt this is unacceptable. Mr. Rohr stated this has been going on for three or more years and it has gotten worse, feels the community created this problem and it will take the community to solve this problem. Mr. Rohr state he is not an advocate for Anicura but they are willing to take over the feline population, they have the willpower, and capacity. Mr. Rohr stated the article ended stating that council is not making a decisions and no timeline given, and he feels this must be taken care of. Mr. Rohr asked council when are they going to do something about it, and stated he heard on the local news that City Council is looking to hire a firm to revamp or improve the city's image. Mr. Rohr stated the city could gain a decent image by the decisions council make and the actions they take. Mr. Rohr asked council to do something. Mr. Rohr stated the city gives the SPCA more than \$250,000 per year to run a death camp and every day that goes by more and more cats are getting killed. Mr. Rohr stated the SPCA's kill rate is higher than any other shelter in the state and feels the contract should be given to someone who will do a proper job.

James "Bucky" Berry, 30 W. Washington St., stated new statistics came out on WWSA that 78% live paycheck to paycheck. Mr. Berry stated he and his son were able to donate eight months' worth of food to the Salvation Army. Mr. Berry stated while cutting grass at the shelter, the worst thing he sees is the kids getting on and off the school bus, hunger and homelessness is not getting any better, the city bought in to middle river jail and soon we will be out of room if we don't stop hunger and work on homeless. Mr. Berry stated more restorative justice is needed and would like to see City Council appoint someone to look over the jail. If we don't get a grip on hunger and homeless we will need another jail.

Pamayotis "Poti" Giannakaouros, 98 Emory Street, stated he wanted to share concerns he is seeing and patterns emerging in how the city drafts ordinances. Mr. Giannakaouros stated he is seeing patterns in ordinances that are carefully deliberated by the public and make minor revisions that don't require a public hearing and have the effect of the ordinance to have a more restrictive goal. Mr. Giannakaouros stated a few weeks ago, the noise ordinance was marketed to the public as something to improve things for the students, and under that cover, other things were added to that ordinance: The loudness of the activity allowed was scaled down to the level of a robust conversation, widening the potential of the people who could be impacted. Mr. Giannakaouros stated when he rides down the street at the lower level of the neighborhood in which he lives he is accustomed to seeing birthday parties, which he still does but he no longer hears the Latin music he used to hear. Mr. Giannakaouros feels the notification requirement that was written into that ordinance was some way to contact an identifiable person, HPD just wants to know where to reach a person, people who don't have proper documents could still lead the neighborly life but the requirement for identification stipulated a government issue ID. Mr. Giannakaouros stated EMU decided to be inclusive of someone without proper documents allowing them to participate and provides them an ID. Mr. Giannakaouros stated as the noise ordinance is currently written, that person is

precluded from being a leader within their community by not being able to be a contact person for these parties. Mr. Giannakaouros stated this is not the only instance we see patterns like this with our ordinances and plans to follow up on this. Mr. Giannakaouros stated the council, as city government, will need to address as we make a new transition to hire a new city manager.

10.b. City Council and Staff

Vice Mayor Baugh stated there will be talks about the Comprehensive Plan at the next Planning Commission meeting and Planning Commission will have a SUP request for a facility to allow light manufacturing.

Vice Mayor Baugh stated another issue that doesn't seem to die is a letter to the editor that seems to be talking about a recycling program that doesn't resemble the city's program but is a myth that still floats around. Vice Mayor Baugh stated for some folks, there was a strong sense of virtue of recycling and having that bin, they want to keep thinking we have taken steps backwards however, the city has gone from a voluntary program with a low participation rate to a program where all of it gets sorted. Vice Mayor Baugh stated the statement that if any organic matter gets on anything it isn't getting recycled, is not accurate and if anyone has any real evidence that we aren't getting what we are paying for he hopes they bring it to councils attention. Vice Mayor Baugh stated the next stage would be for us to find a way to incorporate a composting program, which right now, is encouraged and there are communities who have gone to voluntary composting and there is something going on with the Farmer's Market but isn't well publicized. Vice Mayor Baugh stated the main point is if anyone has evidence there is a problem with our recycling, bring it to councils attention and what we are doing now is much better than we were previously doing. Council Member Hirschmann stated he felt the city was making big steps with recycling in the area.

