



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, December 11, 2018

7:00 PM

Council Chambers

1. Roll Call

Present: 5 - Mayor Deanna R. Reed, Vice-Mayor Richard Baugh, Council Member Ted Byrd, Council Member Christopher B. Jones and Council Member George Hirschmann

Also Present: 4 - City Manager Eric Campbell, Deputy City Clerk Pam Ulmer, City Attorney Chris Brown and Police Chief Eric English

2. Invocation

Council Member Byrd offered the invocation.

3. Pledge of Allegiance

Mayor Reed led the Pledge of Allegiance.

4. Special Recognition

4.a. Resolution acknowledging Council Member Byrd's service to the city

Mayor Reed presented a resolution acknowledging Council Member Byrd's service to the city. She stated she will miss Ted, he was very supportive of her when she started on council, he is really nice and funny, and what she will miss most about Ted is watching him add up numbers, he has kept council on track with the financials of the city. She stated this is a new chapter for Ted, but he will be missed. Vice Mayor Baugh stated he has served the longest with Council Member Byrd and he will be missed for his dedication to the city and the hard work he has done.

Council Member Byrd thanked council for the recognition and most importantly, the citizens for giving him a chance to serve. He stated it has been a pleasure and honor and that he has tried to do his best, some didn't always agree with his decisions but that is what this system is built on. He stated he met with some of the directors earlier in the day and thanked them for all their hard work. He stated Mr. Campbell is the third city manager that he has served with and he is a good one. He stated Mr. Brown is the second city attorney he has served with, and he also is a good one. He stated Mr. Fletcher is the second Director of Community Development that he has served with and the city is on its third comprehensive land use plan, and although he hasn't

always agreed with what was imbedded in that plan and he feels the city has a pretty good plan going forward. He stated Ms. Ulmer is his third city clerk he has served with and she does a wonderful job. He stated it's been a pleasure to watch Mr. Banks, deputy city manager's, career develop. He stated this is his sixth council he has served on under six different Mayors and he feels the city has a bright future, has had a good past, and a lot of good people doing a lot of good work that isn't seen. These people provide the services to the residents, day in and day out. He stated he hopes the city manager will take this good team and run with it to do the best he can. He stated in the beginning of his serving on council he had four kids at home so getting out on a Tuesday night was a very good thing to do and stated it couldn't have been done without the support of his wife, Stephanie.

Council Member Jones stated he has learned a lot about how to serve by watching and working with Council Member Byrd and watching how he went to bat for what he believes in and what is best for the residents and appreciates it. He stated we often differed, but he has learned a lot of how to do that and thanked Council Member Byrd for that skillset and for his service. He stated he feels this is not the last time we will be able to vote for Ted Byrd.

Council Member Hirschmann stated Council Member Byrd has been quite the inspiration for him as he understands what the city is about, what is good for the city and what isn't, he provided a lot of insight, and has been a great help in getting started on council. He stated he appreciated having the time to serve with Council Member Byrd and wished him the best with his time off and traveling.

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

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

Yes: 5 - Mayor Reed, Vice-Mayor Baugh, Council Member Byrd, Council Member Jones and Council Member Hirschmann

No: 0

5.a. Minutes from City Council meeting on November 27, 2018

These minutes were approved on the Consent Agenda.

6. Public Hearings

- 6.a.** Consider a request from 1123 South High Street, LLC to rezone property located at 1123 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 rezoning request for property located at 1123 South High Street from an M-1, general industrial district to a B-2C, General Business District Conditional, as other parcels in this district have been allowed to do in the past. He reviewed the surrounding zoning districts, surrounding properties and subject property. He stated based on the 2018 Comprehensive Plan this corridor is planned for different types of uses than what the properties are already zoned and noted the property's use will be changed from residential to non-residential use. He reviewed the proffers submitted by the applicant.

He stated staff and Planning Commission (4-0) recommend approval of the rezoning as requested.

