



City of Harrisonburg

409 S. Main Street
Harrisonburg, VA 22801

Meeting Minutes - Final City Council

Mayor Christopher B. Jones
Vice-Mayor Richard Baugh
Council Member Ted Byrd
Council Member Kai Degner
Council Member Abe Shearer

Tuesday, May 26, 2015

7:00 PM

Council Chambers

1. Roll Call

Present: 5 - Mayor Christopher B. Jones, Vice-Mayor Richard Baugh, Council Member Ted Byrd, Council Member Kai Degner and Council Member Abe Shearer

Also Present: 5 - City Manager Kurt Hodgen, Assistant City Manager Anne Lewis, City Clerk Erica Kann, City Attorney Chris Brown and Police Chief Stephen Monticelli

2. Invocation

Council Member Byrd offered the invocation.

3. Pledge of Allegiance

Mayor Jones led the Pledge of Allegiance.

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

Ramona Sanders, 355 Hartman Drive and Eleanor Held, 230 New York Avenue, Virginia Organizing volunteers, invited council to their 20th Anniversary Dinner and Celebration event that will be held on June 27, 2015, at Trinity Presbyterian Church, from 4:00 p.m. until 7:00 p.m. Ms. Sanders stated Virginia Organizing is a non-partisan statewide grass roots organization.

James "Bucky" Berry, 30 West Washington Street, thanked Police Chief Monticelli and the Harrisonburg Police Department (HPD) for taking his son to the National Law Enforcement Officers Memorial in Washington, DC.

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 Degner, seconded by Vice-Mayor Baugh, to approve the Consent Agenda. The motion carried with a recorded roll call vote taken as follows:

Yes: 5 - Mayor Jones, Vice-Mayor Baugh, Council Member Byrd, Council Member Degner and Council Member Shearer

No: 0

5.a. Minutes

These Minutes were approved on the Consent Agenda.

5.b. First Budget Work Session Minutes

These Minutes were approved on the Consent Agenda.

5.c. Second Budget Work Session Minutes

These Minutes were approved on the Consent Agenda.

5.d. Consider amending the Zoning Ordinance Section 10-3-30.1; Parking Lot Landscaping regulations, by proposing minor modifications to add flexibility and to improve and clarify its application

This Zoning Ordinance was approved on second reading.

5.e. Consider a request from Alan E. Strawderman to rezone a 0.45-acre parcel zoned B-2C, General Business District Conditional by amending existing proffers on the property located at 1320 Port Republic Road

This Rezoning was approved on second reading.

6. Regular Items**6.a. Service Learning Program with Harrisonburg High School Final Project Reports**

Ande Banks, Director of Special Projects and Grant Management, stated tonight is the culmination of a pilot program that the city has been working with Harrisonburg High School (HHS). Mr. Banks stated the program was designed to educate students on local government.

Mary-Hope Vass, Public Information Officer, stated the first group was assigned to highlight sustainability efforts city-wide and the second group was assigned to create a city guide.

Grant Kiser, Samuel Imeson, Jackson Taylor and Scott Wise presented the following:

The group provided a general overview of the assignment and chose to highlight the Harrisonburg Fire Department (biodegradable soap), Public Transportation (waste oil used for heat and use natural sunlight for lighting), Human Resources (paperless efforts) and Police Department (solar powered radar system and transitioning to emission friendly vehicles) for their sustainability efforts. The group created a video, a prezi and a website to highlight city sustainability efforts. The website also provides an explanation of what sustainability is and a section where the public can ask questions and provide sustainability ideas to the city. The group stated they learned about different departments within the city, it takes work to generate sustainable outcomes and it initially costs more for departments to switch from a non sustainable to a sustainable approach. The group reviewed challenges they faced which included the

amount of time they had to complete the assignment, time management and learning new equipment and software. The group suggested continuing to promote initiatives the city has done, identify future projects to highlight, create additional videos, to develop a social media campaign to show what the city is doing and find out what others in the community are doing and present the efforts to various community organizations and neighborhood groups.

