



City of Harrisonburg

409 S. Main Street
Harrisonburg, VA 22801

Meeting Minutes - Final City Council

Tuesday, March 23, 2021

7:00 PM

Council Chambers

1. Roll Call

Note: All Council Members were present via virtual Go-To Meeting.

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: 3 - City Manager Eric Campbell, City Attorney Chris Brown and City Clerk Pam Ulmer

2. Invocation

Vice Mayor Romero offered the invocation.

3. Pledge of Allegiance

4. Special Recognition

4.a. Resolution in Support of Congressional Designation Shenandoah Mountain National Scenic Area

Lynn Cameron, co-chair of Friends of Shenandoah Mountain, presented the proposal for the Shenandoah Mountain National Scenic Area. She reviewed the proposed 90,000-acre area, what a National Scenic Area is, the benefits of it, how it affects our future water needs, and the economic benefits.

Council Member Dent stated she was enthusiastic about this, there has been 20 years of negotiation with the stake holders, really shows in the carefulness of how everyone's consideration was taken into account, especially the water resources for the city. She stated the resolution provides the city the ability to drill a well to drill water in some other part of the wilderness and all the known concerns have been addressed.

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

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

No: 0

4.b. Proclamation acknowledging April 10, 2021 as Arbor Day

Mayor Reed presented the proclamation acknowledging Arbor Day. Jeremy Harold,

green space manager, Department of Public Works, thanked City Council for the recognition of the Arbor Day celebration, everyone is invited to register to help plant 50 trees on the Northend Greenway on April 10, 2021 at 10:00 am.

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, Romero, Council Member Jones, Council Member Hirschmann and Council Member Dent

No: 0

5.a. Minutes for the March 9, 2021 City Council meeting

This Minutes was approved on the Consent Agenda.

5.b. Consider a request from Virginia Mennonite Retirement Community, Inc. (VMRC) to rezone parcels by amending the existing master plan area known as Park Village

This PH-Rezoning was approved on second reading.

5.c. Consider amending and reenacting Title 6, Public Works Chapter 2 Solid Waste Collection and Disposal, Articles A, B, C, D, and E of the Code of Ordinances, City of Harrisonburg

This ordinance was approved on second reading.

5.d. Consider an amendment to Section 11-1-90- Board of Building Code Appeals, to the Code of Ordinances City of Harrisonburg, Virginia

This Ordinance was approved on second reading.

6. Public Hearings

6.a. Consider adopting a resolution amending the City's Solid Waste Management Plan and update

Tom Hartman, director of Public Works, presented the public hearing for the Solid Waste Management plan amendments. He stated the resolution and the information on these amendments were presented at the March 9, 2021 meeting.

At 7:32 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, March 15, 2021

Bucky Berry, spoke about the requirement of a doctors note for the elderly in the city to get assistance with their trash cans and asked if the city will cover the maintenance of the new trash cans.

At 7:35 p.m., Mayor Reed closed the public hearing and the regular session reconvened.

Vice Mayor Romero stated the city is doing a great job letting people know of the change in the new trash can program through social media, and he would like to continue to work on reaching out to those in the community with translated material, and he stated he has offered his services to provide information in other languages.

Council Member Dent stated the doctors note requirement for our elderly to get assistance with extra services of trash collection may cause a burden on our health care system.

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

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

No: 0

6.b. 2021 CDBG Annual Action Plan

Ande Banks, deputy city manager, stated the 2021 Community Development Block Grant (CDBG) Action Plan allocations requested are \$532,571. He reviewed the categories funds will be distributed, the organizations recommended to receiving funds, and the recommended amounts of funding for each. He reviewed the timeline for the Action Plan approval process and stated the 30-day public comment period begins this evening. He provided the information to submit comments.

Council Member Jones asked if, when reviewing the Community Contributions for FY 2021-2022, a column would show the funding provided by CDBG for the organizations.

Vice Mayor Romero stated he echoes the comments made by Council Member Jones and asked for information on the application and selection process. Mr. Banks reviewed the requirements and process. Eric Campbell, city manager, stated Council Member Hirschmann is on the selection panel.

At 7:44 p.m., Mayor Reed closed the regular session and called the second public hearing to order. A notice appeared in the Daily News-Record on Monday, January 11, 2021

There being no one desiring to be heard, Mayor Reed closed the public hearing at 7:46 p.m., and the regular session reconvened.