At 7:21 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, November 26, 2018 and Monday, December 3, 2018.

There being no one desiring to be heard, Mayor Reed closed the public hearing at 7:22 p.m., and the regular session reconvened

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

Yes: 5 - Mayor Reed, Vice-Mayor Baugh, Council Member Byrd, Council Member Jones and Council Member Hirschmann

No: 0

- 6.b.** Consider amending Section 10-3-56.6 within the R-6, Low Density Mixed Residential Planned Community District and Section 10-3-57.6 within the R-7, Medium Density Mixed Residential Planned Community District to allow property owners the ability to meet off-street parking requirements as may be specified within an approved master development plan.

Adam Fletcher, director of Planning and Community Development, presented a zoning ordinance amendment to Section 10-3-56.6 related to off-street parking in the R-6 and R-7 zoning districts. He reviewed the recommended amendments, the history of R-6 and R-7 zoning districts that were adopted in October 2005 and what the by-right uses are for each zoning district. He stated currently all uses within R-6 and R-7 districts must comply with Article G, which have specific rules on the types of parking spaces dependent upon types of uses, square footage of structures, bedroom units, parking lot landscaping and location of parking lot spaces. He stated

R-6 and R-7 districts have the strictest occupancy in the city and provided the current parking requirements. He reviewed what parking could look like if this amendment was approved

He stated staff and Planning Commission (4-0) recommend approval of the zoning ordinance amendment as requested.

At 7:31 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 Monday, November 26, 2018 and Monday, December 3, 2018.

Valerie Sofaro, 611 Ott Street, asked where the green space is on the alternative design presented. She stated all she saw were roads and parking, but no lawn space, is the move now to pave everything or is green space going to be an option. Vice Mayor Baugh stated R-6 and R-7 have green space requirements and the design shown is just used as a reference to how parking can look. She asked if there any examples of something that has green space that provides the options suggested. Council Member Jones stated nothing will be approved by this council without green space being provided. Ms. Sofaro asked if there are implementable solutions that satisfy these alternative parking scenarios that still provide green space. Vice Mayor Baugh stated this amendment does not allow green space to be reduced, and the hope is that it will promote more.

Pamayotis "Poti" Giannakaouros stated he was present at the most recent Planning Commission meeting where this item was discussed and noted the green space did catch his interest as there was a question regarding trees. He stated that would have been a great opportunity to consider starting to build fourth generation lawn ordinances into the green space discussions, such as native landscapes, prescription of green space, etc.

At 7:36 p.m., Mayor Reed closed the public hearing and the regular session reconvened.

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

Yes: 5 - Mayor Reed, Vice-Mayor Baugh, Council Member Byrd, Council Member Jones and Council Member Hirschmann

No: 0

7. Regular Items

- 7.a. Consider a request from May Mountain LLC & 1756 EM VSB LLC & 1756 EM TTR LLC for a comprehensive sign plan as per section 11-7-6.1 (7) of the Sign Ordinance. The request is to allow off-premises signage within the B-2, General Business District.

Adam Fletcher, director of Planning and Community Development, presented a Comprehensive Sign Plan for property located at 1756 & 1760 East Market Street as per Section 117-6.1(7) of the city code. He stated one property will be giving up their ability to have a sign and will share signage on the other parcel. He reviewed the two properties and noted the sign can be up to 196 square feet however, the current sign is only 96 square feet and the applicant is requesting to reserve their ability to increase the signage if needed to the maximum allowed. He also noted that the rights for the individual establishments to have individual free-standing signs are waived.

He stated staff recommend approval of this request.

Council Member Byrd asked if the parcels were joined to create one parcel, couldn't they do this without the comprehensive sign plan. Mr. Fletcher replied with a yes. Council Member Byrd asked what if the sign becomes non-compliant if one of the properties changes hands. Mr. Fletcher stated the way the code is written the other property waived their right if advertising on the sign, but if they choose to want to erect their own sign, square footage would be evaluated to prevent any non-conformities.

