



City of Harrisonburg

409 S. Main Street
Harrisonburg, VA 22801

Meeting Minutes - Draft City Council

Tuesday, January 14, 2025

7:00 PM

Council Chambers

1. Roll Call

Present: 5 - Mayor Deanna R. Reed, Vice-Mayor Dany Fleming, Council Member Laura Dent, Council Member Nasser Alsaadun and Council Member Monica Robinson

Also Present: 5 - City Manager Ande Banks, City Attorney Chris Brown, City Clerk Pam Ulmer, Deputy Police Chief Todd Miller and Chief Matthew Tobia

2. Invocation

Mayor Reed stated that beginning this meeting we will be holding a moment of silence instead of an invocation to ensure that individuals of all faiths, beliefs and backgrounds can participate in a meaningful way. She stated it also reflects our commitment as a Council for unity as well as our respect for everyone that gathers in this space.

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 Vice Mayor Fleming, seconded by Council Member Dent, to approve the consent agenda. The motion carried with a recorded roll call vote taken as follows:

Yes: 5 - Reed, Vice-Mayor Fleming, Council Member Dent, Council Member Alsaadun and Council Member Robinson

No: 0

5.a. Minutes from the December 10, 2024 City Council Meeting

These minutes were approved on the consent agenda

5.b. Minutes from the January 2, 2025 City Council Reorganization Meeting

These minutes were approved on the consent agenda

6. Public Hearings

6.a. Consider CDBG PY2025 Funding Priorities

Kristin McCombe, Community Development Block Grant (CDBG) Program Coordinator, reviewed what the CDBG is, the history of how much funding the city has received, the goals of the strategic plan, and the tentative schedule.

Council Member Alsaadun asked if the city has any control over the funding amount that is received from HUD. Ms. McCombe stated no and explained how the funding is determined. Council Member Alsaadun asked about the 2020/2026 Strategic Plans. Ms. McCombe reviewed the progress of the goals within the Strategic Plan. Council Member Alsaadun asked if there are goals related to affordable housing. Ms. McCombe reviewed the funding used towards affordable housing and emergency rental assistance.

At 7:11 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 Thursday, December 26, 2024,

There being no one desiring to be heard, Mayor Reed closed the public hearing at 7:13 p.m., and the regular session reconvened.

No action required.

This Public Hearing - No Action was received and filed.

6.b. Consider a request from Florence LLC to rezone 160 Carpenter Lane

Adam Fletcher, director of Community Development, presented a rezoning request from B-2 to M-1 for property located at 160 Carpenter Lane. He reviewed the long term plans for the area, the property, and the purpose of this request.

He stated staff and Planning Commission (6-0) recommend approval of this request.

Scott Hovermale, applicant, spoke on the purpose of the request.

At 7:16 p.m., Mayor Reed closed the regular session and called the second public hearing to order. A notice appeared in the Daily News-Record on Tuesday, December 31, 2024, and Wednesday, January 8, 2025.

There being no one desiring to be heard, Mayor Reed closed the public hearing at 7:17 p.m., and the regular session reconvened.

A motion was made by Council Member Dent, seconded by Vice Mayor Fleming, to approve the rezoning request as presented. The motion carried with a recorded roll call vote taken as follows

Yes: 5 - Reed, Vice-Mayor Fleming, Council Member Dent, Council Member Alsaadun and Council Member Robinson

No: 0

6.c. Consider a request from the City of Harrisonburg to amend the Zoning Ordinance to allow the acceptance of cash proffers

Adam Fletcher, director of Community Development, presented an ordinance amendment related to cash proffers. He reviewed the amendments, what a proffer is, and the specifics on residential development cash proffers per Virginia Code Section 15.2-2303.4

He stated staff and Planning Commission (6-0) recommended approval.

Council Member Dent asked for clarification on what happened to the cash proffer if the developer sells before paying the proffer. Mr. Fletcher stated it stays with the property and new owner, until the new owner submits an amended rezoning request.

Discussions took place about other localities, how cash proffers can be used (i.e. earmarks), how cash proffers may drive up housing prices, how proffers could enhance public spaces such as libraries and parks, and the ability for Council to determine if a cash proffer will be excepted.

At 7:46 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 Tuesday, December 31, 2024, and Wednesday, January 8, 2025.

There being no one desiring to be heard, Mayor Reed closed the public hearing at 7:47 p.m., and the regular session reconvened.

