



City of Harrisonburg

409 S. Main Street
Harrisonburg, VA 22801

Meeting Minutes - Final City Council

Tuesday, August 13, 2024

7:00 PM

Council Chambers

1. Roll Call

Present: 5 - Mayor Deanna R. Reed, Vice-Mayor Laura Dent, Council Member Dany Fleming, Council Member Monica Robinson and Deputy Police Chief Todd Miller

Absent: 1 - Council Member Christopher B. Jones

Also Present: 4 - City Manager Ande Banks, Deputy City Manager Amy Snider, City Attorney Chris Brown and City Clerk Pam Ulmer

2. Invocation

Mayor Reed offered the invocation

3. Pledge of Allegiance

Mayor Reed led the Pledge of Allegiance

4. Special Recognition

4.a. Recognizing Caleb Gilbert All-American Soap Box Derby World Champion

Mayor Reed recognized Caleb Gilbert for becoming the All-American Soap Box Derby World Champion. Caleb's father reviewed what was involved in the competition and all the hard work that was done by Caleb.

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

5.a. Minutes from the July 23, 2024 City Council Meeting

These minutes were approved on the consent agenda

5.b. Consider a supplemental appropriation for several grant awards

This supplemental appropriation was approved on second reading

5.c. Consider the special event application request for the annual Race to Beat Breast Cancer 5k Run/Walk on Saturday, October 19, 2024.

This special event application was approved

- 5.d. Consider the special event application request for HDR's Skeleton Festival on October 19, 2024 from 2-5pm.

This special event application was approved

- 5.e. Consider the special event application request for the Veterans Parade on Sunday, November 10, 2024.

This special event application was approved

6. Public Hearings

7. Regular Items

- 7.a. Consider adopting a resolution declaring a drought warning for the City of Harrisonburg.

Mike Collins, director of Public Utilities, spoke on water management through conservation. He stated there are three different triggers for drought mitigation:

- Ability to meet demand from current supply levels;
 - Demand reached a high on July 7, 2024
- Natural water supply;
 - Levels of Dry River / Switzer Dam
 - Levels of North River
- The Department of Environmental Quality (DEQ) drought warning status.
 - Shenandoah Valley in a Drought Warning status

He stated the trigger he worries the most about is the first one. If students come back and consume water at similar rates they did in the spring, and the weather we have had for the past six weeks persists, we may have to implement more water conservation practices and restrictions.

He stated staff has been working on getting the word out regarding water conservation via social media. Ande Banks, city manager, stated staff proactively reached out to James Madison University (JMU), City Parks and Recreation Department and the city schools because they are some of the largest irrigators in the city. All three have already committed to voluntarily reducing the irrigation throughout the city. He stated he will also be reaching out to significant industry users of the city's water supply and will be meeting this week to ask for voluntary water restrictions.

Council Member Fleming asked if Mr. Collins knows the amount of increase/decrease to be expected of the student population. Mr. Collins stated its about 5M - 10M gallons a week difference often dependent on temperature. Mr. Collins spoke further on the water use of the large industry partners in the city.

Further discussion took place on the requirements/recommendations for each trigger.

Chris Brown, city attorney, stated if any other locality in our region declares a drought emergency we must as well. He stated at Rockingham County's next meeting they may declare a local emergency as a result of the drought. Although it is somewhat related as it is drought driven, it is not related to what we are presenting. For agricultural purposes the USDA has declared Rockingham County to be in an emergency drought and the County will declare a local emergency to allow federal aid to local farmers.

Mr. Banks stated that under Mr. Collins leadership, the Eastern Raw Water Line Project will alleviate many of these concerns upon its completion in 2026 for at least the next 20-40 years.

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

Yes: 5 - Mayor Reed, Vice-Mayor Dent, Council Member Fleming, Council Member Robinson and Deputy Police Chief Miller

No: 0

Absent: 1 - Council Member Jones

7.b. Consider combining provisions of existing ordinances into a Combined Erosion Control and Stormwater Management Ordinance

Matthew Huston, city engineer, Community Development, presented an ordinance amendment/enactment related to stormwater management and erosion control. He stated DEQ now requires these chapters be combined in order to eliminate redundancy and to alleviate potential confusion. He stated these amendments are drafted based on a model ordinance by the DEQ's and edited to meet our requirements. He stated there are no substantive of changes or altering of the technical requirements. He noted there were some scrivener's errors that will be corrected prior to the second reading.