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

Yes: 5 - Mayor Reed, Vice-Mayor Baugh, Council Member Byrd, Council Member Jones and Council Member Hirschmann

No: 0

- 7.b.** Consider a request from Holtzman Oil Corporation, with representative Todd Rhea, to amend the Interstate 81 Overlay Sign District Section 11-7-8 of the Sign Ordinance. Among other things, Section 11-7-8 currently allows parcels within a boundary surrounding interstate interchanges the ability, based upon specific mean sea level elevations, to install signs that are taller than the maximum permitted sign height of 35 feet.

Adam Fletcher, director of Planning and Community Development, presented a request to amend the Interstate 81 Overlay Sign District sign ordinance Section 11-7-8 that allows parcels within a boundary surrounding each interstate interchange the ability to have taller signs, above 35 feet, where the calculations are based upon specific mean sea level elevations. He noted this request is solely for the Exit 243 Interchange and the applicant is requesting a 100-foot sign allowance.

He reviewed the time line of this request, which began in November 2017, and was presented to council in August 2018, at which time council suggested more research be done on other localities and their sign ordinances. He reviewed the results of the additional research and noted out of 24 localities researched five allowed 100 ft. signs or more, four allowed between 35 ft. and 85 ft., nine allowed up to 35 ft. and six allowed waiving any height restrictions via a Special Use Permit, Comprehensive Sign Plan or Board of Zoning Appeals approval. He noted 211 signs were evaluated

along I-81 and determined 91 ft. was the average height. He reviewed information provided by the applicant regarding revenue at his facility for the past two years and estimate of what the revenue would be if a 100 ft. sign was erected, comparisons of revenue for another of the applicant's properties located in Mt. Jackson, which has a taller sign visible from I-81. He reviewed traffic patterns for ingress and egress at both locations. He stated additional research was done to try to determine if sign heights had any connection to revenue generated and found no specific indication that a taller sign led to better effectiveness in pulling in revenue. He stated there have been changes over the past 20 years including technological advances such as navigation systems and phone applications that help direct tractor trailer companies for fuel optimization as well as real time truck parking availability, cost of fuel, weigh station status etc. He stated he believes this technology will continue to grow and diminish the need for taller signs.

He stated staff continues to recommend denial of this request, however, if council decides to approve the request it would not only increase the sign height allowance for this business it would increase for the other 33 surrounding businesses at that interchange.

Mayor Reed asked if the Exxon station sign is the tallest sign in that area. Mr. Fletcher confirmed. Council Member Jones asked out of the counties researched how many required special use permits. Mr. Fletcher replied with less than six. Mr. Fletcher stated in the staff report options are given reflecting different abilities to increase the mean sea level. Further discussion took place regarding special use permits.

Council Member Byrd stated truckers stop at truck stops that they are comfortable with and that service their needs. He stated they look for lighted signage and fuel and noted this interchange receives the majority of trucks that are entering and exiting the city. He stated there are signal controls for access to interstate and feels there is science to having advertising signs, which relate to fuel sales, and he feels the applicant has made an honest appeal to the city.

Council Member Jones stated advertising works and doesn't think the other businesses will make the investment for taller signs.

Vice Mayor Baugh disagreed with Council Member Jones and stated he believes the other properties will request the height change as well, however, he doesn't believe in this day in age that signage is what gets the people in. He stated the non-conforming uses tend to skew the research. Council Member Hirschmann asked if it would be too much if four or five signs were erected at that height. Further discussion took place regarding the other businesses requesting sign height changes.