Emma Jackson, Julie Nicolas, Ana Hunter-Nickels and Talah Garout presented the following:

The group stated they wanted to make a guide that was for both new families and college students to the area in both print and digital format. The group used information that was available and spoke to JMU students. The group created a survey, but didn't have time to distribute and get feedback from those surveys. The guide they created includes the following information: glance at the government; services offered and who to contact regarding those services; policies; information about the surrounding area; and, the history of Harrisonburg. The group recommended printing 500 issues costing approximately \$322 and to place the guides in real estate offices, hand out at college orientation and on city buses. The group stated the website would provide more information, a pdf version available to print and a welcoming video. The group reflected on the process and stated they got to do something they never had done before, learned about time management, how to work with others and learned about what the city has to offer.

Lauren Huber, Harrisonburg Downtown Renaissance (HDR) Resource Director, stated her group was tasked to complete a downtown business survey.

Cathya Correa, Katherine Komara, Alexis Whitfield and Natalia Alcantara presented the following:

The group provided background about HDR and stated they were tasked to update the downtown business directory with the following information: hours of operation, type of business, number of employees, contact information and social networking sites. The group presented a pie chart showing eight different categories the 354 businesses downtown fit into. The group highlighted both the Ice House project and Shenandoah Valley Organic as part of their presentation. The group shared new ideas for Harrisonburg's downtown after they surveyed 144 HHS students which were an ice skating rink/pavilion, indoor trampoline house and a teen club. The group stated they learned about what downtown has to offer, enjoyed being out of the classroom and they were able to provide their own ideas on how to improve downtown.

Ian Bennett, Deputy Fire Chief, stated there is a fire station 5 in the Capital Improvement Plan to help with response time to the northwest sector of town and this group was tasked to find the best location for the station.

Ron Somchay, Rudy Alexis Lopez and John Burns Earle IV presented the following:

The group stated there are currently four fire stations serving the city with improper coverage in the northern sector of Harrisonburg. The group stated the northern sector is dense with both elderly and college population and doesn't fall into the National Fire

Protection Association (NFPA) standards. The group proposed three sites which were the Mobile Gas station near Eastern Mennonite University (EMU), a property on Waterman Drive and a property on an adjacent lot at the intersection of Mt. Clinton Pike and North Liberty Street. The group provided pros and cons to each location and showed a video and graph showing response times from these locations compared to Station 4. The group feels that option 3, the adjacent lot at the intersection of Mt. Clinton Pike and North Liberty Street, would be the best option. This location is for sale, doesn't have a building located on the premises and the response times are within the requirements.

Avery Daugherty, Transit Superintendent for Harrisonburg Public Transportation Department (HDPT), stated his group was tasked to promote all the things HDPT provides to both residents and JMU students. Mr. Daugherty noted that prior to this project his group had never rode a public transit bus.

Brooke Cobb, Shenerwe Merawly, Sundas Azim and Timothy Zepp presented the following:

The group reviewed reasons to use public transportation which included convenient for college students, easy for people with disabilities and inexpensive. The group stated the bus route schedule can be found on the city's website, the NextBus app or in printed form. The buses feature bike racks, wheelchair ramps, pull cords and laminators. The group provided general facts about HDPT which included the following: 20K - 22K people ride per day when JMU is in session; 3,500 students ride per day when Harrisonburg City Public Schools is in session; transit buses cost \$390,000; school buses cost \$100,000; and, the fleet includes 40 Gillig low transit buses, nine paratransit buses, 47 school buses, one minivan and five activity buses. The group shared a video they created featuring HDPT. The group shared their challenges and setbacks which included learning new software and equipment, unpredictable weather and time. The group stated during this experience they became more comfortable approaching people, gained knowledge on public transportation, gained awareness of local government services, learned time management, got to ride a bus and learned teamwork.

Mr. Banks thanked city staff and council for working with these students during the last few months and feels that this program will continue. Council thanked the students, teachers and administration that were involved to make this program happen.

Mayor Jones introduced his wife and announced that his family is expecting an addition.