A motion was made by Council Member Fleming, seconded by Council Member Robinson, to approve the ordinance amendments with corrected scrivener's errors as presented. The motion carried with a recorded roll call vote taken as follows:

Yes: 5 - Mayor Reed, Vice-Mayor Dent, Council Member Fleming, Council Member Robinson and Deputy Police Chief Miller

No: 0

Absent: 1 - Council Member Jones

7.c. Presentation on the Sponsoring Partnerships and Revitalizing Communities (SPARC) Program

Liz Webb, housing coordinator, presented Sponsoring Partnership and Revitalizing Communities (SPARC) program which is an allocation of reduced rate funding made available by Virginia Housing to sponsor who may be local governments, housing authorities or housing nonprofits. She reviewed the following:

- What the program is;
- Examples of how this program works;
- How SPARC is administered
- The city's application submitted in May 2024 that included the following parameters:
 - Within city footprint
 - Promote local housing counseling
 - Align with fee waivers when possible
 - 100% of Area Median Income

Council Member Fleming stated the city will be the sponsor and can make a major difference for some families. Ms. Webb stated this program can be used in conjunction with other housing affordability tools. Further discussion took place regarding supportive lenders, housing counselors, and making sure people use the services.

This Presentation was received and filed.

7.d. American Rescue Plan Act (ARPA) Projects Update

Luke Morgan, Grants and Programs Analyst, presented the following:

- ARPA background
- ARPA Deadlines

Brian Mancini, director of Parks and Recreation, reviewed the projects within Parks and Recreation. He acknowledged his staff that have been involved in the following ARPA funded projects:

- Smithland Athletic Complex Restrooms (completed October 2023)
- Smithland Athletic Complex Lights (completed October 2023)
- Thomas Harrison Adult Soccer Field
- Spray Grounds at Ralph Sampson Park
- Westover Skate Park
- Kids' Castle Replacement

Council spoke on how beautiful the Smithland Athletic Complex is, how this will bring visitors to the city, the incredible work the department does, and how these projects and existing amenities are for everyone.

Amy Snider, deputy city manager, reviewed the Homeless Services Center project and reviewed the following:

- A recent photo of the project
- Description of the facility

- Open Doors - the selected operator of the center
- Services available at the center

Ms. Snider noted the project completion will be delayed due to supply chain and a critical piece of needed electrical equipment. She stated staff is taking this delay very seriously as it will affect a lot of those in need in the city. She stated all options are being explored with Open Doors for thermal sheltering until the center is open.

Nate Riddle, executive director, Open Doors, described the security of the facility and safety measures taken for those in the center. He reviewed how they will track who is using the center and where they last resided.

Further discussion took place on the services that will be offered at the center, security of the center,

Mr. Morgan reviewed the Neighborhood Improvement projects:

- Simms Avenue paving (completed in 2023)
- Myrtle Street paving (completed in 2023)
- Kelley Street paving
- Sterling Street paving
- Sterling St. Sidewalk
- Hill Street Sidewalk
- Ralph Sampson Connector

Mr. Morgan reviewed the Fire Station 5 project and noted construction should be completed by August 2025

Mr. Morgan stated there are also 4 ARPA-created funds. He reviewed the Small Business Assistance Fund and noted 35 local small businesses have received assistance through these funds.

Liz Webb, Housing Coordinator, reviewed the Housing Development Fund and noted that ten applications had been received and two projects were selected. She reviewed the following:

- Central Valley Habitat for Humanity Suter Street Project
- Harrisonburg Redevelopment & Housing Authority (HRHA) - Commerce Village II Annex

Mr. Morgan reviewed the Mental Health Fund and stated the following non-profit organizations were awarded funds:

- Boys and Girls Clubs of Harrisonburg and Rockingham
- Community Counseling Center
- The Collins Center & Child Advocacy Center
- First Step: A Response to Domestic Violence
- Gemeinschaft Home

- Strength in Peers

Mr. Morgan reviewed the Child Care Fund and Childcare Pathway To Success Programs

Delores Jameson, executive director, Harrisonburg Rockingham Child Day Care Center, recipient of funds from the ARPA Childcare Fund, thanked Council and stated their new building will be in operation on Monday, August 19, 2024.

This Presentation was received and filed.

- 7.e.** Consider adopting a Resolution ratifying the City's participation in settlement of opioid-related claims with Kroger

Chris Brown, city attorney, presented a resolution related to opioid-related claims with Kroger. He stated the settlement amount is unknown at this time.