A motion was made by Council Member Byrd, seconded by Council Member Jones, to approve the Interstate 81 Overlay Sign District sign ordinance Section 11-7-8 amendments as presented. The motion carried with a recorded roll call vote taken as follows

Yes: 4 - Mayor Reed, Council Member Byrd, Council Member Jones and Council Member Hirschmann

No: 1 - Vice-Mayor Baugh

- 7.c.** Consider amending and re-enacting Title 6 Chapter 1 - Streets and Sidewalks Article A - General Provisions Section 6-1-18 - storing, etc., goods on sidewalk or in gutter and Title 13 Chapter 1 Traffic and Parking Regulations Article A - General Provisions Sections 13-1-1, 13-1-53, 13-2-7, 13-2-9 and 13-2-10 of the code of ordinances City of Harrisonburg, Virginia

Chris Brown, city attorney, stated at the last council meeting he provided a brief update on staff's efforts to bring some sanity to the scooter situation. He stated since then the city attorney's office has met with representatives of both the scooter companies, Bird and Lime-S, along with staff from the Harrisonburg Police Department (HPD), Public Works, Department of Transportation to express the concerns regarding safety and number of scooters in the city. He stated the meetings were very positive, the representatives understood all the concerns and the companies made a pledge to work with the city in anyway the city officials desired and to increase their self-policing. He stated a significant improvement has been noticed over the past several weeks as to where the scooters were staged. He stated the companies assured staff that in case of weather emergencies, such as a snow storm, the scooters will be removed from the sidewalks before the first snow fell and would not be returned until the sidewalks were cleared, however, this did not happen during the last weather event. He stated the market will eventually correct a lot of the problems, but one of the companies indicated that in the spring it plans to also introduce electric bicycles to the city. He stated a two-stage plan has been created to address the issues, the amendments to the city code that address safety issues and confirms the city's control over its sidewalks by requiring permission from the city. He stated this will lead up to phase two, which if council desires, can incorporate a permitting process would be put in place, as many cities across the country are doing. He stated staff has been following closely efforts of Arlington, Alexandria, and other localities in Virginia, and what Arlington and Alexandria have done is to allow a company to apply for a permit from the city that will have extensive regulations such as where the scooters can be staged, number of scooters allowed, and will require a Memorandum of Understanding between the city and the company to set forth regulations such as weather emergencies, insurance, bonding, response times to rectify violations, and provide usage reports. He stated our transportation department is interested in seeing the data of usage to determine how the scooters are being used and could be an effective tool for transportation around the city.

Mr. Brown reviewed the amendments recommended.

Mayor Reed asked the city manager if Public Works staff had any complaints with scooters being in the way of trash pickup etc. City Manager Campbell stated he has been notified of issues with the scooters being in the right-of-way.

Council Member Hirschmann asked who enforces these regulations in the other localities. Mr. Brown stated the police department and the Department of Transportation have been enforcing those regulations, and enforcement in our city could be designated during the permit process.

Mayor Reed asked what does self-policing mean. Mr. Brown stated the company employees are on site that receive training on how to stage, what to do during weather events, etc., and correct any issues. He stated there are notifications sent out to riders that assist with local laws, such as riding on the sidewalk, street closures etc.

Further discussion took place regarding parking on the sidewalks, number of scooters in the city, and permit requirements.

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

Yes: 5 - Mayor Reed, Vice-Mayor Baugh, Council Member Byrd, Council Member Jones and Council Member Hirschmann

No: 0

7.d. Presentation of the city's Fiscal Year 2018 Comprehensive Annual Financial Report (CAFR)

Dustin Roderick, senior associate with Brown, Edwards & Company, stated this is his seventh year working on the city's financial audit. He thanked council, management and staff for all the hard work in completing the audit. He reviewed the audit report on the financial statements and noted on page 10 it expressed that a clean unmodified opinion on the statements, which is the best audit opinion that an entity can receive. He stated there were no findings in the section that covers compliance matters.

Council Member Byrd asked if everything was good from the accounting firm's perspective. Mr. Roderick confirmed.

Vice Mayor Baugh stated staff is doing a great job keeping up with changes and compliance.

City Manager Campbell thanked staff, particularly the Finance Department staff, for their time that was put into this audit.

