



City of Harrisonburg

409 S. Main Street
Harrisonburg, VA 22801

Meeting Minutes - Final City Council

Tuesday, March 22, 2022

7:00 PM

Council Chambers

1. Roll Call

Present: 5 - Mayor Deanna R. Reed, Vice Mayor Sal Romero, Council Member Christopher B. Jones, Council Member George Hirschmann and Council Member Laura Dent

Also Present: 4 - Deputy City Manager Ande Banks, City Attorney Chris Brown, Deputy City Clerk Ande Banks. and Police Chief Kelley Warner

2. Invocation

Council Member Dent offered the invocation

3. Pledge of Allegiance

Mayor Reed led the Pledge of Allegiance

4. Special Recognition

4.a. Swearing in Ceremony for Harrisonburg Police Department

Kelley Warner, chief of Harrisonburg Police Department, recognized three individuals of the Police Auxiliary Unit, who are volunteers, they go through the same rigorous training as our sworn police officers. She stated they started during COVID-19, they dedicate weekends and evenings to wear the badge to protect our community. She stated she is excited and proud to acknowledge these officers for their dedication as volunteers in policing. Officer Michael Van Poots, Officer Brian "Keith" Herron, and Officer Jeffrey Fisher introduced their families and noted their full-time professions when not an auxiliary officer. Mayor Reed thanked the officers for their service.

4.b. Proclamation recognizing April 4 through April 10, 2022 as National Public Health Week

Mayor Reed presented a proclamation recognizing National Public Health Week, April 4-10, 2022, to Marsha Rodeffer, public health nurse supervisor for the Central Shenandoah Health District. Ms. Rodeffer thanked Council for all of the support given to the Health District throughout the COVID-19 response. She stated they are so fortunate to be able to partner with the city to get the vaccines, testing, and care out to the community. Mayor Reed stated we all worked through this together and we will continue to do so.

4.c. Proclamation recognizing Arbor Day

Mayor Reed presented a proclamation declaring April 9, 2022, as Arbor Day to Jeremy Harold, green space manager, Harrisonburg Public Works Department, and noted Blacks Run Cleanup will be held on Saturday, April 9, 2022.

Mr. Harold thanked Council for their support, he stated they will be planting a variety of trees along the Friendly City Trail behind Thomas Harrison Middle School on April 9, 2022, in conjunction with Blacks Run Cleanup day. He stated anyone can participate by going to CleanStreams.org website and signing up.

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 Romero, seconded by Council Member Hirschmann, to approve the consent agenda as presented. The motion carried with a recorded vote as follows:

Yes: 5 - Mayor Reed, Vice Mayor Romero, Council Member Jones, Council Member Hirschmann and Council Member Dent

No: 0

5.a. Minutes from the March 8, 2022 City Council Meeting

These minutes were approved on the consent agenda

5.b. Consider a request from Joyce A. Shultz and Joyce A. Shultz MD Living Trust with representatives Bluestone Land LLC to rezone 23 parcels totaling +/- 6.48-acres located at East Market Street and Franklin Street

The rezoning request was approved on second reading

5.c. Consider a request from Mountain View Apartments LLC with representatives Harrisonburg Community Health Center to rezone 1381 Little Sorrell Drive

The rezoning request was approved on second reading

5.d. Consider amending Sections 10-3-25(14) and Section 10-3-25.1(3) and enacting 10-3-25(29) - off-street vehicle and bicycle parking requirements of the Code of Ordinances, Harrisonburg, Virginia

The ordinance amendments were approved on second reading

5.e. Consider a supplemental appropriation for the Harrisonburg City Public School division in the amount of \$969,965

The supplemental appropriation was approved on second reading

6. Public Hearings

7. Regular Items

- 7.a. Consider approving a substantial rewrite of the city's ordinance regulating Taxicabs - Title 14, Chapter 1 as amended

Chris Brown, city attorney, stated he has been working with Gerald Gatobu, director and Cheryl Spain, assistant director, Department of Public Transportation, who knows far more about the current taxi ordinance than anyone else in the city does. He stated Chief Warner and Sgt. Westfall, Harrisonburg Police Department also helped in the rewrite. He stated this ordinance has not been updated since 2008 and was in need of amendments to reflect the current laws and effects that Uber and Lyft have had on the taxi operators. He reviewed the current facts, the history of the ordinances, the effects of the economy and the pandemic, the focus of the rewrite and some of the amendments to the ordinance.

Council Member Dent stated these amendments will allow the taxi drivers to set their rates, but in order to change them they would need to provide a 30-day notice, whereas, Uber or Lyft drivers can change their rates at any given time. She asked if there is something that can be done so that our taxi drivers can compete with the other companies. Mr. Brown stated there will be additional conversations with the taxi companies before these amendments come back to Council for a second reading, related to creating a special event category where rates can be adjusted for specific events. Mayor Reed stated she is sure other localities were researched. Mr. Brown stated that was correct.