No action required.

This Public Hearing - No Action was received and filed.

7. Regular Items

- 7.a. Consider a request from Shenandoah Valley Organic LLC per Section 7-2-4 of the City Code for the City to provide water and sanitary sewer service within Rockingham County

Adam Fletcher, director of Community Development, presented a request for extending water and sewer service to property located at 350 Acorn Drive. He stated the Public Utilities Department has reviewed this request and has offered their technical approval of water and sewer service to a weigh station, offices and wide haul shed, and noted some of this property is located in Rockingham County. He reviewed the property, the land use for the area, and the site plan.

He stated staff and Planning Commission (7-0) recommend approval of the request.

Vice Mayor Romero asked if there are other examples of this request in the city and what the timeline is for the project completion. Mr. Fletcher stated he is not able to provide a timeline for this project completion. He stated there are many locations throughout the edge of the city where a similar request has been approved.

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, Romero, Council Member Jones, Council Member Hirschmann and Council Member Dent

No: 0

- 7.b. Consider amending and re-enacting Section 13-1-73 Parking spaces reserved for handicapped persons, of the Code of Ordinances City of Harrisonburg, Virginia

Chris Brown, presented the revised ordinance reflecting the property terminology at the request of Council at the February 23, 2021 City Council meeting. He noted that he researched the appropriate terminology to be used and reached out to local advocacy groups and the Department of Aging and Rehabilitative Services to verify. He stated he also had asked the Harrisonburg Police Department as to the number of tickets issued for this type of violation, and for the last part of 2019 there were ten tickets issued and in 2020 there were 17 tickets issued. He stated there were a large number of calls for violations, but it is difficult to ascertain which calls were specifically for this type of violations. He stated after review of other localities comparable to

Harrisonburg, the increase to a \$150 fee for violation seems appropriate.

Council Member Jones thanked Mr. Brown for his research to make sure the terminology was correct.

Council Member Hirschmann stated the \$150 fee sounds about right.

Vice Mayor Romero asked if the fines are shown on the parking signs and asked what the reason is for the requested increase in the fine. Mr. Brown stated he is not sure if the fine amount is listed on the signs, but he can verify that for the Vice Mayor and Council. He stated the increase is due to the increase in calls and this may help deter future violations.

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

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

No: 0

8. Supplementals

- 8.a.** Consider a supplemental appropriation for the General Capital Projects Fund in the amount of \$786,321

Eric Campbell, city manager, presented a supplemental appropriation from the General Capital Projects Fund in the amount of \$786,000. He stated the Department of Public Works and the Parks and Recreations Departments were awarded grant funding for the Federal Street Project through the Virginia Department of Transportation (VDOT) in the amount of \$431,980 and for the Cale Trail Project through the Virginia Department of Conservation and Recreation in the amount of \$354,341.

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

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

No: 0

9 Reallocations

- 9a.** Consider a reallocation of funds within the General Capital Projects Fund in the amount of \$997,316.63

Eric Campbell, city manager, presented the request for reallocation of funds within the General Capital Projects Fund in the amount of \$997,316.63 from residual funds of projects that have been completed.

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

Yes: 5 - Mayor Reed, 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)

Bucky Berry, 30 W Washington Street, spoke on the second high school and the increase in costs of construction, the food drive and upcoming food drive and food delivery events, he complimented Council Members for their support.

Pamayotis "Poti" Giannakaouros, spoke on the new trash bins and how aesthetic arguments were heard, zoning restrictions, composting restrictions, the health of the community, occupancy limits, and Council should think more widely about the community as a whole.

10.b. City Council and Staff

Council Member Jones stated with what is happening nationally at this moment, we need more than thoughts and prayers, but they go a long way, hope springs eternal, and his heart, mind and actions will go out to the Asian community that has been affected, we all feel that ripple. He stated there seems to be a reoccurrence in Colorado that many of us do not want to experience, to the innocent individuals who were just shopping and to the officer that was killed, we send hope, thoughts, and prayers. He stated if we can do more let's do more, and until we get to the root of the matter, we will continue to see levels of hate and evil arise.

Council Member Hirschmann congratulated Bucky Berry and his family for the food that was collected, it was very successful. He asked Mr. Campbell if the report on the Golf Course Study is available. Mr. Campbell stated the report is not ready but should be available by late April 2021. Mayor Reed stated there was a partial report presented to the Parks and Recreation Advisory Committee as to where the study was and made available to the public but was not a full report.

