



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, November 24, 2015

7:00 PM

Council Chambers

1. Roll Call

Present: 4 - Vice-Mayor Richard Baugh, Council Member Ted Byrd, Council Member Kai Degner and Council Member Abe Shearer

Absent: 1 - Mayor Christopher B. Jones

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 Byrd offered the invocation.

3. Pledge of Allegiance

Vice-Mayor Baugh 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)

Vice-Mayor Baugh proclaimed November as Lung Cancer Awareness Month and presented the proclamation to Josette Miller.

Mrs. Miller provided her story of how she and her family got involved with the Lung Cancer Alliance after her mother passed away from lung cancer, provided Vice-Mayor Baugh with a certificate, and informed council all that their family has done since the loss of her mother.

James "Bucky" Berry, 30 West Washington Street, thanked the Harrisonburg Police Department, Harrisonburg Fire Department, and the Sheriff's office for their help at the Salvation Army. Mr. Berry also stated there is a need for a new school due to the overcrowding issues.

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, that this be adopted. The motion carried with a recorded roll call vote taken as follows:

Yes: 4 - Vice-Mayor Baugh, Council Member Byrd, Council Member Degner and Council Member Shearer

No: 0

Absent: 1 - Mayor Jones

5.a. Minutes

These minutes were approved.

5.b. Consider amending and re-enacting Section 13-1-61 of the Harrisonburg City Code

This Ordinance was approved on second reading.

5.c. Consider enacting Section 4-2-19 of the Harrisonburg City Code

This Ordinance was approved on second reading.

5.d. Consider a request to amend the Zoning Ordinance's Article G Off-Street Parking regulations Section 10-3-26 Location in Relation to Building or Use Served

This Zoning Ordinance was approved on second reading.

5.e. Consider a supplemental appropriation for the Economic Development Department in the amount of \$75,000

This Supplemental Appropriation was approved on second reading.

5.f. Consider a supplemental appropriation for the Police Department in the amount of \$62,500

This Supplemental Appropriation was approved on second reading.

6. Public Hearings

6.a. Consider the issuance of up to \$10 million in general obligation bonds that will finance various capital projects

City Manager Hodgen stated this request is for the bank qualified issuance for general obligation bonds discussed during the previous meeting. City Manager Hodgen stated a public hearing is being held tonight prior to council's consideration of the bond resolution during the December 8, 2015 council meeting. City Manager Hodgen stated the principal amount to be issued is not to exceed \$10M and it would be used to fund the Park View water tank project, a portion of the Reservoir Street improvements project, a portion of the Pleasant Valley Road bridge project, and the Fire Station No. 1 renovation project.

At 7:09 p.m., Vice-Mayor Baugh closed the regular session and called the first public hearing to order. A notice appeared in the Daily News-Record on Tuesday,

November 10, 2015 and Tuesday, November 17, 2015.

There being no one desiring to be heard, Vice-Mayor Baugh closed the public hearing at 7:10 p.m., and the regular session reconvened.

No further action needed at this time.

7. Regular Items

7.a. Consider adopting alignment for the Pleasant Valley Road Bridge Replacement Project

Tom Hartman, Assistant Director of Public Works, stated a Design Public Hearing for this project was held on October 15, 2015 with six citizens present and five comments were received. Mr. Hartman stated all those that attended were in favor of the project, but had concerns regarding the required detour and road closure. Mr. Hartman stated several other detour options were reviewed, but weren't feasible. Mr. Hartman stated the Public Works Department is working with VDOT to see if any improvements need to be made to particular intersections after doing a traffic analysis impact study and are working with surrounding property owners to alleviate confusion and help with the inconvenience. Mr. Hartman stated the resolution is recommended for approval so staff can start negotiating right of way and easements needed for the project. The project is scheduled to begin in the spring of 2016 and be completed in the winter of 2016.

A motion was made by Council Member Byrd, seconded by Council Member Degner, to approve the Pleasant Valley Road Bridge resolution. The motion carried with a unanimous voice vote.

7.b. Discussion regarding Garbers Church Road School site construction costs

City Manager Hodgen referenced a memorandum detailing the costs incurred by the school and the city based on prior projects. City Manager Hodgen stated he felt his memorandum was needed after reading the Daily News-Record article that didn't portray information accurately. City Manager Hodgen stated the same funding allocation methodology was used in the Harrisonburg High School project.

A discussion took place regarding if the amount of \$33.6M that was provided by council to the School Board included the road improvements that need to be made on Garbers Church Road. The majority of council felt that the matter has been addressed several times and that the amount did reflect the inclusion of the road improvements needed as they had been in the previous Harrisonburg High School project. It was noted the architect has done other school projects, and bids have not yet been received to be discussing additional funding adjustments. It was noted that on the Department of Education (DOE) website, comparative projects include all site work. There was a concern that the School Board would not place the road improvements needed in the bid and that in the footnotes found on the DOE website site work meant "on the footprint of the property", so it wouldn't include the road improvement projects. It was noted another joint School Board

meeting was going to be held and the road improvements should be included in the received bids. It was also noted bids were received for two elementary schools south of Harrisonburg ranging from \$207 to \$212 per square foot.

Council Member Degner offered a motion to ask the School Board to include the Garbers Church Road improvement in the bid. The motion failed due to the lack of a second.

7.c. Consider cancellation of the December 22, 2015, City Council meeting

After a brief discussion regarding the cancellation of the second meeting in December and the possibility of making the second meeting into a joint meeting with the School Board, it was decided that a decision would be made during the first meeting in December. Council Member Degner noted he would be absent from the first meeting in December.