6.b. Consider Electoral Board request for direction on possible JMU voting precinct

City Manager Hodgen stated the Electoral Board is requesting formal direction from City Council in terms of advising the board that council would like to consider the possibility of establishing a JMU precinct. If council would like the Electoral Board to research the matter, they request council provide what information and/or issues they

would like reviewed. City Manager Hodgen also stated the Electoral Board wondered if council would like a recommendation on whether or not a JMU precinct should be established or just provided with general information. City Manager Hodgen provided questions that first came to his mind which were the following: should a JMU precinct be established; should the precinct only be for JMU students; should a current precinct be relocated to JMU; what are the costs associated with establishing and operating the precinct; what precedent does this set for future requests; if the precinct is shifted to JMU, what impacts would it have on non JMU voters; and, would council like to see a threshold of voters coming out to Spotswood prior to considering an approval to the request. It was noted out of potentially 2,000 on-campus students only 150 students voted during the last election.

The following discussion took place: precincts were changed after the last presidential election with the addition of two sites to balance the numbers of voters at each location; the new sites picked up on-campus and off-campus students; students are only guaranteed on campus for one year; an election is held in Virginia every year; reviewing the request would be proactive in reviewing the possibility of increasing voters; would like to see pros and cons to the request; has been discussed at the JMU liaison meetings; an extra location is not needed; should review the request; easy access for everyone; numbers don't show an additional precinct is needed; the request is for JMU to have their own precinct for students that live on campus; and, if changes are made, they should be done during a non presidential election year.

A motion was made by Vice-Mayor Baugh, seconded by Council Member Degner, to task the Electoral Board to review the request, present pros and cons and associated costs, examine other localities that have campuses, present options they feel are appropriate and make a recommendation. The motion carried with a recorded roll call vote taken as follows:

Yes: 5 - Mayor Jones, Vice-Mayor Baugh, Council Member Byrd, Council Member Degner and Council Member Shearer

No: 0

6.c. Update from the Department of Public Works on current Capital and Maintenance Projects

Jim Baker, Director of Public Works, stated he would be providing an update on capital and maintenance projects mainly around transportation projects. Mr. Baker stated a lot of projects are under design or construction. Mr. Baker reviewed the following projects:

Reservoir Street Improvement Project: have been working on the project for a number of years; utilities are almost complete; a few right of way negotiations are still underway, but have the ability to be on property for the project; one bid was received for construction which was over the estimated cost and staff will be reviewing but feels that contractors are currently busy and this is a large project; and, a rebid will take place this fall.

Carlton Avenue Roundabout Project: is currently under construction; cost came in at a good price; completion date is late November; and, it is being funded with 50%

revenue sharing and 50% local dollars.

Stone Spring Elementary Safe Routes to School Project: installation of sidewalks and new traffic signal to help students cross the street; project has been awarded and contractors are ready to begin work; and, the project is planned to be completed this August.

West Rock Street Bridge Replacement Project: project is underway; bridge was nearing its useful life; 100% local funds; and, should be completed this September.

Mr. Baker reviewed the following design projects:

Pleasant Valley Road Bridge Replacement: bridge has reached its useful life and if bridge isn't replaced, weight restrictions would be placed; anticipated to receive 50% revenue sharing with a 50% local match; the construction is scheduled to begin in summer 2016; and, the bridge will be widened for future improvements on Pleasant Valley Road.

Mt. Clinton Pike Road Improvement Project: working on design along with Eastern Mennonite University (EMU); third roundabout to be constructed; slip lane was added in the past two years from Chicago Avenue to Mt. Clinton Pike Road which lessened the immediate need; 2017 is the earliest the construction would begin; a great turn out to the public hearing session; and, an endorsement will be needed from council in the future.

North End Greenway Project: shared use path in the northeast area of the city; lots of challenges with right of way and easements, have own consultant working on it; trying to figure out best alignment; back working with some property owners regarding the project and railroad company; using revenue sharing funds to help with the design work; have not identified construction money for the project; and, discussing adding a stream restoration project through this corridor as well, which would be a part of the Municipal Separate Storm Sewer System (MS4) project.

