



# City of Harrisonburg

409 S. Main Street  
Harrisonburg, VA 22801

## Meeting Minutes - Final City Council

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Tuesday, November 28, 2023

7:00 PM

Council Chambers

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### 1. Roll Call

**Present:** 5 - Mayor Deanna R. Reed, Vice-Mayor Laura Dent, Council Member Christopher B. Jones, Council Member Dany Fleming and Council Member Monica Robinson

**Also Present:** 6 - City Manager Ande Banks, Acting Deputy City Manager Amy Snider, City Attorney Chris Brown, City Clerk Pam Ulmer, Police Chief Kelley Warner and Chief Matthew Tobia

### 2. Invocation

Council Member Jones offered the invocation.

### 3. Pledge of Allegiance

Mayor Reed led the Pledge of Allegiance

### 4. Special Recognition

#### 4.a. Recognition of the 2023 Citizens Academy Graduates

Michael Parks, director of Communications, stated he is the administrator of the Citizens Academy, he reviewed what the Academy consists of, shared some of the reviews of the participants, and presented certificates to each of the attendees for graduating the Academy.

### 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 Fleming, seconded by Council Member Jones to approve the Consent Agenda, City Council. The motion carried with a roll call vote as follows:

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

**No:** 0

#### 5.a. Minutes from the November 14, 2023 City Council Meeting

These minutes were approved on the consent agenda

#### 5.b. Consider a request from Ruth Romero and Teodoro Perez to rezone 708 Northfield

Court

This rezoning request was approved on second reading.

## 6. Public Hearings

### 6.a. Consider an Edward Byrne Memorial Justice Assistance Grant

Ande Banks, city manager, stated this request is to support a grant that the Harrisonburg Police Department will be receiving and as part of the grant program we have to have a public hearing and a 30-day public comment period. He stated this grant will be used to equip AEDs in patrol vehicles. He stated the supplemental appropriation attached to the agenda item should not be part of this agenda item at this time.

At 7:12 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 Wednesday, November 7, 2023, and Wednesday, November 8, 2023.

Stan Holland, retired director of the Heart and Vascular Center at Sentara, stated he supports this 100%, for every one minute that someone is in atrial fibrillation or ventricular fibrillation their chance of survival drops by 10%, if the police officers have an AED in their vehicles the chance of saving a life is dramatic.

At 7:14 p.m., Mayor Reed closed the public hearing and the regular session reconvened.

No action is required.

## 7. Regular Items

### 7.a. Consider approving ordinance amendments pertaining to Homestays and Short-Term Rentals - Sections 10-3-24, 10-3-25.1 and 10-3-205 of the Harrisonburg City Code

Council member Fleming requested this item be tabled this item, there is a lot of data related to this item, in particular data related to Harrisonburg that will be forthcoming from the Virginia Housing Research Center at Virginia Tech through the Central Shenandoah Valley Planning District, which relates to short-term rentals. He stated he and Vice Mayor Dent, along with some staff members, sat in on a presentation about the data and it will be very informative for us, includes short-term rentals and how, if at all, it impacts our affordable housing stock. He stated our housing coordinator, Liz Webb, has been working with the Virginia Tech Center to make a presentation to Council as early as the beginning of spring. He stated we will be more informed on short-term rental impacts to the city and can review this ordinance amendment after that. Further discussion took place regarding the timeline of this data and when to revisit this ordinance amendment.

A motion was made by Council Member Fleming, seconded by Council Member Jones, to

table this item till early spring 2024. The motion carried with a unanimous voice vote.

- 7.b.** Consider adopting a Resolution Designating Bluestone Town Center Property a Revitalization Area.

Chris Brown, city attorney, presented a resolution requested by the Harrisonburg Redevelopment and Housing Authority (HRHA), declaring the property developed into the Bluestone Town Center as a revitalization area, that industrial, commercial, or other economic development area will benefit the city but lacks housing. He stated this will also enable HRHA to access grant funds that have been awarded for the development of a non-housing segment of the Bluestone Town Center such as administrative offices. He stated this will also be helpful to the HRHA when they apply for Low-income Housing Tax Credits (LIHTC).

Michael Wong, director of HRHA, stated they were successful in the application for this grant of predevelopment funding, but it is contingent upon City Council approval of the resolution.

**A motion was made by Council Member Fleming, seconded by Council Member Robinson, to adopt the resolution as presented. The motion carried with a roll call vote as follows:**

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

**No:** 0

- 7.c.** Consider Adopting a Resolution approving issuance by Harrisonburg Redevelopment and Housing Authority of Revenue Bonds for the acquisition, construction, and equipping of an approximately 80-unit multifamily residential rental housing project and an approximately 84-unit age-restricted senior living housing facility (the "Projects") in the City of Harrisonburg, Virginia

Chris Brown, city attorney, presented two resolutions approving the issuance of bonds by the Harrisonburg Redevelopment and Housing Authority (HRHA), for the acquisition, construction, and equipping of approximately an 80-unit multi-family residential housing project and an 85-unit age restricted senior living housing facility within the city off of Mosby Court. He stated there is no financial obligation or liability to City Council, the city or HRHA.

