



City of Harrisonburg

409 South Main Street
Harrisonburg, VA 22801

Meeting Minutes - Final City Council

Mayor Ted Byrd
Vice-Mayor Charles Chenault
Council Member Kai Degner
Council Member Richard Baugh
Council Member Abe Shearer

Tuesday, May 27, 2014

7:00 PM

Council Chambers

1. 7:00 p.m. roll call

Roll call

Present: 5 - Mayor Ted Byrd, Vice-Mayor Charles Chenault, Council Member Richard Baugh, Council Member Kai Degner, and Council Member Abe Shearer

Also Present: 5 - City Manager Kurt Hodgen, Assistant City Manager Anne Lewis, City Clerk Erica Kann, City Attorney Chris Brown, and Police Chief Stephen Monticelli

2. Invocation

Vice-Mayor Chenault offered the invocation.

3. Pledge of Allegiance

Mayor Byrd 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)

John Serrell, 109 Fairway Drive, stated he bought property on Country Club Road in 2002, with no existing structure on the opposite side of the railroad track. Mr. Serrell doesn't understand how his property can be in a floodplain, when his property is two feet above the adjoining property that isn't in a floodplain. Mr. Serrell showed frustration due to lack of response from the City since last fall. He invited Council out to see the property and asked them to postpone any action towards floodplains.

Stan Maclin, Harriet Tubman Center, 2 South Main, stated he invited a young gentleman to speak tonight that moved from the City of Detroit to the City of Harrisonburg seeking a better life for his family. Mr. Maclin stated the young gentleman found a noose at his workstation at work last June. Mr. Maclin stated he has been working with the young man and had him file a police report in December of last year. He reported the young man has been told it is still an ongoing investigation and he hasn't received an apology.

Clay Moore, 727 Northfield Court, told his story about finding the noose on his workstation on June 30, 2013, how it has affected his life, why his family came to the City seeking a better life, and that he hasn't received an apology.

Bucky Berry, 30 West Washington Street, stated he would like the Council to reconsider Option 3 of the pay study for city employees.

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)

Approval of the Consent Agenda

A motion was made by Council Member Baugh, seconded by Council Member Degner, to approve the Consent Agenda as presented with the removal of 5b. The motion carried with a voice vote.

5.a. Approval of minutes

These Minutes were approved.

5.b. FY2014-2015 Budget

Brief discussion was held about the budget.

A motion was made by Council Member Baugh, seconded by Council Member Shearer. The FY2014-2015 budget was approved as it was passed during the first reading.

Yes: 3 - Council Member Baugh, Council Member Degner, and Council Member Shearer

No: 2 - Mayor Byrd, and Vice-Mayor Chenault

5.c. Consider an ordinance closing and vacating a 3,647 square foot, twenty- foot wide alley located perpendicular to Maplehurst Avenue.

City Attorney Brown stated a revised ordinance was passed out to Council that included both a Harrisonburg Electric Commission (HEC) easement and a correction to reflect both sides of alley being vacated.

This Ordinance was approved.

5.d. Refer a request to Planning Commission for the City to vacate an alley along the property of Massanutten Street, LLC tax map 40-N-14.

This Action Item was sent to Planning Commission for review.

6. Regular Items

6.a. Harrisonburg Downtown Renaissance report

Eddie Bumbaugh, Harrisonburg Downtown Renaissance (HDR) Executive Director, provided a report on downtown beautification and parking deck enhancement projects that included additional tree mini-lights, display cases, living wall, signage, banners, and murals. Mr. Bumbaugh reviewed the proposal for enhancing parking decks by both banners and murals at HDR's expense. It was noted that murals would not be

for life, but on a rotation cycle and Public Works would apply treatment before and after the painting takes place. It was also noted, that surrounding property owners should be notified. Mr. Bumbaugh noted the Downtown Streetscape Plan came in under bid and grants were received to re-landscape around Main Street signs. Mr. Bumbaugh reviewed the history of revitalization that has taken place beginning in 2003 when the use of the Main Street model began.

Andy Perrine, HDR Board President, reviewed awards and acknowledgements HDR has received over the years and stated earlier this month the City of Harrisonburg received the 2014 Great American Main Street Award. Mr. Perrine reviewed the event, thanked all involved, and showed the video that was displayed at the award ceremony in Detroit, *Downtown Harrisonburg Names Great American Main Street*.

Council thanked all involved, including staff for their hard work and taking risks to revitalize downtown Harrisonburg.

