



# City of Harrisonburg

409 S. Main Street  
Harrisonburg, VA 22801

## Meeting Minutes - Final 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, April 24, 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:** 3 - City Manager Eric Campbell, City Attorney Chris Brown and City Clerk Ande Banks.

### 2. Invocation

Council Member Byrd offered the invocation

### 3. Pledge of Allegiance

Mayor Reed led the Pledge of Allegiance

### 4. Special Recognition

Mayor Reed recognizes organizations who work with the youth. A proclamation is read to celebrate those individuals and groups who work with youth, after school hours.

#### 4.a. Proclamation recognizing April 23rd - 27th, 2018 as Afterschool Professional Appreciation Week

Mayor Reed presented a Proclamation recognizing April 23rd through the 27th, 2018 as Afterschool Professional Appreciation Week. Mayor Reed asked any organizations that work with our youth to come forward and accept the proclamation. The organizations that were present were: Elisabeth Copp, Girl Scout of Virginia Skyline; Jeffrey Simmons, First Tee; Michael Evans, Massanutten Regional Library; Andrew with On The Road Collaborative; and Jolynne Bartley and Rachel Gagliardi with The Reading Road Show & Gus Bus program.

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

**No:** 0

**5.a.** Minutes from April 10, 2018 City Council Meeting

**These minutes were approved on the Consent Agenda.**

**5.b.** Consider a supplemental appropriation for various departments in the amount of \$351,524

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

**6. Public Hearings**

**6.a.** Consider a request from 4G Properties LLC for a special use permit (SUP) per Section 10-3-40 (7) of the R-2, Residential District to allow occupancy of not more than four (4) persons provided that one parking space per tenant is provided on the site located at 352 Old South High Street.

Vice Mayor Baugh stated the Virginia State and Local Conflict of Interest Act requires that he make the following disclosure to be recorded in the city records on any matter from which he is prohibited by law from participating:

The transaction involved is agenda item 6(a), a request for a Special Use Permit (SUP) for certain real property located in the City of Harrisonburg at 352 Old South High Street; his personal interest in the transaction relates to the ethical requirements to which he must adhere as a licensed member of the Virginia State Bar; he affirms he will not vote or any manner act on behalf of City Council on this matter

Adam Fletcher, director of Planning and Community Development, presented a Special Use request for property located at 352 Old South High Street, for increased occupancy. He stated this is the third request in the past year that has been brought before Council in the same vicinity. He stated the property is zoned R-2, is an unoccupied dwelling at the moment and is approximately 7,900 square feet in lot area however, it does not meet set back regulations. He reviewed the zoning of the surrounding area, noting the area contains quite a bit of student occupancy. He reviewed the difference of occupancy requirements for R-1 and R-2 zoning districts. He stated less than 10% of the residential properties are owner-occupied on this street. He noted the community's desire to expand the downtown area further to the west is also being looked at by staff and reviewed properties that were originally zoned M-1 and have been re-zoned into B-1. He noted there is also increased desire

for higher occupancy, reviewed a few properties that have requested a special use permit for increase in occupancy and noted there will be another being presented in about two months. He reviewed the proposed changes to the Land Use Guide and noted this property falls in the mixed use designated area which carries a four-unrelated occupant load. He noted part of the requirements, which are already built into the code, is that the property owner must supply four off-street parking spaces on the subject site.

Staff recommended in favor and Planning Commission recommended approval with a 6-0 vote.

At 7:14 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, April 9, 2018 and Monday, April 16, 2018.

Jim Higgs, managing partner of 4G Properties, stated property is currently unoccupied and most permits have been approved for renovations and hopes Council will approve the request.

At 7:15 p.m., Mayor Reed closed the public hearing and the regular session reconvened.

Council Member Byrd clarified on the one SUP that was denied for the same request was because they proceeded with the increased occupancy prior to approval. The other two submitted have asked for the SUP in advance.