Vice Mayor Richard Baugh stated it is something that keeps showing up and he is trying to talk to folks but haven't come up with a better explanation, some people really liked doing it themselves, and they can't understand that what feels like we are going backwards is getting us better results.

Deputy City Manager Banks stated building on the Welcoming Week resolution that was passed earlier, he wanted to point out that this encourages communities to have events. Mr. Banks stated in working with the Church World Service, there is a photo exhibit in the atrium in City Hall that highlights our immigrant, refugee, and asylee families in the community. Mr. Banks stated the exhibit will be on display through September 24, 2017 and is a moving testament to the families and our community. Mayor Reed stated there is another exhibit at the Duke Hall gallery, "Picturing Harrisonburg."

Mayor Reed stated Harrisonburg Tourism, Harrisonburg Economic Development, and

Harrisonburg Downtown Renaissance are leading efforts to develop a citywide brand and marketing strategy, which may also include all other city departments and a survey has been launched to solicit feedback and input from the community. Mayor Reed asked residents to visit the city's website and take the survey before it closes on September 23 2017; Did you know that 8 out of 10 parents install their child safety seats incorrectly? Child Passenger Safety Week is recognized September 18 through September 23, 2017 and a free car seat check will be held on Monday, September 18, 2017 from 2:00 p.m. until 4:00 p.m. at A Dream Come True Playground and all are welcome; The annual Harrisonburg International Festival will be held on Saturday, September 30, 2017 at Hillendale Park.

## 11. Boards and Commissions

### 11.a. Shenandoah Valley Partnership

**A motion was made by Council Member Byrd, seconded by Vice Mayor Baugh to approve the reappointment of Brian Shull to the Shenandoah Valley Partnership as presented. The motion carried with a unanimous voice vote.**

### 11.b. Shenandoah Valley Workforce Development Board

**A motion was made by Council Member Byrd, seconded by Vice Mayor Baugh to approve the appoint Wesley Dove to the Shenandoah Valley Workforce Development Board as presented. The motion carried with a unanimous voice vote.**

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

Council Member Byrd asked if this board required specialized skills. Deputy City Manager Banks stated the body may be thinking of the Environmental Performance Standards Committee. Council Member Byrd and City Attorney Chris Brown confirmed there are specific requirements. This item was tabled until the next meeting.

**This Boards and Commissions was tabled.**

### 11.d. Rockingham - Harrisonburg Alcohol Safety Action Program Commission

**A motion was made by Council Member Byrd, seconded by Council Member Hirschmann to approve the appointment of Kristen Loflin to the Rockingham-Harrisonburg Alcohol Safety Program Commission as presented. The motion carried with a unanimous voice vote. .**

**11.e. Environmental Performance Standards Committee (EPSAC)**

Vice Mayor Baugh stated there is a request presented to council if the vacant position should be filled and being a sitting member on the committee he believes it should be filled. As there were good applications received.

**A motion was made by Vice Mayor Baugh, seconded by Council Member Byrd, to approve the appointment of Bradley Striebig to the Environmental Performance Standards Committee as presented. The motion carried with a unanimous voice vote.**

**12. Closed Session****12.a. Virginia Code Section 2.2-3711(A), under:**

Subsection 3 for a discussion of the acquisition of real estate for a public purpose;

and

Subsection 5 for 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 8:32 p.m., a motion was made by Council Member Jones, 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 1 for a discussion of specific city employees.

**A motion was made by Council Member Byrd, 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 1 for a discussion of specific city employees. The motion carried with a recorded roll call vote taken as**

**Yes:** 4 - Mayor Reed, Vice-Mayor Baugh, Council Member Byrd and Council Member Hirschmann

**No:** 0

**Absent:** 1 - Council Member Jones

**13. Adjournment**

At 9:22 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 9:22 p.m., there being no further business and on motion adopted, the meeting was adjourned.

\_\_\_\_\_  
DEPUTY CITY CLERK

\_\_\_\_\_  
MAYOR