Council showed no objection toward HDR working with Public Works, Parking, and Zoning on these parking deck enhancement projects prior to coming back to Council with a more specific proposal.

7. Special Request Application Requests

7.a. To consider Va State H.O.G. Rally as a special event request

Katie Yount, HDR Director of Events, reviewed the event and stated that it wasn't a request for a street closure, but for assistance from Harrisonburg Police Department (HPD) at intersections, placement of awareness signs and traffic signal assistance from Public Works (PW), and fire code checks by Harrisonburg Fire Department (HFD).

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

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

No: 0

8. Supplemental and Reallocations

8.a. Consider a supplemental appropriation in the amount of \$451,000 for joint jail services with Rockingham County.

City Manager Hodgen stated this amount should get us through the end of this budget year.

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

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

No: 0

8.b. Consider a supplemental appropriation in the amount of \$95,991.58 for the Fire Department.

City Manager Hodgen stated these funds are to recover Fire Department funds collected during the year from donations, recovered costs, haz mat response and reimbursement for the burn building.

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

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

No: 0

8.c. Consider a re-allocation in the amount of \$300,000.00 for the Public Works Department.

City Manager Hodgen stated these funds are reimbursed from James Madison University (JMU) for a capital costs for the JMU CISAT Steam Plant.

A motion was made by Council Member Shearer, seconded by Council Member Baugh, that this Reallocation be approved. The motion carried with a recorded roll call vote taken as follows:

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

No: 0

9. Other Matters

City Manager Hodgen stated bids were received for the Downtown Streetscape Project for a second time. City Manager Hodgen reported only one bid was received and came in within the budgeted amount of funds available for the project. City Manager Hodgen stated staff is recommending proceeding with the project, subject to VDOT's approval. City Manager Hodgen stated a few changes were made to the project such as removal of two traffic signal intersection improvements and removal of the replacement of sidewalk along Main Street on the west side from Elizabeth Street to Wolfe Street.

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

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

No: 0

Consider appointing replacement for Vice-Mayor Chenault on the Metropolitan Planning Commission.

A motion was made by Council Member Degner, seconded by Council Member Shearer, to appoint Council Member Baugh. The motion carried by a voice vote.

Consider appointing a Council Member to review the proposals for the Community Corrections Plan.

City Manager Hodgen stated proposals have been received proposals for the Community Corrections Plan which have been received by both the County of Rockingham and the City of Harrisonburg. The County has asked the City to appoint a Council Member to the group that will be reviewing these proposals and interviewing the selected engineering/architect firms.

A motion was made by Council Member Baugh, seconded by Council Member Shearer, to appoint Council Member Degner. The motion carried by a voice vote.

9. Other Matters Continued

City Manager Hodgen reported JMU has requested the closure of Mason Street beginning now through August from Martin Luther King, Jr. Way to Grace Street. JMU is responsible for all signage.

Vice-Mayor Chenault commended staff for reducing the scope of the Downtown Streetscape Plan to make the bid work. Vice-Mayor Chenault stated he would like something done to make the east side of the sidewalk safer, even if it isn't to Streetscape standard.

Council Member Baugh reported the next Planning Commission meeting has a full agenda.

Mayor Byrd stated he and City Manager Hodgen met with the Mongolian Ambassador and a Governor from one of the western providences. They had contacted the City because they had heard great things and they were looking to exchange cultural and economic ideas.

10. Boards and Commissions

10.a. Parks and Recreation Commission

A motion was made by Vice-Mayor Chenault, seconded by Council Member Shearer, to appoint Ritchie Vaughan, 665 Lee Ave, to an at-large unexpired term on the Parks and Recreation Commission to expire December 31, 2015. The motion carried unanimously.

Closed Session

At 8:16 p.m., a motion was made by Vice-Mayor Chenault, seconded by Council Member Shearer, to enter into closed session as Authorized by the Virginia Freedom of Information Act, Virginia Code Section 2.2-3711(A), under: Subsection 7 for consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel. The motion carried with a recorded roll call vote taken as follows:

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

No: 0

11. Adjournment

At 9:25 p.m., the closed session ended and the regular session reconvened. City Attorney Brown read the following statement, which was agreed to with a unanimous recorded vote of Council: I hereby certify that to the best of my knowledge (1) only public business matters lawfully exempted from open meeting requirements under Chapter 37 of Title 2.2 of the Code, of Virginia, 1950, as amended, and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the closed meeting by the City Council.

At 9:26 p.m., there being no further business and on motion adopted, the meeting was adjourned.

CITY CLERK

MAYOR