**A motion was made by Council Member Jones, seconded by Council Member Byrd, to approve the request for the Special Use Permit 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:** 0

**Abstain:** 1 - Vice-Mayor Baugh

- 6.b.** Consider a request from Amerco Real Estate Company with representative Dominion engineering to amend the Zoning Ordinance Section 10-3-91 (2) of the B-2, General Business District. Section 10-3-91 lists all available uses that may be permitted by special use permit and subsection (2) currently lists the following allowable special uses: "Warehousing and other storage facilities, greater than twenty thousand (20,000) square feet, continuous to a permitted use."

(6b) Adam Fletcher, director of Planning and Community Development, stated items 6b and 6c will be presented together. He stated the first is for an amendment to the current zoning ordinance Section 10-3-91(2), which is the special use section of the B-2 general business district. He reviewed the By Right allowances for this property

and the recommended amendments requested. He stated the last time a comprehensive rewrite of the zoning ordinance and SUP's were done was in 1996. He reviewed the current criteria for SUP's as shown in Section 10-3-125(b) and the section that allows Council to impose conditions on any SUP per section 10-3-126.

He stated staff recommended in favor and Planning Commission recommended approval with a 7-0 vote.

(6c) Adam Fletcher, director of Planning and Community Development, presented a Special Use Permit request on property located at 145 E. Kaylor Park Drive, which contains approximately ten acres. He stated in 2002 there was a subdivision variance approved that gave the developer the ability to reduce the radius connection points to South Main Street.

He reviewed images of the subject site and reviewed the surrounding properties zoning classifications and uses.

He stated the intent is to receive approval and to construct two entrances onto E. Kaylor Park Drive and construct a 9,600-square foot U-Haul retail and storage facility including three covered structures for RV parking, both open and covered. He reviewed conceptual plans and images of other facilities, but noted the applicant would not be bound by these designs.

He stated the site has water but the big impact is the HRSSA sewer line that runs through the property. He stated the applicant had their engineer and HRSSA involved regarding the site development and the applicant is well aware of challenges that may arise with site development on this property.

He stated regardless of this request, three things must be taken care of before the site could develop at the responsibility of the developer: responsibility to construct the remaining portions of E. Kaylor Park Drive; existing advertising signage on site; obligations to the plan to continue the Bluestone Trail. He reviewed the planned shared use path for the Bluestone Trail.

Staff recommended in favor and Planning Commission recommended approval with a 7-0 vote with the following two conditions: Any warehousing or storage facility developed on site shall be substantially the same as the proposed U-Haul Moving and Storage Store as presented in the application; East Kaylor Park Drive must be constructed and accepted by the city prior to issuance of any Certificate of Occupancy.

At 7:34 p.m., Mayor Reed closed the regular session and called the second and third public hearing to order. A notice appeared in the Daily News-Record on Monday, April 9, 2018 and Monday, April 16, 2018.

Bill Neff thanked Council for considering this request and stated he has owned this property for 20-25 years and feels this development will be good for everyone and will

bring a good tax structure. He stated a permit has already been obtained to build the street.

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 Jones, to approve the zoning amendment 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.c.** A request from Bill Neff with property representative Dominion Engineering for a special use permit per Section 10-3-91(2) of the B-2, General Business District to allow for warehousing and other storage facilities on the property addressed as 145 East Kaylor Park Drive. (The special use permit that is being applied for is also the same section of the Zoning Ordinance that is proposed for modification in a separate application.)

See Agenda Item 6b for discussion

**A motion was made by Vice Mayor Baugh, seconded by Council Member Jones, to approve the request for the Special Use Permit with stated conditions 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 approval of a business machinery and tools refund

Chris Brown, city attorney, presented a request for a Business and Tool Tax refund, noting according to Virginia State law, if a refund is more than \$2,500 it requires City Council approval. He stated the applicant found a Business Machinery and Tools return in 2017 showing additional costs of materials purchased in 2015, and based on that information the Commissioner of the Revenue reassessed for 2015 and beyond, after physical inspection and audit, and determined the applicant overpaid \$44,002.93, which is the amount of the requested refund.