**A motion was made by Vice Mayor Dent, seconded by Council Member Fleming, to adopt both resolutions as presented. The motion carried with a roll call vote as follows:**

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

**No:** 0

- 7.d.** Consider adopting a Resolution approving issuance by Harrisonburg Redevelopment and Housing Authority of Revenue Bonds for the acquisition, construction, renovation and equipping of apartments located in the City of Alexandria, Virginia

Chris Brown, city attorney, presented a resolution approving the issuance of bonds for two projects in the city of Alexandria, VA, by the Harrisonburg Redevelopment and Housing Authority (HRHA). He stated there is no financial obligation or liability to City Council, the city or HRHA.

**A motion was made by Council Member Fleming, seconded by Vice Mayor Dent, to adopt the resolution as presented. The motion carried with a roll call vote as follows:**

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

**No:** 0

- 7.e.** Consider adopting a Resolution Approving And Ratifying A Real Estate Purchase And Sale Agreement Dated November 9, 2023, Between Elevance Health, Inc., F/K/A Anthem, Inc. And The City Of Harrisonburg.

Chris Brown, city attorney, presented a resolution approving a Purchase and Sale Agreement between the city and Elevance Health for land to build some capital improvements. He stated the land contains 15.023 acres at 450 Mt. Clinton Pike, for a purchase price of \$1.3M subject to approval by City Council.

Mayor Reed stated this is what we have been waiting for, to be used for one of our major projects, the 5th fire station.

Matthew Tobia, chief of Harrisonburg Fire Department, stated this is tremendous moment, in the midst of the Covid Pandemic, when many lives were so at risk and our community as struggling under the weight of a once in a generation event, we were already contemplating what one major project could impact our community over the next 50 years. He stated one of the projects that made its way to the decision making point was the addition of a 5th Fire Station to ensure the safety of our community. He stated staff immediately made an effort to include subject matter experts in determining the most effective location, and with the partnership of the Applied Mathematics Department and AI Department at James Madison University (JMU), a very narrow area in the city was identified that would have the maximum impact on residents and visitors of the most at-risk Parkview Community. He stated the HFD's goal is to have a fire engine on the scene of any emergency within 4 minutes, the placement of the 5th fire station will help in reaching that goal. He stated there was a much larger group of individuals, city staff and JMU students, who are responsible for bringing this forward and making this project happen. He stated this will also provide space for other capital projects in the future. He thanked City Council for their support. He spoke further on the benefits this fire station will have to the city.

Vice Mayor Dent stated by keeping the response time down to four minutes we would meet the highest standards which would reduce our insurance rates, would bring in businesses, it is a win all around.

Further discussion and stories took place about the amazing Fire Department the city has and how much they do for the community.

**A motion was made by Council Member Jones, seconded by Vice Mayor Dent, to adopt the resolution as presented. The motion carried with a roll call vote as follows:**

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

**No:** 0

**7.f.** Consider amending and restating Sections 4-2-88, -89, -92, -106, and -127 of the City Code of Harrisonburg, Virginia

Chris Brown, city attorney, stated the ordinance amendments presented reflect the clean up of archaic language, reflects exemptions for meals tax for sellers of food at local farmers markets and roadside stands if annual income is below \$2,500, and penalties related to delinquent meals tax or admission tax.

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

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

**No:** 0

## **8. Supplementals**

**8.a.** Consider a supplemental appropriation in the amount of \$4.3 million for the Harrisonburg City Public Schools

Larry Propst, director of Finance, presented a supplemental appropriation for the Harrisonburg City Public Schools in direct result of the State passing their budget, in the amount of \$4.3M which also includes a recommendation to reduce the local appropriation by appx \$550,000.00.

**A motion was made by Council Member Fleming, seconded by Council Member Jones to approve the supplemental appropriation as presented. The motion carried with a roll call vote as follows:**

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

**No:** 0

## **9. Other Matters**

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

Panayotis "Poti" Giannakouros, replayed an audio excerpt of the October 24, 2023,

City Council Meeting that did not make it on the video due to technical error.

**9.b. City Council and Staff**

Council Member Jones stated he is extremely excited about the purchase of the land for the new fire station; he attended the National League of Cities (NLC) conference in Atlanta, GA, and made a lot of good progress there with building strong relationships across the country that will be vital to moving the city forward and good to have sister cities we can form partnerships with, it is well worth being a member of that organization; the city graduated from the Race, Equity, and Leadership Institute through NLC for which he is super proud of; he is now the Treasurer for the National Black Caucus of Local Elected Officials (NBC-LEO); he wished everyone a happy Thanksgiving; we have a wonderful community, he feels blessed to live here.

Vice Mayor Dent stated she called attention to the Energy, Environment, and Natural Resources Committee at the NLC conference, about adding the word interconnection to the policy statement for that committee; she attended many climate workshops at the conference and keeps getting struck by what dire straits so many communities are in, climate is really the existential threat to humanity but in most peoples day to day lives it doesn't really register until a natural disaster occurs; she stated Harrisonburg is in a sweet spot and as Council Member Fleming has pointed out we are on a list of climate destinations so we better figure out how to house them all; Harrisonburg is being recognized for our climate leadership as well as in other realms, including being a SolSmart Bronze designated community.