Martin Luther King Jr. Way Widening Project: project is in conjunction with new hotel and conference center and parking deck JMU is constructing; a design engineer is working with staff; working with JMU and private developer; design to be completed by this fall so construction phasing can be presented next year; have not yet identified construction funds, but have proposed to apply for a revenue sharing grant for funds next year; and, funds are also being sought from JMU and hotel and conference center.

West Mosby Road Sidewalk Project: funds have been received through Community Block Grant (CDBG); working on right of way with both shopping complex and property owners; design work is being completed in-house; and, the project should be completed by fall 2015.

East Market Street Regenerative Storm Conveyance Channel Project: part of MS4

project pollution reduction goals; funding will come from utility water funds and a Stormwater Local Assistance Fund (SLAF) Grant; great start to our MS4 reduction requirements; and, the project will begin this summer and be completed next spring.

2015 Annual Paving Schedule: 80 lane miles of arterial streets; 25 centerline miles; 243 lanes miles of collector streets; 115 miles of local roads; council has been supportive of the paving program; paving conditions are fairly good within the city; some streets are deteriorating and we need to continue the paving program so that costs don't increase; revenue sharing helps with the program, but can't rely on those funds; and, the summer paving program has begun.

Downtown Streetscape Phase III: is currently under design; Phase II was shortened due to financing; Phase III completes the area between Elizabeth Street to Wolfe Street to include both sides of sidewalks along Main Street and traffic lights; 80% federal funding with 20% local match; and, construction is scheduled to begin in spring 2016 and completed in fall 2016.

Mr. Baker stated there are smaller maintenance projects going on all the time with planning and preliminary work on future transportation, bicycle and pedestrian and updates to the street plan for the Comprehensive Plan. Mr. Baker stated with House Bill 2 there is additional funding available, but we will be competing with projects from across the state and the Staunton district. Mr. Baker feels that Harrisonburg has attractive and good projects to be able to receive funding.

Council Member Shearer asked about the proposed paving schedule funding in the budget. It was confirmed that \$950,000 in VDOT Revenue Sharing funds are not reflected in the proposed budget, because the other money has not been received. Council Member Degner asked about coordination with the new school site in regards to a bike and pedestrian plan. Mr. Baker stated some routing has been identified, but haven't specifically been in communication with the schools. Council Member Degner requested the Public Works Department to reach out to the School Board regarding this matter. It was noted a lot of work is done by the Public Works Department and the team is extremely responsive. Mr. Baker also informed council that the Public Works Department hosted a state-wide conference with 16 other localities that are a part of the Urban Construction Initiative (UCI) at the Harrisonburg Department of Public Transportation Department (HDPT) and received a lot of good feedback.

6.d. Harrisonburg Downtown Renaissance biannual update

Katie Yount, Director of Events Harrisonburg Downtown Renaissance (HDR), stated 23 restaurants participated in the last Taste of Downtown event and the August event will now take place in November. Ms. Yount stated HDR has grown their merchandise that now includes coffee, wine, beer and a book with stories from Virginia's first culinary district.

Lauren Huber, Director of Resources Harrisonburg Downtown Renaissance (HDR), reviewed awards and recognition HDR had received from the Best of the Valley

survey which included the following: Rocktown Beer and Music Festival, best festival/community event; HDR, best use of taxpayers' money; and, downtown, best thing about Harrisonburg. Ms. Huber reviewed awards and recognition received by Virginia Living Magazine, Best of Shenandoah Valley which included the following: Rocktown Beer and Music Festival, second place best food festival and the VA Momentum Valley Fourth Run, second place for best annual charity event. Ms. Huber stated on March 19, 2015 both HDR and the City of Harrisonburg were presented with VA Main Street Milestone Achievement awards for dedication for over 90,000 volunteer hours, creating an environment that has encouraged more than \$60M in private investments and documented completion of over 250 buildings improvements over the last 11 years. HDR held several events throughout the year which included the following: holiday tour; celebration and reception; friends of downtown; and, Renaissance Night. Ms. Yount reviewed upcoming HDR events which included the following: Valley Fourth, July 4; Block Party in the 'Burg, August 29; Rocktown Fall Festival, September 26; Halloween on the Square, October 31; and, Veterans Day Parade, November 8. Ms. Yount reviewed the other yearly special events presented throughout the community. HDR thanked council for their continued support. Council Member Degner recognized HDR for their great work and helping to build a better community within the city.