Vice Mayor Romero stated this seems as though it will level the playing field from a taxi company perspective, however, he is concerned about the frequent users who are often people without vehicles, and he hopes this doesn't put a hardship on those users. Mr. Brown stated he is certain that the taxi companies will want to keep their current frequent users and adjust accordingly. Vice Mayor Romero asked if the taxi companies will receive any training and/or support in conducting their own background investigations. Mr. Brown stated Ms. Spain has already started helping the taxi companies through that process.

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

Yes: 5 - Mayor Reed, Vice Mayor Romero, Council Member Jones, Council Member Hirschmann and Council Member Dent

No: 0

- 7.b. Consider adopting a resolution to approve the Harrisonburg Department of Public Transportation's Title VI Program

Gerald Gatobu, director of Harrisonburg Department of Public Transportation, stated Title VI is based out of the Civil Rights Act of 1964 which states that no person shall

be discriminated against based on their color, race, or national origin. He stated since we receive federal funds we must make sure that we have a service that is equitable and open to everyone. He stated we have provisions for limited English proficiency, translating our schedules into Spanish, and offer a translation line for those that need it. He stated any meetings, changes etc. are all made public in different languages to include all.

A motion was made by Council Member Jones, seconded by Council Member Hirschmann, to adopt the resolution as presented. The motion carried with a recorded vote as follows:

Yes: 5 - Mayor Reed, Vice Mayor Romero, Council Member Jones, Council Member Hirschmann and Council Member Dent

No: 0

8. Special Event Application Requests

- 8.a.** Consider the special event application request for the Rocktown Beer & Music Festival on Saturday, April 16, 2022.

Matt Little, recreation and special events manager, Parks and Recreation, presented a special event application request for the 10th Annual Rocktown Beer and Music Festival on Saturday, April 16, 2022, and Harrisonburg Downtown Renaissance (HDR) is requesting the use of the Turner Pavilion, the grassy lot, the surrounding municipal parking lots, and the closure of Warren Street from 3-8pm. He stated the assistance of Public Works, Harrisonburg Police Department, and Harrisonburg Fire Department is requested and the estimated cost will be approximately \$4,000, and the event organizer is responsible for payment of applicable charges.

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

- 8.b.** Consider the special event application request for the Harrisonburg Rotary Club's Strawberry Festival on Saturday, May 21, 2022.

Matt Little, recreation and special events manager, Parks and Recreation, presented a special event application request for the Harrisonburg Rotary Club Strawberry Festival on Saturday, May 21, 2022, and the Rotary Club is requesting the use of the grassy lot, the City Hall parking lot and the closure of Warren Street from 11am - 6pm. He stated the assistance of Public Works, and Harrisonburg Police Department is requested, and the estimated cost will be approximately \$1,000-\$1,500, and the event organizer is responsible for payment of applicable charges.

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

9. Supplementals

- 9.a.** Consider a supplemental appropriation for the City Manager's Office Renovation Project in the amount of \$225,000

Ande Banks, interim city manager, presented a request for a supplemental appropriation in the amount of \$225,000 for upcoming renovations to the City Manager's office due to increase in staffing. He stated City Hall design was built on a five-year time horizon with the general plan to renovate the Municipal Building which would work in tandem to ensure city offices stayed downtown and on Main Street. He stated offices are filling up and staff is expanding.

Vice Mayor Romero asked for an update on the renovations of the Municipal Building. Mr. Banks stated the city has been faced with challenges with other projects taking priority and limited resources that the Municipal Building project took a back burner. He stated funds were spent on the stabilization of the building to slow the deterioration of the building. Council Member Jones stated that bought us some time, but now something needs to be done and Council should look at budgeting it for the upcoming fiscal year.

Vice Mayor Romero asked if there was space elsewhere in the city that was being underutilized. Mr. Banks stated there are facility needs in other departments as well. Further discussion took place regarding the need for space and the renovation of the Municipal Building as well as other facilities throughout the city.

A motion was made by Council Member Jones, seconded by Council Member Hirschmann, to approve the request as presented. The motion carried with a recorded vote as follows:

Yes: 5 - Mayor Reed, Vice Mayor Romero, Council Member Jones, Council Member Hirschmann and Council Member Dent

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)

None

10.b. City Council and Staff

Council Member Jones stated he attended the recent National League of Cities conference in Washington DC, it is a good investment for us as we have been able to bring back good information and build good relationships/partnerships with other localities. He stated one of the big things that came out of this conference was the discussion of the need for an Infrastructure Bill Coordinator, someone who would be able to manage the funds from this bill once it gets to the State and then the localities. He stated we will need our state representatives to fight for our share of these funds. He stated he met with Brian Shull and Peirce Macgill of the Economic Development team, along with the Federal Economic Development Administration, Small Business Administration, the International Economic Development Council, about the programs we have and how to receive more funding and support for our small businesses. He stated one program is through the Federal Community Development Financial

Institution (CDFI), that is federal funding that banks have to promote credit and financial services to underserved populations. He stated for our area Dupont Community Credit Union holds these funds and he and Mr. Shull will be scheduling a meeting with them.