A motion was made by Vice Mayor Fleming, seconded by Council Member Robinson, to approve the ordinance amendment request as presented. The motion carried with a recorded roll call vote taken as follows:

Yes: 4 - Reed, Vice-Mayor Fleming, Council Member Dent and Council Member Robinson

No: 1 - Council Member Alsaadun

6.d. Consider a request from the City of Harrisonburg to amend the Zoning Ordinance to allow data centers as a use permitted by special use permit in M-1

Adam Fletcher, director of Community Development, presented an ordinance amendment related to Data Centers in M-1 from by-right to Special Use Permit request. He reviewed the definition of Data Centers; case assessment on potential impacts through special use permit requests, and the proposed amendments.

He stated staff and Planning Commission (6-0) recommend approval of the request.

At 8:57 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 Tuesday, December 31, 2024, and Wednesday, January 8, 2025.

Panayotis "Poti" Giannakouros spoke on the energy usage of data centers, the myth of water scarcity in the city, the water usage by the poultry plants, and the ongoing ordinance rewrite.

At 8:02 p.m., Mayor Reed closed the public hearing, and the regular session reconvened.

Vice Mayor Fleming stated he thinks it is wise to make these amendments because our area may soon attract data centers due to the amenities available.

Council Member Alsaadun thanked Mr. Fletcher for identifying possible future hurdles related to data centers.

Council Member Dent stated she has always had concerns about the energy usage by data centers and is glad Council will have the opportunity to view all requests for data centers in the city.

Council Member Robinson stated the key is to stay ahead of the game and have control as to where the data centers can be located.

A motion was made by Council Member Dent, seconded by Council Member Robinson to approve the ordinance amendment as presented. The motion carried with a recorded roll call vote taken as follows:

Yes: 5 - Reed, Vice-Mayor Fleming, Council Member Dent, Council Member Alsaadun and Council Member Robinson

No: 0

- 6.e.** Consider a request from the City of Harrisonburg to preliminarily subdivide property and dedicate public street right-of-way for East Kaylor Park Drive (Rocktown High School)

Adam Fletcher, director of Community Development, presented a preliminary plat with variances for property located at 2970 E Kaylor Park Drive. He reviewed the site, planned zoning in the area, the location of the public street right of way along 6 parcels, the variances requested.

He stated staff and Planning Commission (6-0) recommended approval

At 8:14 p.m., Mayor Reed closed the regular session and called the fifth public

hearing to order. A notice appeared in the Daily News-Record on Tuesday, December 31, 2024, and Wednesday, January 8, 2025.

There being no one desiring to be heard, Mayor Reed closed the public hearing at 8:14 p.m., and the regular session reconvened.

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

Yes: 5 - Reed, Vice-Mayor Fleming, Council Member Dent, Council Member Alsaadun and Council Member Robinson

No: 0

6.f. Consider approval of an Access Easement to Oak Box, LLC

Chris Brown, city attorney, presented a request for a permanent access easement across city property located at Eastover Drive for a proposed future road from property owned by Oak Box, LLC. He reviewed the preliminary plan sheet and noted this would help with traffic safety issues in the area.

He stated staff recommended approval.

Vice Mayor Fleming asked if there would be any impact on the storm water drainage in that area once any improvements are made by the applicant. Mr. Brown stated this was reviewed and supported by the director of Public Works.

At 8:20 p.m., Mayor Reed closed the regular session and called the sixth public hearing to order. A notice appeared in the Daily News-Record on Monday, January 6, 2025.

Panayotis "Poti" Giannakouros spoke on the city giving up land and what the public interest is when giving up the land. He stated in this case it helps a public safety issue.

At 8:23 p.m., Mayor Reed closed the public hearing, and the regular session reconvened.

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

Yes: 5 - Reed, Vice-Mayor Fleming, Council Member Dent, Council Member Alsaadun and Council Member Robinson

No: 0

6.g. Consider granting a Temporary Construction Easement to VDOT on property located at 2970 East Kaylor Park Drive.

Chris Brown, city attorney, presented a request for a temporary construction easement to VDOT on property located at 2970 East Kaylor Drive. He reviewed the plan sheets and noted it is for the VDOT I-81 widening project and will be used as they work on the railroad bridge.

He stated staff recommended approval.

At 8:26 p.m., Mayor Reed closed the regular session and called the seventh public hearing to order. A notice appeared in the Daily News-Record on Monday, January 6, 2025.

There being no one desiring to be heard, Mayor Reed closed the public hearing at 8:26 p.m., and the regular session reconvened.