- 6.e.** Consider adopting the budget and appropriation ordinance of the City of Harrisonburg, Virginia for the Fiscal Year Ending June 30, 2016 for the second reading

City Manager Hodgen stated during the May 12, 2015 City Council meeting the proposed budget was approved on a first reading with a second budget work session to be held to find additional savings. City Manager Hodgen stated during the second budget work session approximately \$195,000 additional savings were identified and the proposed real estate tax increase is now 4.5 cents.

Council Member Shearer stated the following: noted the \$0.06 increase to real estate tax, \$0.50 increase to personal property taxes in 2015; new revenue growth in other areas; ending year with over \$6M surplus; seeking \$1.7M in revenues with new proposed budget; feels that we are looking at good growth estimates and we need to trim expenses slightly to balance the budget without a tax increase; feels that for every dollar budgeted in city expenditures we need to reduce 1.7% pennies of expenses to balance the budget; 17% increase when you combine the last two years; implemented another cost to citizens in the form of a stormwater management fee; FY17 will be another sizeable tax increase to cover school construction and operational costs; and, increases will impact businesses and need to remain competitive in economic development.

Council Member Byrd stated the following: \$300,000 was not cut from the sanitation fund, money was received from the reserves fund to replace those funds; staff felt that the revenue projections needed to be left at the current level; removal of a one-time capital project reduced the increase by a penny; asked for current savings with current vacant positions exempting public safety, but number wasn't available; suggested to ask department heads for additional savings from their budgets to reach the 1.7% in

additional savings, but majority of council didn't seem to be in favor of the request; suggested to roll back increase of new expenditures to meet our natural revenue growth; city receives a \$5M transfer Harrisonburg Electric Commission (HEC); reviewing taxing structure we are high on revenues coming from other forms of taxes; support some new expenditures, but have natural revenue growth of \$3M this current budget year; we need to set revenue targets in early December; would like to establish a personnel committee; and, would like to review actual year-end numbers.

Due to a previous comment made by Council Member Byrd, Mayor Jones clarified votes don't take place at work sessions.

Council Member Degner stated the following: some reductions happened thanks to Council Member Byrd's leadership, particularly the \$3.00 increase that was removed; the city has growing pains and expenses that have come from hitting a population threshold; have a lean and official local government providing services; without agreeing on services and projects council would like to push back, he is willing to support the proposed budget with knowing next year we are going to reduce as much as possible; has voted against budgets before with tax increases; and, is open to conversation, but this is about keeping the city running with a professional workforce.

Mayor Jones stated the following: we are a growing city and we still have one of the lowest real estate tax rates; supports City Manager's recommendations to maintain our excellence; supported first penny and would have liked to have gotten two pennies; willing to settle at a penny and a half because we don't have luxuries that other cities have; an intense second work session was held; feels the city residents trust city staff as well due to lack of attendance at both the budget work sessions and the public hearing; would like to televise work session in future; more participation makes it easier; and, feels establishing a personnel committee is important.

Vice-Mayor Baugh stated the following: most people believe what they want to believe about the budget; voting on the facts how they are and not how he wishes them to be; voting against the budget would be voting against items that he knows are not true; can't cut expenses and tell department heads to cut their budget and to cut the city's debt; we fund core services that includes schools, streets, water and sewer and more; the quality of our city is in connection to the quality of our schools; not funding equipment may cost more in the future; no city functions like Harrisonburg with the staff and services the city provides; not hiring people you need and pushing projects back is not good business; if at any point council can agree that the city shouldn't be spending money on something, it should be addressed; to believe we don't have to increase city revenues says that there are items in the budget that we don't need to spend funds on, but when looking at the budget those items can't be found; confident in both department heads and city manager with the proposed budget; the word cut is not being used properly; and the city doesn't have money just sitting around.