Council Member Robinson stated she attended the Community Connectors and NLC Conference and felt very privileged to be there. She stated she went with a team of city staff, who were the best of the best, to the Community Connectors, and was able to get to know who the team members were on a different level, their backgrounds, and how all of their values and hopes for the city were the same. She stated she attended this conference not only as a City Council Member and city resident, but also as a representative from the Shenandoah Valley Black Heritage Project. It was amazing to be a part of a project at its inception, the voice of the public is important, and she takes that role very seriously. She is not only proud to have been a part of an organization selected for this but is extremely proud of the city staff who are so committed, the city is going straight to the top and others are talking about our city for a reason.

Council Member Fleming stated NLC has been so valuable for us, he is on the Finance, Administration, and Intergovernmental Relations (FAIR) Committee, and something they worked on at the conference in March 2023 was a bill that would streamline the federal granting process of which currently there are over 19,000 agencies with over 191 portals to navigate to apply for grants. He stated the state and local Fiscal Recovery Fund (FRF), which is where the ARPA Funding came from, there is still over \$8B unobligated funds from cities that have not put the work into getting their ARPA funding under contract.

Mayor Reed stated the NLC Conference was great, she had the opportunity to give remarks at the Youth and Young Adult Violence Facts, Myths, Prevention and Intervention Workshop, and it was amazing to be able to participate on a panel with elected officials from much larger cities, they are learning about who we are and what we do. There are times when we really love this community and she felt that when she did her Blessing Boxes, and with the help of so many individual and company donors she was able to feed families in need in and outside of the city. She was also able to provide smoked turkeys to First Responders. She stated when anyone asks for help or support in our city people just do it, the act of kindness is incredible. She stated the Holiday Parade will be on December 2, 2023, and invites everyone to attend.

Council Member Fleming stated as part of NLC, Council Member Jones and himself are members of the University Communities Council, and one of the affiliated groups is International Town and Gown Association (ITGA), perhaps Mr. Banks can check into us becoming a member of ITGA. Mr. Banks stated this was already on his list to look into as well as a Council Member possibly joining the ITGA Annual Conference in June 2024. Council Member Fleming stated there is a lot of practical advice obtained through this group. Council Member Jones stated there is a lot of overlap with our sister cities.

Amy Snider, deputy city manager, stated it was great to accompany City Council to the NLC Conference and the team at Community Connectors. She stated it was wonderful to be with many cities and counties across the country who like us are looking to address past harms as a result of actions by government; it was encouraging at the Community Connectors Conference because we heard from the special advisor to Secretary of Transportation Pete Buttigieg ; she enjoyed spending time with Council Member Robinson touring the Atlanta Beltline, which is an amazing rail/trail conversion and learning all they did; she was inspired by the individuals doing work to address gun violence across the county and serve our youth; and she sat on a great panel addressing homelessness.

## 10. Boards and Commissions

### 10.a. Board of Zoning Appeals (BZA)

A motion was made by Council Member Fleming, seconded by Vice Mayor Dent, to reappoint Matthew Phillippi to the Board of Zoning Appeals to 3rd term to expire March 20, 2028, to expire on December 31, 2023. The motion carried with a unanimous voice vote.

### 10.b. Parks and Recreation Advisory Commission (PRAC)

A motion was made by Council Member Jones, seconded by Vice Mayor Dent, to reappoint Kevin Gibson to the Parks and Recreation Advisory Commission to a second term to expire on December 31, 2027. The motion carried with a unanimous voice vote.

A motion was made by Council Member Fleming, seconded by Vice Mayor Jones, to

reappoint James Honeycutt to the Parks and Recreation Advisory Commission to a first full term to expire on December 31, 2027. The motion carried with a unanimous voice vote.

A motion was made by Council Member Robinson, seconded by Council Member Fleming, to appoint Rachel Smallwood to the Parks and Recreation Advisory Commission to a first full to expire on December 31, 2027. The motion carried with a unanimous voice vote.

**10.c. Community Policy and Management Team (CPMT)**

Ande Banks, city manager, stated the CPMT is such an important inter-governmental agency in our community between Harrisonburg and Rockingham, they receive state and local funds to help children and families in crisis. He stated Ms. Newman has served as a parent representative for many years and has done so admirably, there is a position for a second parent representative, and he encourages any parent in the community that would be willing to serve as an advocate for children and families in the community, they reach out to either himself or the website.

A motion was made by Council Member Jones seconded by Council Member Fleming, to reappoint Kira Newman to the Community Policy and Management Team (CMPT) to a 6th term to expire on May 8, 2024. The motion carried with a unanimous voice vote.

**11. Adjournment**

At 8:28 p.m. there being no further business and on motion adopted, the meeting was adjourned.

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CITY CLERK

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MAYOR