No action required.

This Presentation was received and filed.

7.e. Consider adopting a resolution approving and ratifying a real estate contract between CFSMCS,LLC and Rockingham County

Chris Brown, city attorney, presented a resolution to approve and ratify a real estate contract between CFSMCS, LLC and Rockingham County for property located at the southwest corner of Court Square, for a total of 0.3363 acres, which is the small parking lot between Blacks Run and the Denton Furniture building. He stated this property is being purchased equally between the city and the county in connection with renovations needed to the lower court building to provide for a new court room and judge's chambers. The cost of the property is \$425,000 to be shared equally. He stated the contract contains a condition that City Council must approve before the real estate transaction can be completed.

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

Yes: 5 - Mayor Reed, Vice-Mayor Baugh, Council Member Byrd, Council Member Jones and Council Member Hirschmann

No: 0

8. Special Event Application Requests

- 8.a.** Consider the event application request for the Sunday Funday 1k on Sunday, February 17, 2019.

Erin Smith, events manager for Downtown Harrisonburg Renaissance, presented a special event application for the Sunday Funday 1K, to be held on Sunday, February 17, 2019 from 9:00 am to 11:00 am along East Washington Street. She stated the event is organized by Virginia Momentum and requires a partial closure of East Washington Street between Main Street and Northfield Court, follows one of the pre-approved routes, with 300-500 participants are expected, and the event requires the support of the Harrisonburg Police Department and Public Works. She noted transportation routes are not impacted.

A motion was made by Council Member Jones, seconded by Vice Mayor Baugh, to adopt the Special Event Application request as presented. The motion carried with a unanimous voice vote.

9. Supplementals

- 9.a.** Consider a supplemental appropriation for the purchase of property in the amount of \$215,500

Larry Propst, finance director, presented a supplemental appropriation request for the purchase of the property as described in agenda item 7e in the amount of \$215,500.00.

A motion was made by Vice Mayor Baugh, 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: 5 - Mayor Reed, Vice-Mayor Baugh, Council Member Byrd, Council Member Jones and Council Member Hirschmann

No: 0

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)

Gentleman in attendance asked what the Mayor meant regarding speaking on items on the regular agenda. Mayor Reed explained the process. The gentleman stated if he could not speak on the scooter or ask any questions when would he be able to ask questions on that subject. Mayor Reed stated he can speak on any scooter matters at any meeting scooters are not on the agenda. He asked why he could not comment on something that is on the agenda. Vice Mayor Baugh stated it first gives everyone time to process agenda items, and in this particular case, this was the first time council has heard the report from staff. Vice Mayor Baugh noted that anyone can contact council members individually outside of the council meetings on any issue. The gentleman thanked two council members for responding to the email he sent to all council members.

Phillip Wong, 540 Pheasant Run Circle. asked where the jurisdiction between James Madison University (JMU) and the city begins and ends in regard to ordinances and laws. City Attorney Brown stated the city's zoning, subdivision and land use laws don't apply to JMU, however, criminal law and other ordinances do.

10.a. City Council and Staff

Council Member Jones asked council if all items on the agenda under Boards and Commissions could be tabled until the first meeting in January. He stated he also feels city should close on December 31, 2018 as a holiday.

Vice Mayor Baugh pointed out council gets a lot of emails and tries to respond to all of them, however, please keep in mind that council members do have full time jobs as well as being on council.

Vice Mayor Baugh stated the Environmental Performance Standards Advisory Committee (EPSAC) met this past week following up on mandate from council to develop a sustainability plan for the city. He stated the committee broke down into seven multi-departmental work groups, however, a lot of time at that meeting was spent discussing inclusion because the group took very seriously the comments from council ensuring a broad enough cross section of the community members are participating. He reviewed the By-Laws of this committee, noting EPSAC was a creation of council, and stated the By-Laws stated there is to be a diversity of subject matter expertise. He stated the group is trying to please council while at the same

time not having the ability to change its own membership or its mandate. He feels the group is wrestling with this issue and trying to do the project within the time frame given. He stated the group is very much wanting to please council, so if there is anything they are doing off-track, etc., please let the group know.