**A motion was made by Council Member Hirschmann, seconded by Vice Mayor Baugh, to approve the refund 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

**7.b. Children Services Act (CSA) Informational Presentation**

Ande Banks, deputy city manager, stated for the past two years he has been the city's representative to the Children's Services Act (CSA) and the corresponding Community Policy and Management Team (CPMT) and has witnessed a source of services that go unrecognized. He stated he requested an informational presentation be brought to Council to reflect where tax dollars are going and what services are being offered. He introduced Ellen Harrison, Executive Director for the Community Service Board (CSB), Beth Lawler, Assistant Director for Social Services, and Christine Thompson, CSA Coordinator.

Christine Thompson provided a brief overview of CSA and its mission and noted in 1993 the office of Children's Services was established, with consolidated funding from four agencies including The Department of Social Services, Education, Juvenile Justice and Behavioral Health. She stated the purpose of the CSA is to preserve families using the least restrictive environment and to protect child welfare and public safety for those at risk. She stated the state constructed the system to function and operate at the local level through the development of the CMPT and the Family Assessment Planning Team. She reviewed the CSA's core values and principals and stated the Virginia State law mandates the provision of services through the CSA state pool funds be available to children who meet the following criteria: Youth who require private education placement for special education; youth who are in or eligible for foster care; or youth who have significant emotional and behavioral problems that may require them to receive services through multiple agencies or at risk for private residential placement services.

She stated each locality may set aside a specific amount of state pool funds to provide services to a group of youth who are non-mandated population.

She reviewed a CSA Spending Snapshot of allocations and expenditures, along with state and local funding. She reviewed statistics on the youth and families served for each type of services needed.

Ellen Harrison reviewed CSA Funded referrals for FY15 to date. She stated most recipients are also Medicaid recipients, which pays for services provided and the CSA is considered the payor of last resort. She stated the CSB has served well over 1,300 children in 2017, but only 2.3% of the children received CSA funding and for the adults/caretakers of those children, a little over 3,000 adults, which totals 0.6% had CSA funding attached to those services.

She reviewed how individuals are referred to the CSA: Infant and Toddler Connection, Family Care Coordination, and Services for Adults.

Beth Lawler stated Social Services are usually the first point of contact for many

families. She stated many people view Social Services for the benefits that are provided such as Medicaid, Food Stamps (SNAP), Temporary Assistance for Needy Families (TANF) and Energy Assistance. She stated many of the referrals to the CSA come from Social Services, which are generated from Child Protective Services, Foster Care, Adoption, Adult Protective Services, daycare, and a program that helps assist families find work and receive job training: (VIEW). She stated the main goal is keeping the children in the homes, safe, and with family, and the department works hand in hand with the CSB and CSA. She stated one of the most common challenges faced in families is drug use and exposure, with 65% of children under ten years old that were screened for drug exposure, from January 1, 2015 to October 31, 2017, tested positive, and during the same time period 23 children were born substance exposed.

Council thanked the presenters for all that they do.

**This Presentation was received and filed.**

**7.c. Presentation from Build Our Park**

Erin Bishop, vice president Build Our Park Board of Directors, presented updates from Build Our Park, which is a community-led, non-profit organization committed to facilitating the creation of a privately-funded park for the community in downtown. She stated they have been advised of a refined footprint by city staff, revised the conceptual designs, and have identified a very clear path forward using the PPEA process. She stated the design is based on a 1.2-acre area, bound by existing municipal parking lot on the north, City Hall on the east, Liberty Street on the west and through the gravel lot and Warren Street on the south. She stated these plans are the result of long-term planning, which has involved significant input from our community, guidance from the city, contributions from urban park planners and ultimately the Harrisonburg Downton Renaissance (HDR) Design Committee Volunteers. She reviewed the project phasing, timeline possibilities, funding and community support. She stated the project could be completed as soon as the summer of 2020, at a cost of approximately \$2.5M and Build Our Park has raised approximately \$400,000 in contributions and pledges and they have access to a \$99,000 USDA matching grant.