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

Yes: 5 - Reed, Vice-Mayor Fleming, Council Member Dent, Council Member Alsaadun and Council Member Robinson

No: 0

6.h. Consider authorizing the conveyance of a portion of Cardinal Drive and Eastover Drive to James Madison University

Chris Brown, city attorney, presented a request to convey city property to James Madison University (JMU) for a portion of Cardinal Drive and a portion of Eastover Drive. He stated JMU is currently maintaining these sections and will help clean up some easement lines. He reviewed the purposes of the requests.

He stated staff recommended approval of this request.

At 8:32 p.m., Mayor Reed closed the regular session and called the eighth public hearing to order. A notice appeared in the Daily News-Record on Monday, January 6, 2025.

There being no one desiring to be heard, Mayor Reed closed the public hearing at 8:32 p.m., and the regular session reconvened.

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

Yes: 5 - Reed, Vice-Mayor Fleming, Council Member Dent, Council Member Alsaadun and Council Member Robinson

No: 0

7. Regular Items

- 7.a. Consider adopting resolutions approving issuance by Harrisonburg Redevelopment and Housing Authority of Revenue Bonds for the acquisition, construction, and equipping of an approximately 80-unit multifamily residential rental housing project and an approximately 84-unit age-restricted senior living housing facility (the "Projects") in the City of Harrisonburg, Virginia, on behalf of the Beverly J. Searles Foundation and its Affiliates.

Chris Brown, city attorney, presented two resolutions related to the issuance by Harrisonburg Redevelopment and Housing Authority of Revenue Bonds for the acquisition, construction, and equipping of an approximately 80-unit multifamily residential rental housing project and an approximately 84-unit age-restricted senior living housing facility on behalf of the Beverly J. Searles Foundation and its affiliates. He stated these resolutions were approved in November 2023. He stated these resolutions expire one year after issuance, the developer was unable to obtain tax credits in a timely manner, and therefore these resolutions expired. He stated Council will need to re-adopt these resolutions in order for HRHA and developer move forward.

A motion was made by Vice Mayor Fleming, seconded by Council Member Robinson, to adopt the resolutions as presented. The motion carried with a recorded roll call vote taken as follows:

Yes: 5 - Reed, Vice-Mayor Fleming, Council Member Dent, Council Member Alsaadun and Council Member Robinson

No: 0

9. Other Matters

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

Bucky Berry, spoke on the ordinance about property owners requirement to clean sidewalks within a certain amount of time after a snowstorm.

Panayotis "Poti" Giannakouros, spoke on the celebration of Martin Luther King, Jr., and People's Day, to be held on January 20, 2025, at noon.

9.b. City Council and Staff

Vice Mayor Fleming welcomed Council Member Alsaadun to his first meeting. He spoke on a recent Build Our Parks meeting; the recent visit of the Council and the City Manager from Staunton to the Navigation Center;

Council Member Robinson spoke on the progress of Community Connectors; she is in the middle of planning the International Women's Day March and Gala to be held in March 2025; she welcomed Council Member Alsaadun; an upcoming tour of the ECC;

Council Member Dent spoke on the recent Planning Commission meeting and the draft CIP was sent out for review; her work with the Central Shenandoah Planning District Commission reviewing the regional housing study;

Council Member Alsaadun stated Council made his transition on Council and first meeting smooth, residents are lucky to have this Council working for them, he looks forward to working with Council and serving the community.

Mayor Reed spoke on the recent Virginia Municipal League Local Elected Officials training; events over the Martin Luther King Jr. holiday; Waynesboro's appointment of the first African American Mayor and Vice Mayor; her participation in a cohort of Mayors through the National League of Cities and the William Julius Wilson Institute; she will be teaching an Intercultural Emersion Class at EMU;

10. Boards and Commissions

10.a. Planning Commission

A motion was made by Council Member Dent, seconded by Vice Mayor Fleming, to appoint Shannon Porter to the Planning Commission for a 2nd term to expire on January 14, 2029. The vote carried with a unanimous voice vote.

10.b. Harrisonburg Electric Commission (HEC)

A motion was made by Council Member Dent, seconded by Council Member Robinson, to appoint Kevin Comer to the Harrisonburg Electric Commission for a partial term to expire on March 12, 2028. The vote carried with a unanimous voice vote.

10.c. Shenandoah Valley Airport Commission

A motion was made by Vice Mayor Fleming, seconded by Council Member Alsaadun, to reappoint Joe Bowman to the Shenandoah Valley Airport Commission to a 13th term to expire on January 28, 2028. The vote carried with a unanimous voice vote.

11. Closed Session

12. Adjournment

At 9:04 p.m., there being no further business and on motion adopted, the meeting was adjourned.

CITY CLERK

MAYOR