8. Supplementals

8.a. Consider a supplemental appropriation for the Police Department in the amount of \$28,703.39 to purchase scheduling software

Chris Rush, Lieutenant of the Harrisonburg Police Department (HPD), provided a presentation regarding the Police Officer Scheduling Software (POSS) that the department is requesting the transfer of \$28,703.39 to purchase. Lieutenant Rush stated the POSS Scheduling Solution is a software platform that allows officers and supervisors to create yearlong schedules based on police officer shifts that are viewable by the department system wide. The following was noted: the software would work with future payroll software the city would purchase; the system costs approximately \$80 per user; these funds would cover the initial set up fee and the next two years of service; and, these funds can only be used toward law enforcement purposes. It was clarified that a revenue software package (not a financial package) for the Pentamation software had been purchased and it would be implemented January 1, 2016 and other packages would be purchased in the future. Lieutenant Rush stated HPD would not like to assume that seized money would be enough to cover future costs of the software and would like to incorporate the cost into future budgets. Lieutenant Rush stated the savings would come from the hourly wages of officers in connection to their schedules and the overall department schedules.

A motion was made by Council Member Shearer, seconded by Council Member Byrd, to approve the Supplemental Appropriation for the Police Department in the amount of \$28,703.39. The motion carried with a recorded roll call vote taken as follows:

Yes: 4 - Vice-Mayor Baugh, Council Member Byrd, Council Member Degner and Council Member Shearer

No: 0

Absent: 1 - Mayor Jones

8.b. Consider a supplemental appropriation for the Emergency Communications Center (ECC) in the amount of \$150,000

City Manager Hodgen stated this is a grant awarded by the Virginia Department of Emergency Management to the ECC's Radio Cache team and funds will be used to replace the outdated equipment, training, planning, and exercising of equipment received through a grant in 2006. It was noted this piece of equipment is used by other localities when needed and no additional city funds are needed.

A motion was made by Council Member Byrd, seconded by Council Member Shearer, to approve the Supplemental Appropriation for the ECC in the amount of \$150,000. The motion carried with a recorded roll call vote taken as follows:

Yes: 4 - Vice-Mayor Baugh, Council Member Byrd, Council Member Degner and Council Member Shearer

No: 0

Absent: 1 - Mayor Jones

9. Reallocations

9.a. Consider the reallocation of budgeted revenues in the amount of \$578,000

City Manager Hodgen stated this request is to adjust funds to reflect the reduction of the originally approved fiscal year 2016 real estate tax rate from \$0.735 to \$0.72. City Manager Hodgen stated approximately a penny of the funds were from Fund Balance. Council Member Byrd noted that some capital projects were being funded by the city's operating budget and placed in unused Fund Balance to cover the cost.

A motion was made by Council Member Byrd, seconded by Council Member Shearer, to approve the reallocation of budgeted revenues in the amount of \$578,000. The motion carried with a recorded roll call vote taken as follows:

Yes: 4 - Vice-Mayor Baugh, Council Member Byrd, Council Member Degner and Council Member Shearer

No: 0

Absent: 1 - Mayor Jones

10. Other Matters

Vice-Mayor Baugh provided a brief overview of upcoming agenda items from Planning Commission.

11. Boards and Commissions

11.a. Board of Equalization

A motion was made by Council Member Byrd, seconded by Council Member Degner, to reappoint Rodney Eagle, 1500 Apple Ridge Court, to the Board of Equalization with a term to expire December 31, 2018. The motion carried with a recorded unanimous voice vote.

11.b. Board of Zoning Appeals

A motion was made by Council Member Degner, seconded by Council Member Byrd, to reappoint Dany Fleming, 233 Monument Avenue, to the Board of Zoning Appeals with a term to expire on March 20, 2020. The motion carried with a recorded unanimous voice vote.

11.c. Building Code Board of Appeals

No action taken.

11.d. Deer Population Task Force

No action taken.

11.e. Harrisonburg Transportation Safety Commission

A motion was made by Council Member Byrd, seconded by Council Member Degner, to change Bill Blessing and Joshua Humphries terms on the Harrisonburg Transportation Safety Commission to expire December 31, 2016. The motion carried with a recorded unanimous voice vote.

11.f. Industrial Development Authority

A motion was made by Council Member Degner, seconded by Council Member Byrd, to appoint Chris Pipkins, 470 W Wolfe Street, to the Industrial Development Authority, to an unexpired term to expire April 24, 2015. The motion carried with a recorded unanimous voice vote.

11.g. Parks and Recreation Commission

A motion was made by Council Member Shearer, seconded by Council Member Byrd, to reappoint Ritchie Vaughan, 665 Lee Avenue, to the Parks and Recreation Commission with a term to expire on December 31, 2019. The motion carried with a recorded unanimous voice vote.

11.h. Planning Commission

A motion was made by Council Member Byrd, seconded by Council Member Shearer, to reappoint Henry Way, 288 Franklin Street, to the Planning Commission with a term to expire December 31, 2019. The motion carried with a recorded unanimous voice vote.

12. Closed Session

12.a. Virginia Freedom of Information Act, Virginia Code Section 2.2-3711(A)(1) for the evaluations of specific city employees

At 7:59 p.m., a motion was made by Council Member Byrd, seconded by Council Member Degner, 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 the evaluations of specific city employees and Subsection 3 for the discussion of disposition of publicly held real property.

Yes: 4 - Vice-Mayor Baugh, Council Member Byrd, Council Member Degner and Council Member Shearer

No: 0

Absent: 1 - Mayor Jones

13. Adjournment

At 8:59 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 9:00 p.m., there being no further business and on motion adopted, the meeting was adjourned.

CITY CLERK

VICE-MAYOR