She stated city staff recommended the group submit a PPEA proposal and this project is a perfect example of how it could benefit the community. She stated they intend to privately fund the build-out of the park.

Adam Steineger, architect with Stultzfus Architecture and volunteer with HDR Design Committee, reviewed the new footprint, which includes a pavilion expansion, village green, discovery playground, splash fountains, stable stage facilities, seating and tables, lighting, donor wall and a multi-use path.

Ms. Bishop thanked Adam for the visual design, stated that together our community can really transform this piece of the city and feels the allure this will add to the city will attract many.

Council Member Hirschmann asked how long it will take to raise the rest of the money for this project. Ms. Bishop stated they are highly motivated with a great fundraising team and very confident with this next step in the process to network and raise the needed funds.

Council Member Jones asked if the preferred completion date of 2020 would include all features. Ms. Bishop stated that would be for the complete project.

**This Presentation was received and filed.**

#### **7.d. Transportation Project Update**

Tom Hartman, assistant director of Public Works, presented transportation project updates, which include on-going, nearing construction, in planning phase, or in the grant preparation phase. He reviewed the list of projects under development and projects for grant consideration and discussed the status of each.

Vice Mayor Baugh asked where did the Martin Luther King Jr., Way extension come from. Mr. Hartman stated it has been in the Capital Improvement Plan (CIP) for quite some time.

Mr. Hartman reviewed the estimated costs of these projects, local funds and James Madison University's contributions. Council Member Byrd asked if bonded indebtedness is required to move these projects forward. Mr. Hartman stated for some of the projects we could use revenue sharing to offset 50% of the costs. Council Member Byrd stated since we must wait for SmartScale grant funding, to move some of these projects forward we would have to borrow money if we wanted them done prior to 2026. Mr. Hartman stated that is correct.

Council Member Jones asked which of these projects would be considered amenities or vanity projects. Mr. Hartman stated he feels they are all needed, carry their own merit and weight, and feels none of the projects include surplus items. Council Member Jones stated if it came to having to borrow money we would have to prioritize the projects. Mr. Hartman stated that can be done. Council Member Byrd stated we just received information from the MPO on suggested road projects and from a smart scale funding formula, Maplehurst Avenue Extension ranked the highest priority, which isn't even included in any of our projects. Council Member Byrd stated not one thing on this includes the \$600M Interstate 81 improvements.

Mr. Hartman asked Council to confirm option one is the preferred option on the Garber's Church Road Shared Use Path alignment. Council confirmed.

**This Report was received and filed.**

#### **Recess**

Mayor Reed recessed meeting at 8:53 pm



Meeting reconvened at 8:59 pm

**7.e.** Consider approving a request Portland East neighborhood to conduct a traffic study

Tom Hartman, assistant director of Public Works, presented a request for the Portland East Neighborhood to conduct a traffic study. He stated there is a process neighborhoods need to go through before a neighborhood committee is formed to request a traffic study. Mr. Hartman stated in December of 2017, through resident complaints and Harrisonburg Police Department (HPD) concerns, cut through traffic, high speeds and numerous violations of not obeying stop signs, have been witnessed. Mr. Hartman stated the traffic counts have already been completed. Mr. Hartman asked Council to approve the request so the work can begin.

Council Member Jones asked if there were any addresses provided. Mr. Hartman stated some were from The Retreat, some were from Avalon Woods, Copper Beech, and county residents. There might be half who have received violations. VDOT and Rockingham County will have to be engaged because half of one street goes into the county. He stated VDOT and the County will have to get involved in this as well since it affects portions in the county.