A motion was made by Council Member Degner, seconded by Vice-Mayor Baugh, to amend the first reading of the budget to a 4.5 cent real estate tax increase and reduce the proposed budget an additional \$195,095. The motion carried with a recorded roll call vote taken as follows:

Yes: 3 - Mayor Jones, Vice-Mayor Baugh and Council Member Degner

No: 2 - Council Member Byrd and Council Member Shearer

7. Special Event Application Requests

7.a. Consider the All American Soap Box Derby for a special event request

Ms. Yount presented the request for the All American Soap Box Derby presented by the Rockingham Rotary Club to be held on June 13, 2015, on East Washington Street between Northfield Court to Main Street beginning at 8:00 a.m. Ms. Yount stated a rain date is scheduled for June 14, 2015 and all departments have reviewed. It was noted that it is a tradition for the mayor to participate in the event.

A motion was made by Council Member Shearer, seconded by Council Member Degner, to approve both the Soap Box Derby and the Alpine Loop Grand Fondo special event requests as presented. The motion carried with a recorded roll call vote taken as follows:

Yes: 5 - Mayor Jones, Vice-Mayor Baugh, Council Member Byrd, Council Member Degner and Council Member Shearer

No: 0

7.b. Consider the 2015 Alpine Loop Gran Fondo for a special event request

Ms. Yount presented the request for the 2015 Alpine Loop Gran Fondo presented by the Prostate Cancer Awareness Project to be held on September 20, 2015 beginning at 7:00 a.m. Ms. Yount stated this request has been approved by all city departments.

A motion was made by Council Member Shearer, seconded by Council Member Degner, to approve both the Soap Box Derby and the Alpine Loop Grand Fondo special event requests as presented. The motion carried with a recorded roll call vote taken as follows:

Yes: 5 - Mayor Jones, Vice-Mayor Baugh, Council Member Byrd, Council Member Degner and Council Member Shearer

No: 0

8. Supplementals

8.a. Consider a supplemental appropriation in the amount of \$1,077,179.40 for the initial buy-in payment to the Middle River Regional Jail

City Manager Hodgen stated this is the first of ten payments towards the buy-in at Middle River Regional Jail (MRRJ) which is due before June 30, 2015.

A motion was made by Council Member Byrd, seconded by Vice-Mayor Baugh, that this Supplemental Appropriation be approved. The motion carried with a recorded roll call vote taken as follows:

Yes: 5 - Mayor Jones, Vice-Mayor Baugh, Council Member Byrd, Council Member Degner and Council Member Shearer

No: 0

9. Other Matters

Council Member Shearer stated the Parks and Recreation Department held their annual tour of their facilities and he noticed a common theme of collaboration between departments. Council Member Shearer noted one site being Ramblewood receiving dirt and fill from Public Works' projects totaling approximately \$1.5M.

10. Boards and Commissions

10.a. Community Policy and Management Team (CPMT)

A motion was made by Vice-Mayor Baugh, seconded by Council Member Shearer, to re-appoint Kim Hartzler-Weakley, representing a public agency, to the Community Policy and Management Team (CPMT) to expire March 31, 2016. The motion carried with a recorded roll call vote taken as follows:

Yes: 5 - Mayor Jones, Vice-Mayor Baugh, Council Member Byrd, Council Member Degner and Council Member Shearer

No: 0

11. Closed Session

11.a. 2.2-3711(A)(3) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property

This Closed Session Item was approved.

11.b. Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made

At 9:15 p.m., a motion was made by Council Member Byrd, seconded by Council Member Degner, to enter into closed session as authorized by the Virginia Freedom of Information Act, Virginia Code Section 2.2-3711(A), under Subsection 3 for the discussion of the acquisition of real estate for the public purpose and Subsection 5 for the discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made. The motion carried with a recorded roll call vote taken as follows:

Yes: 5 - Mayor Jones, Vice-Mayor Baugh, Council Member Byrd, Council Member Degner and Council Member Shearer

No: 0

12. Adjournment

At 10:27 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 10:28 p.m., there being no further business and on motion adopted, the meeting was adjourned.

CITY CLERK

MAYOR