Council Member Jones stated he is involved in the Community Conversation that is held in Council Chambers at noon the day of council meetings, and although he is extremely busy he tries to answer all emails. He stated regarding EPSAC our community is intentional on inclusion, EPSAC just needs to be mindful of what neighborhoods and communities consist of and need to be included in the process. Further discussion took place regarding the intent of the group and council's vision of the members of the group. Mayor Reed stated council must be intentional when appointing boards and commission members so that we are intentionally putting people on the boards that reflect our city so that all voices are being heard.

Council Member Byrd asked if council members are requesting increasing the diversity of skill sets and viewpoints to EPSAC. Council Member Jones stated he has received complaints on both as well as race and age. Vice Mayor Baugh stated it might make sense to see what the city attorney thinks regarding changing the by-laws that address some of these issues. Mr. Brown stated the staff would need direction from council as to exactly what and who they want on this committee. Mr. Brown asked what skill sets and viewpoints should be included. Council Member Jones stated a skill set of being a community leader or an advocate for any of the characteristics listed in EPSAC. Mr. Brown stated they will draft some changes and have council review.

Council to discuss if City should be closed December 31, 2018

Mayor Reed asked if there was a motion to close on the 31st of December. City Manager Campbell stated he doesn't have a recommendation on this request, if the city is closed it will be a cost of overtime, but it is up to council.

A motion was made by Council Member Byrd, seconded by Council Member Jones, to close city offices on December 31, 2018. The motion carried with a unanimous voice vote.

Other Matters - City Council and Staff (continued)

A discussion took place regarding the boards and commissions agenda items. All agreed to postpone these items until the January 8, 2019 city council meeting

Mayor Reed City offices will be closed on December 24th and December 25th in observance of Christmas and December 31, 2018 and January 1, 2019 in observance of New Year's Day; refuse for Monday, December 24 and Tuesday, December 25 will be collected on Wednesday, December 26. Please hold bulk and yard debris for Wednesday, December 26 until next collection date of January 9, 2019; the Recycling Convenience Center will be closed Monday, December 24 and Tuesday, December 25; the City of Harrisonburg Real Estate Office has concluded its 2019 Reassessment. Values will become effective January 1, 2019. Dates to appeal

the Real Estate Assessment Notice is from December 17 to December 21st, 2018 from 8:30 am to 4:30 pm. For additional information please visit the city's website; the Winter-Spring 2019 Activity Guide has been posted online, from yoga to pottery or from ballet to softball, learn about the wide variety of classes and activities being offered.

11. Boards and Commissions

11.a. Harrisonburg Electric Commission

This Boards and Commissions was tabled.

11.b. Harrisonburg Transportation Safety and Advisory Commission

This Boards and Commissions was tabled.

11.c. Parks and Recreation Commission (PRAC)

This Boards and Commissions was tabled.

11.d. Community Services Board

This Boards and Commissions was tabled.

11.e. Planning Commission

This Boards and Commissions was tabled.

12. Closed Session

Virginia Code Section 2.2-3711(A), under: Subsection 1 for the discussion of the performance of a specific employee of a public body

At 9:26 p.m. a motion was made by Vice Mayor Baugh, seconded by Council Member Byrd, 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 discussion of the performance of a specific employee of a public body. The motion carried with a recorded roll call vote taken as follows:

Yes: 5 - Mayor Reed, Vice-Mayor Baugh, Council Member Byrd, Council Member Jones and Council Member Hirschmann

No: 0

13. Adjournment

At 9:36 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 9:37 p.m., there being no further business and on motion adopted, the meeting was adjourned.

DEPUTY CITY CLERK

MAYOR