**A motion was made by Vice Mayor Baugh, seconded by Council Member Byrd, to approve the 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

**7.f.** Consider amending the Title 9 - Parks and Recreation Commission of the Harrisonburg City Code

Chris Brown, city attorney, presented, on behalf of the Parks and Recreation Commission (PRAC), requested changes to Title 9 chapter 1 of the Harrisonburg City Code, which sets up the PRAC. He stated the changes were prepared by the PRAC with the assistance of the assistant city attorney, and it was determined that most of the code sections in this title were as old as 1973 if not older. He stated back then the Parks and Recreation Department had very little staff, and the PRAC was called upon to do the day to day administration of the Parks and Recreation Commission, and obviously over the years, the Parks and Recreation department have taken over those duties. He stated PRAC has become more of an advisory commission and the current code should reflect the accurate roles of the PRAC. He stated the heart of the changes would be the proposed Section 9-1-4, which states the role of the PRAC.

He stated the PRAC also came up with draft bylaws, and ordinarily, Council must approve the bylaws, but suggested Council review and agree to re-evaluate once final changes to the bylaws are completed.

**A motion was made by Council Member Byrd, seconded by Council Member Jones, to adopt the recommended ordinance amendment and reenactment 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.g.** Presentation of the draft FY 18-19 budget to City Council

Eric Campbell, city manager, presented the proposed budget for Fiscal Year 2018-2019. He stated although the city faces a variety of challenges, this was a great opportunity for him, as a new manager, to thoroughly evaluate the priorities and needs of the community and the services we provide. He stated he is extremely pleased to present a proposed budget that maintains the current real estate tax rate, while continuing to provide vital services to residents and include a cost of living increase to city employees, continued health insurance coverage for employees, a \$1M increase to the Harrisonburg City School Board and a financial plan for general government administration, community safety, public education, community development, and public transportation services.

Mr. Campbell reviewed the 2018-2019 Budget Highlights, Tax and Fee recommendations, Populations Estimates and Comparables and Population Projections, and noted the population growth has added more demand and stress on city programs and services and is projected that these demands will continue as we move on to the future.

Mr. Campbell reviewed how General Fund revenues and expenditures are generated. He reviewed the adopted FY2018 budget versus the FY2019 proposed budget and noted an increase of \$3,990,036 in funding is requested and shared where those funds are requested. He reviewed the primary items of impact for the FY18-19 budget, the History of School Appropriations. Mr. Campbell noted the \$1M allocation to the School Board is less than the originally requested \$1.7M, and the rationale behind the decrease was that there is not an approved state budget at this time so we are not sure of the gap and in the next fiscal year the city will begin to acquire land for the new high school. He stated in November of 2018 this can be reviewed again once they have a better idea of what the final numbers are from the state.

Mr. Campbell reviewed the cost drivers beyond fiscal year 2018-2019 and the schedule for the FY18-19 budget consideration. He noted May 8, 2018 will be the public hearing on the budget, May 22, 2018 will be the real estate tax rate public hearing and a proposed final adoption of the budget, and May 31, 2018 is the required date for budget adoption by City Council.

Mr. Campbell noted in addition to the big budget binder to review the details we have added a "Budget in Brief", which outlines the key major issues that are in the proposed budget which will be made available to all citizens.

Mr. Campbell thanked City Council Finance Committee, Senior Executive Team in both the City Manager's Office and Finance Department, for all their help.

The City Manager will present the draft FY 18-19 budget and upon concurrence of Council, a public hearing will occur at the May 8th, 2018 meeting.

## 8. Special Event Application Requests

- 8.a. Consider the event application request for Block Party in the Burg on Saturday, August 25, 2018 from 4:30-6:30pm.

Erin Johnson, events manager for Harrisonburg Downtown Renaissance (HDR), presented a Special Event request for the Block Party in the 'Burg to be held on August 25, 2018. She stated this event is in partnership with HDR and JMU Orientation, students will walk from campus to Court Square for activities and over 5,000 participants are expected. She stated the event requires support from Harrisonburg Police Department, Harrisonburg Fire Department, Harrisonburg Public Works and Harrisonburg Department of Transportation to monitor the closure of Main Street from Martin Luther King, Jr. Way to Wolfe Street and the streets surrounding Court Square.