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

Yes: 5 - Mayor Reed, Vice-Mayor Dent, Council Member Fleming, Council Member Robinson and Deputy Police Chief Miller

No: 0

Absent: 1 - Council Member Jones

- 7.f.** Consider adopting a resolution appointing Tyler Blanks as the Zoning Administrator for the City of Harrisonburg

Thanh Dang, deputy director, Community Development, stated Mr. Tyler Blanks has been with the city since 2021, and shared his background. Mr. Blank stated he is looking forward to what this position will bring and what he can do for the city.

Vice Mayor Dent stated she is thrilled to see this position filled to keep the zoning ordinance rewrite going.

A motion was made by Vice Mayor Dent, seconded by Council Member Robinson, to adopt a resolution appointing Tyler Blank as the Zoning Administrator. The motion carried with a roll call vote as follows:

Yes: 5 - Mayor Reed, Vice-Mayor Dent, Council Member Fleming, Council Member Robinson and Deputy Police Chief Miller

No: 0

Absent: 1 - Council Member Jones

8. Supplementals

- 8.a.** Consider a supplemental appropriation in the amount of \$200,000 for the General Fund

Ande Banks, city manager, presented a supplemental appropriation in the amount of \$200,000 from the Virginia Opioid Abatement Authority to fund a partnership between the city and Rockingham County who will be sub-granting these funds to Strength in Peers to help support their Peer Recovery Center.

Vice Mayor Dent stated this an excellent use of these funds.

A motion was made by Council Member Robinson, seconded by Council Member Fleming 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 Dent, Council Member Fleming, Council Member Robinson and Deputy Police Chief Miller

No: 0

Absent: 1 - Council Member Jones

- 8.b.** Consider a supplemental appropriation for the Harrisonburg City School Board.

Ande Banks, city manager, presented a supplemental appropriation in the amount of \$841,860 for the replacement of two boilers and a water heater at Stone Spring Elementary and replacement of an air handler unit at Keister Elementary School, from the fund balance of the city school operating fund. Mr. Banks stated Mr. Printz, COO, and Daniel Kirwan, Executive Director of Finance, Harrisonburg City Schools were present if Council had any questions.

Council Member Fleming stated he is excited for Mr. Kirwan's new role and his continued services with the city schools.

A motion was made by Council Member Fleming, seconded by Council Member Robinson 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 Dent, Council Member Fleming, Council Member Robinson and Deputy Police Chief Miller

No: 0

Absent: 1 - Council Member Jones

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)**

None

9.b. City Council and Staff

Vice Mayor Dent spoke on the recent EPSAC and the Municipal Net Metering Policy; new zoning ordinance progression; Fire Station 5 groundbreaking; LGAC roundtable and discussions that took place; National Night Out; Suter Street Habitat for Humanity dedication; upcoming HRMPO meeting.

Council Member Robinson spoke on her family trip to Washington state and how she unplugged for two weeks;

Council Member Fleming spoke on the recent NLC Finance meeting and topics discussed during the meeting; Virginia Municipal League Transportation and Environmental Committee meeting and topics discussed; LGAC roundtable; the upcoming JMU Economic Summit; Stormwater Advisory Committee meeting discussions; Virginia First Cities housing meeting;

Mayor Reed spoke on the Hispanic Festival; Tools for Schools United Way event; her speaking engagements at the new teacher luncheon and at the faculty and staff welcome back event; the EMU faculty and staff orientation; her upcoming speaking engagement at JMU; university students are back, and city school students will be starting; her promotion at EMU as director of Alumni Engagement and Community Connections.

Ande Banks, city manager, introduced the new assistant to the city manager, Brian Vandenberg.

10. Closed Session

10.a. Closed Session as authorized by the Virginia Freedom of Information Act, Virginia Code Section 2.2-3711(A), under:

Subsection 3 the discussion of the disposition of publicly held real estate; and

Subsection 7 for consultation with legal counsel and briefings by staff members regarding probable litigation and of specific legal matters requiring the provision of legal advice by such counsel

At 9:17 p.m., a motion was made by Vice Mayor Dent, seconded by Council Member Robinson, to enter into closed session as authorized by the Virginia Freedom of Information Act, Virginia Code Section 2.2-3711(A), under: Subsection 3 the discussion of the disposition of publicly held real estate and acquisition of real estate for a public purpose; and Subsection 7 for consultation with legal counsel and briefings by staff members regarding probable litigation and of specific legal matters requiring the provision of legal advice by such counsel. The motion carried with an unanimous voice vote.

11. Adjournment

At 10:22 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 10:22 p.m., there being no further business and on motion adopted, the meeting was adjourned.

CITY CLERK

MAYOR