Council Member Dent stated she got to ride around on an electric school bus, and it was fun, she attended a few days at the Virginia Solar Summit and as a result of that she got intrigued by the idea of adding solar panels to brown fields. She stated she

researched the closed landfill in the area, but that may not be viable there because ball fields are already there. She stated she would like to explore other options of where city owned solar panels may be placed. She stated her and the new sustainability coordinator, Trina Mastran, are to meet with two representatives with the Virginia Department of Environmental Quality (DEQ), to discuss brown fields. She stated she went through two days of Planning Commission training which has been very in depth. She stated she joined a call with Mark Warner that was very informational and inspiring as he was talking mostly to a group of local elected officials on the American Rescue Plan and the schedule of its disbursement. She spoke on other topics discussed on that call.

Vice Mayor Romero stated with the vaccine now available to more people he continually remains concerned about the access to the vaccine, in particular to people of color. He stated there are inequities with the distribution of the vaccine, and he would like to see a report of the numbers of who did and did not get the vaccine to date. He stated data is critical in creating change, and he has not seen the data needed. He asked city staff to obtain the data, as it seems that African Americans and Latinos are getting the vaccine at significantly lower rate due to access and barriers. He stated he knows of many that want to get the vaccine, but it takes education and outreach. He stated he is aware that most of Council, if not all, will be fully vaccinated soon, and he believes the discussion of in-person meetings and plans on how that can be done should begin. Mayor Reed stated a few of us are eager to get back to in-person meetings. She stated she would be interested to see the data Vice Mayor Romero is asking for and suggested her and Vice Mayor continue to reach out at the state level to get the information. She stated with meeting in person Council is safer once vaccinated, other elected officials are already meeting in person, and Council should look at possible larger venues to hold Council meetings. She stated she wants to know data on how many vaccines in the city have been administered, as once we open the doors to the public, we must make sure the space is available to be safe. Council Member Jones stated he would like to see the difference in benefits with virtual meetings versus in-person meetings. He stated while there is something symbolic about meeting in person there is also something very efficient about meeting virtually, more people are able to watch, better quality, less showboating and grandstanding, and everyone can see each and everyone of our faces. He asked do we meet in-person but not allow the public to attend, if so then what is the point and what type of resources would be needed by staff. He stated although the vaccine is available, not everyone wants to get it, how can we feel comfortable opening the doors to the public. Council Member Dent stated she echoes the comments made by Council Member Jones about safety first and notes she is in a peculiar position as she has never attended an in-person Council meeting, but she is sure there is some element of dynamics that meeting in person that could be an added benefit to our communication with each other and the public. Council Member Hirschmann stated perhaps we could require any public attending the meetings to show proof of vaccination. Further discussion took place regarding holding in-person Council meetings.

Mayor Reed stated the Mayors of five localities who are in partnership with the Middle River Regional Jail (MRRJ) met to discuss the jail and its expansion. She stated she shared Harrisonburg’s view on the expansion, discussion took place regarding alternative programs, and there are plans to meet again in a couple of weeks for more discussion on MRRJ. She stated it seems as though everyone has gone and toured the jail, but she has not, and she wants to know if there is any interest, either as a Council or individually, to do a tour. She stated there will be more upcoming events for vaccine distribution.

Eric Campbell, city manager, stated he emailed all Council members the alternative budget schedule and reviewed that schedule with them.

11. Boards and Commissions

11.a. Appoint Gene Hart to the Community Criminal Justice Board

Council Member Jones asked if this is a new vacancy. Mr. Brown stated it is to fill a required position of criminal defense attorney.

A motion was made by Council Member Dent, seconded by Vice Mayor Romero, to approve the appointment of Gene Hart to the Community Criminal Justice Board. The motion carried with a unanimous voice vote.

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

No: 0

11.b. Building Code Board of Appeals

A motion was made by Council Member Jones, seconded by Council Member Hirschmann to reappoint Brian Koerner and William Robinson to the Building Code Board of Appeals. The motion carried with a unanimous voice vote.

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

No: 0

12. Adjournment

At 8:49 pm, there being no further business and on motion adopted, the meeting was adjourned.

CITY CLERK

MAYOR