A motion was made by Council Member Jones, seconded by Council Member Hirschmann, to approve the request for the Special Event request as presented. The motion carried with a unanimous voice vote.

- 8.b. Consider the event application request for the Alpine Loop Gran Fondo on Sunday, September 30, 2018 from 8am-7pm.

Erin Johnson, events manager for Harrisonburg Downtown Renaissance (HDR), presented a Special Event request for the 7th Annual Alpine Loop Grand Fondo to be held on September 30, 2018. She stated this event is organized by Bishop Racing, LLC and Shenandoah Valley Bicycle Coalition, and over 800 participants are expected. She stated the event requires support from Harrisonburg Police Department and Harrisonburg Public Works for rolling street closures for the start of the event as well as support for the beer garden, barricades, event cleanup and refuse collection.

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

- 8.c. Consider the event application request for Arctoberfest on Saturday, October 13, 2018 from 3pm-9pm.

Erin Johnson, events manager for Harrisonburg Downtown Renaissance (HDR), presented a Special Event request for the 2nd Annual Arctoberfest to be held on October 13, 2018 at the Turner Pavilion and Park. She stated this event is organized by the ARC of Harrisonburg and Rockingham County, and over 3,000 participants are expected. She stated the event requires support from Harrisonburg Police Department and Harrisonburg Public Works for Warren Street closure, management of beer garden, event cleanup and refuse collection.

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

- 8.d. Consider the event application request for the Skeleton Festival on Saturday, October 20, 2018 from 4pm to 8pm.

Erin Johnson, events manager for Harrisonburg Downtown Renaissance (HDR), presented a Special Event request for the 15th Annual Skeleton Festival to be held on October 20, 2018. She stated this event is organized by HDR and between 2000-3000 participants are expected. She stated the event requires support from Harrisonburg Police Department and Harrisonburg Public Works for street closures of Main St and Warren Street for trick-or-treating, trash collection, parking lot closures and noted some transportation routes will be affected.

Vice Mayor Baugh noted on the agenda, this item shows October 13th as the event date. Deputy City Clerk changed to reflect correct date.

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

## 9. Supplementals

- 9.a. Consider a supplemental appropriation for the joint CAD/DMS project for the Emergency Communications Center

Larry Propst, director of Finance, presented a request for a supplemental appropriation, for the Computer Aided Dispatch and Data Management System (CAD/DMS) Project, for the Harrisonburg-Rockingham Emergency Communication Center (HRECC). He stated This supplemental appropriation will increase the General Fund and General Capital Projects Fund budgets by \$1,100,000 each and the Emergency Communications Center Capital Projects Fund by \$3,000,000. He stated the ECC is serving as the fiscal agent and under the agreement the project will be funded by reimbursements from the City of Harrisonburg (37.5%), Rockingham County (37.5%), JMU (25%) and from several towns.

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: 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)

James "Bucky" Berry, 30 W. Washington Street, stated the JMUPD has teamed up with the Brent Berry Food drive for the first time, poverty rate is at 60%, so the food drive is more important than ever now. He stated the 220-homeless number is not correct, there is a tent city just outside of Harrisonburg, near Harris Gardens, that proves there are more. He stated the city of Charlottesville has put a lot of money in their budget for affordable housing and we don't have any. He stated if we don't get a grip on this we are going to need a third jail. He feels buying into the Middle River Regional Jail was a mistake, we don't know how they are being treated. He stated he listens to the police radio and he hears how the current HPD staff can't handle the calls, we need more officers, we keep losing officers. He stated he thinks the special events organizers should pay for the overtime for the officers they use. He stated he feels there is only one man who could turn the police department around, Sheriff Hutcheson. Council Member Jones stated the organizers of special events are charged for the overtime the police officers are putting into these events and pay the officers directly.