Council Member Dent stated she also attended the conference, one of her favorite quotes was from Secretary Buttigieg who stated “when he was Mayor he suspected the real work gets done in the cities, and when he went to the Federal Government he knows that is the case”. She stated there was a lot of emphasis on the Federal to Local connection, and the States in between. She stated she was excited about the Energy and Transportation joint office that is working on EV chargers and other issues like that. She stated she met one on one with our regional Department of Energy representative, Torend Collins. She asked if the ARPA Coordinator hired by the city could also serve as the infrastructure bill coordinator. She stated the conference was definitely worthwhile and lots of connections were made and resources obtained.

Council Member Hirschmann stated he has received quite a few good suggestions on what to name the new High School, and there is still opportunity for everyone to participate in the naming process. Mayor Reed stated it is not only just the name of the high school but also the mascot and the colors and can be done via an online survey on the city’s school website or hard copies can be obtained at some of the Parks and Recreation facilities.

Vice Mayor Romero stated now we have the opportunity to come up with a name that really means something to the community and make history. He stated everyone is encouraged to participate. He stated lots of students are getting their learners permit, including his son, so asks everyone to be patient and courteous. He stated he has been meeting with many from the community, and it seems to be that housing continues to be one of the biggest concerns, and when 1-bedroom apartments are going for \$1,300 they are no longer affordable.

Mayor Reed stated the first City/HRHA Liaison meeting took place and it was a good meeting, two major projects were discussed that HRHA is in the process of looking into, and they focus on the types of housing that is in need in the city. Further discussion took place regarding projects from HRHA, how the liaison meeting went, the housing needs in the city, the collaboration and vision of Council, and accomplishments thus far.

Mayor Reed stated people have a lot of questions about what is going on with the Salvation Army and what is our responsibility and authority. Mayor Reed read the following statement:

For many years, Salvation Army has not only provided shelter services for individuals in need in our community, but they’ve also helped people throughout

Harrisonburg as a food pantry and by providing additional emergency assistance as needed. We as a City Council traditionally provide grant funding to Salvation Army every year to support those services they provide to our residents because we know how vital those services are. We value those services, and the role Salvation Army has always played in our community.

From time to time, we receive questions or concerns about different nonprofits in our community and about the services those nonprofits provide. However, for the most part, City government does not have the authority to inspect those concerns or to dictate what services those nonprofits provide or how they provide them. If there is a concern about a City Code, or about a State Code that we enforce, we can and do inspect those concerns and take action when warranted.

Recently City staff has been in touch with both local and regional Salvation Army leadership to receive an update regarding the conversation currently taking place in our community. We appreciate their willingness to engage with us on these matters from an informational standpoint. And we will continue to consider any concerns brought to City officials to see if there is any action warranted from us. However, at this time, none of those concerns fall within the authority of City government.

Mayor Reed stated she attended the Parks and Recreation Advisory Committee meeting and noted there are over 300 kids who have signed up for the soccer league. She stated many of the facilities and youth groups are receiving a lot of interest. Council Member Jones asked if anything more was discussed about the additional facilities at Smithland Park, such as restrooms. Mayor Reed stated lights and bathrooms were discussed. She stated at the next meeting, which will be held at Westover Park, they will discuss the Heritage Golf Course.

Ande Banks, interim city manager, announced the hiring of an ARPA Coordinator, Luke Morgan, noted his educational background and stated he is a highly capable individual, who will not only be working on ARPA funding but also the IJA (Infrastructure Bill) and federal/state grant funding opportunities. Mr. Banks stated the next ARPA Community Conversation will be taking place on March 28, 2022, from 6-8pm at Keister Elementary School, but for those that can't attend he encourages everyone to complete the public survey on the city's website. He stated there will be a Public Safety Career Fair in the lobby of City Hall, on March 31, from 6- 7:30 pm.

Mayor Reed stated there will be a COVID-19 Vaccine and Booster Clinic at the Lucy F. Simms Center on March 26, 2022, from 2-4pm.

11. Closed Session

11.a. Virginia Code Section 2.2-3711(A), under: Subsection 3 for a discussion of the

acquisition of real estate for a public purpose

At 8:28 p.m., a motion was made by Council Member Jones, seconded by Vice Mayor Romero, to enter into closed session as authorized by the Virginia Freedom of Information Act, Virginia Code Section 2.2-3711(A), under: Subsection 3 for a discussion of the acquisition of real estate for a public purpose;

The motion carried with a recorded roll call vote taken as follows:

Yes: 5 - Mayor Reed, Vice Mayor Romero, Council Member Jones, Council Member Hirschmann and Council Member Dent

No: 0

12. Adjournment

At 8:40 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 8:40 p.m. there being no further business and on motion adopted, the meeting was adjourned.

CITY CLERK

MAYOR