Pamayotis "Poti" Giannakaouros, stated he is honored to thank the Mayor, as secretary of the Martin Luther King, Jr. Coalition, for standing with the community in Liberty Park on April 4, 2018. He stated it is truly an honor to be before the Mayor as Essence Magazine has held her up as a beacon to the country, it is so appropriate in this city whose present political landscape was formed by the street renaming for Dr. King. He stated it is an honor to be addressing the Mayor on the joyous occasion of the birthday of Coretta Scott King who guided Dr. King to his political and economic vision and carried it forward after. He stated on this day that vision of inclusive society through a locally administered federal jobs guarantee that informed our renaming has exploded onto the national scene on the verge of being realized. He stated a basic democratic truth is rapidly becoming common knowledge, breaking down the last barriers, that truth is a basic one about the sovereign power of our constitutional government. He reviewed and discussed Article I Section 8 of the Constitution and unemployment. He quoted Bernie Sanders.

He asked that, as the Mayor contemplates the budget and the future of our city, he hopes she knows that it is in her hands to lead the communities that actualized Dr. Kings Dream. He stated imagine the proposals that have been heard, federally provisioned not an alternative incarceration under court supervision with the efficient expanding criminal legal system, with a bureaucracy of planners but guided by those most effected, supported by staff tasked with developing not plots of land but beloved community, with the dignified voluntary labor of the people of our city or the revenue of the sustainable prosperity to come. He thanked the Mayor.

Jennifer Davis Sensenig, lead pastor of Community Mennonite Church, 70 South High Street, and President of Faith in Action. She stated the Faith in Action organization is a multi-faith coalition of 25 congregations, who live, work, worship and vote in the city and county. She stated they work together on local justice issues, with an emphasis on those whose voices and lives have been forgotten. She stated last

season, focusing on justice for immigrant neighbors, Faith in Action asked members of City Council to make Harrisonburg a Welcoming America city. She stated since then a Welcoming Harrisonburg Council has been established and in two weeks a report will be released, in collaboration with JMU and the Chamber of Commerce, documenting the positive impacts from our immigrants in the community. She stated the city was eligible for this research project because of the status of being a Welcoming America city. She thanked Council for voting to become a Welcoming America city.

She stated Faith in Action is now asking for Council to address the need for local criminal justice reform. She stated over the past few weeks representatives of Faith in Action have spoken with Council members and every member of the County Board of Supervisors. She stated Faith in Action is working in partnership with the Northeast Neighborhood Association (NENA), the Fairfield Center and with the Valley Justice Coalition. She stated other organizations endorsing Faith in Action's work are the Zehr Institute of the Center for Justice and Peacebuilding, Gemeinschaft., Harriet Tubman Cultural Center, and the Interfaith Association of Harrisonburg and Rockingham County. She presented a petition signed by over 800 city/county residents asking for criminal justice reform and three specific actions: Eliminate the financial burden of the \$1/\$3 per day fee at the local jail and the Middle River Regional Jail; Engage in the selection process for hiring a Community Justice Planner; and establish protocols for all juvenile justice cases to be screened for a restorative justice process.

She stated as elected officials of the city, Faith in Action is counting on Council to achieve policy changes that will improve the wellbeing of our community in terms of public safety, rehabilitation, reducing incarceration and restorative justice. She stated the United States leads the world in incarceration, it is not because we are a more criminally active country, but we have built up a system of incarceration that is not always serving the public good, it is expensive, not rehabilitative and selectively harming those whose family members are serving time. She stated they are aware that Council does not control the whole system, but Council does have influence. She reviewed the requests on the petition, and noted Faith in Action congregations listened to the stories of people directly affected by our criminal justice system and have been

moved and changed by these stories. She stated when Faith in Action returns to City Council they will bring some of these individuals to share their stories. She stated they welcome conversations with Council in the coming weeks.

Harvey Yoder, 273 Newman Ave., pastor of a Harrisonburg Faith in Action congregation and co-chair of the Reentry Council's Family Support Committee, stated in August a survey was conducted of 86 inmate families visiting the local jail. He stated the greatest concerns were cost of phone calls, medical co-pays, commissary items and care, which includes counseling care for addiction and other mental health problems. He stated over 80% of the respondents considered the \$1

per day keep fee that needs to be paid before the inmate can have access to phone services or commissary items to be onerous. He stated he feels it is unjust to place a levy on friends and family members. He stated the inmates should be billed for the keep fee as part of their sentence, along with any fines or court costs for which they alone are responsible to pay.

He stated the \$70K raised each year from these keep fees represent such a small amount in the jail's budget, but puts a burden on a low-income family. He stated some of the members of Faith in Action have met with the Sheriff and feel Council should urge this fee be eliminated or become a matter of judicial decision. He thanked Council for listening.

Daniel Barrows, chair of Valley Justice Coalition, stated he is glad to be partnering with Faith in Action on this issue. He stated discussions took place with the Community Criminal Justice Board regarding the need for a Community Justice Planner, who would be able to centralize coordination with cross systems mapping to be able to recognize where interventions need to happen within the criminal justice system and in collaboration with mental health services, substance abuse services, and youth services to better utilize best practices. He stated, across the nation, major foundations are investing in working with states and cities to reduce their incarceration rates with success. He stated he feels we need someone to look at our whole system, and hopes Council sees the importance of this when considering the FY 18-19 budget.

10.b. City Council and Staff

Council Member Jones commended the city manager on the budget presentation. He stated he would like to echo some of the comments that have been heard, as a member of the Community Criminal Justice Board he requests funds be set aside for a Community Justice Planner. He stated the return on investment is there and partnering with the county would be wise.

He congratulated Mayor Reed for being featured with a lot of other awesome African American mayors, in May's Essence Magazine, which will be unveiled April 24, 2018 in Crystal City, Arlington, Virginia and is very excited for her.

Vice Mayor Baugh stated he is interested in the city managers input regarding the Community Justice Planner position and budget for that position. He stated he would be strongly inclined to fund somehow when the time comes. He stated Council cannot make the sheriff do anything and we don't want to approach it in that way at all, but is mindful of the fact that for the \$70K revenue from the keep fee, he would like to reach out to try and resolve the issue and make the \$1 a day go away.

Council Member Byrd stated that certain times this Council has made decisions that weren't popular in the short term, specifically as we set for two to three years with an empty old school board office, this last week showed that council, working and

partnering with a community group, could give \$350K payback in one day's time not counting the \$700K spent remodeling the building plus the \$4M a year they re-gift into the community. He stated it is so nice to be able to step up and help an organization that has returned so much to 56+ charities.

Council Member Hirschmann stated he agrees with the Vice Mayor regarding getting involved in reducing the \$70K keep fees collected by the jail, and it deserves our attention.

Mr. Campbell reminded the community that the citizens survey is still open for feedback on the profile for the next police chief and it closes April 30, 2018, she urges everyone to go to the website and provide feedback.

Mayor Reed thanked Faith in Action for coming out and speaking and she stated she agrees with Council Members Jones and Hirschmann and Vice Mayor Baugh. She stated it is something that Council needs to look at and she is particularly interested in the first initiative which is to get rid of the \$1 per day keep fee. She stated she will be going to the African American Mayors conference with Council Member Jones and is excited about that event. She stated the Great Community Give was a great event and showed the heart of Harrisonburg, and acknowledged the great work done by Revlan Hill and the Community Foundation. She thanked the city manager for the budget presentation. She stated the Public Works department had more than 120 people at the Recycling Convenience Center on Saturday, and encouraged people to check in Monday through Friday from 8am to 4pm and on Saturday from 8am to noon. She stated real estate tax bills are being mailed this week and will be due June 5, 2018; open house on the city stormwater projects will be held on April 26, 2018 from 5pm to 7pm at the Thomas Harrison Middle School; National Police Week starts May 13th through the 18th, and there will be more information to come on the city's website.

## 11. Adjournment

At 9:58 p.m., there being no further business and on motion adopted, the meeting was adjourned.

---

CITY CLERK

---

MAYOR