



City of Harrisonburg

409 S. Main Street
Harrisonburg, VA 22801

Meeting Minutes - Final City Council

Tuesday, April 12, 2022

7:00 PM

Council Chambers

1. Roll Call

Present: 4 - Mayor Deanna R. Reed, Vice Mayor Sal Romero, Council Member Christopher B. Jones and Council Member Laura Dent

Absent: 1 - Council Member George Hirschmann

Also Present: 5 - Deputy City Manager Ande Banks, City Attorney Chris Brown, City Clerk Pam Ulmer, Police Chief Kelley Warner and Mayor Matthew Tobia

2. Invocation

3. Pledge of Allegiance

4. Special Recognition

Lauf Cycling presentation

Brian Shull, director of Economic Development, introduced Benedikt Skulason and his wife, Heidi, from Reykjavík, Iceland. Mr. Skulason is the founder and CEO of Lauf Cycling, they design and manufacture high-end gravel and mixed terrain racing bicycles that are distributed worldwide. He stated Lauf has signed a lease on a building in the city that will become a showroom and used for light assembly and distribution throughout the United States. He stated Tim Rugg, US Operations Manager, is also present. He stated while the building is being renovated to suit Lauf's needs they will be sharing space in a building occupied by Brothers Brewing and TradeShow Direct and starting distribution immediately.

Mr. Skulason thanked Council and stated they are very pleased to come to Harrisonburg, it wasn't a light decision, there were many sites reviewed over the past several years, including Chicago. He stated Lauf is one of the leading, if not the leading, brands of gravel bikes and high end cycling globally and about 80% of their sales come from the United States. He stated direct shipping from Taiwan is costly and time consuming and a proper set up was needed in the US. He stated the deciding factors for choosing Harrisonburg was that the area is great for cycling, the nature around us is perfect, the logistics are convenient, and relatively central to the East Coast and Midwest.

Mayor Reed thanked them for choosing the city, welcomed them and presented a gift basket of goodies from the city.

This Presentation was received and filed.

4.a. Presentation to City Council

Chaz Haywood, Circuit Court Clerk of the Harrisonburg-Rockingham Circuit Court, presented, in recognition of the 244th anniversary of Rockingham County (March 25, 1778), the clock hands, framed and historically noted, from the fourth courthouse, erected at Court Square, which had the first tower clock in the area and was a 100-year clock. He shared the history of the clock tower and thanked Council for all their support in the Circuit Court Clerk's office and court system.

This Presentation was received and filed.

4.b. Proclamation recognizing the third Wednesdays in April as Great Community Give Day

Mayor Reed presented a proclamation recognizing the third Wednesday of April as the Great Community Give Day.

Amanda Bomfim, Program Officer, The Community Foundation, thanked Council for joining in the celebration. She stated she and her team are humbled and blessed to be a part of something that makes such a huge difference in the community.

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 Jones, to approve the consent agenda as presented. The motion carried with a recorded vote as follows:

Yes: 4 - Mayor Reed, Vice Mayor Romero, Council Member Jones and Council Member Dent

No: 0

Absent: 1 - Council Member Hirschmann

5.a. Minutes from the March 22, 2022 City Council meeting

These minutes were approved on the consent agenda.

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

The Supplemental Appropriation was approved on the second reading

6. Public Hearings

6.a. Public Hearing to Consider 2022-2026 Consolidated Plan and 2022 Annual Action

Plan

Kristin McCombe, Community Development Block Grant (CDBG) coordinator, stated over the past year or so she has worked with Mullen & Lonergan Associates to help prepare a couple of 5-year documents for the planning of the CDBG as well the Annual Action Plan. She introduced Marjorie Willow, with Mullen & Lonergan.

Ms. Willow reviewed the following regarding the 2022-2026 Consolidated Plan, the 2022 Annual Action Plan, and the 2022-2026 Analysis of Impediments to Fair Housing Choice:

- What the five-year Consolidated Plan is;
- FY 2022 Anticipated Funding;
- Funding recommendations for the following;
 - Housing Property and Improvements;
 - CDBG Program Administration;
 - Public Service Activities;
 - Community & Public Facility Activities;
- Analysis of Impediments to Fair Housing Choice;
- What Fair Housing is;
- Fair Housing protected classes;
- Identified impediments;
- Fair Housing Action Plan and Goals;
- Next Steps.

Ms. McCombe stated all public comments must be received by 9:00 am on May 13, 2022, provided the contact information for comments and questions, and provided links for additional information.

At 7:46 p.m., Mayor Reed closed the regular session and called the third public hearings to order. A notice appeared in the Daily News-Record on Monday, April 4, 2022.

Beth Bland, director of Senior Services, Valley Program for Aging Services, reviewed the mission of the organization, thanked Council for their support and asked for their continued support, as these funds help fund the Meals on Wheels program.

Panayotis "Poti" Giannakouros, spoke on the pros and cons of the city, referenced an several articles on a program called "No Mow May" and how that initiative brought the communities closer together, and asked why Harrisonburg can't do the same.

At 8:54 p.m., Mayor Reed closed the public hearing and the regular session reconvened.

No Action required

This Public Hearing - No Action was received and filed.

6.b. Amendment to the 2020 CDBG Action Plan

Kristin McCombe, Community Development Block Grant (CDBG) coordinator, reviewed the amendments to the 2020 CDBG Action Plan, provided the amendment schedule, noting the 30-day public comment ends on May 13, 2022, and provided contact information for any questions or public comment.

At 7:26 p.m., Mayor Reed closed the regular session and called the second public hearings to order. A notice appeared in the Daily News-Record on Monday, April 4, 2022

Pam Miller, development director, Pleasant View, 151 Commerce Drive, stated they have been enjoying the accessibility of the parks and it has inspired them to do some community outreach hosting meet ups at the parks. She stated the parks in the city make Harrisonburg more welcoming, especially to those that have accessibility issues.

At 7:28 p.m., Mayor Reed closed the public hearing and the regular session reconvened.

No Action required

This Public Hearing - No Action was received and filed.

6.c. Consider a request from Northside LLC with representative Holtzman Oil Corporation to rezone four parcels at 1441, 1451, and 1477 North Main Street

Adam Fletcher, director of Community Development, presented a request to rezone four parcels at 1441, 1451, and 1477 North Main from M-1 to B-2C. He reviewed the property, the surrounding properties and their zoning designations, the expected use of the property, and noted part of the property is in Rockingham County. He stated Rockingham County has already approved its portion of the rezoning on March 23, 2022. He reviewed a conceptual layout and the proffers submitted by the applicant and noted this property is located in a corridor enhancement area. He reviewed Rockingham County's Land Use Plan for the area, which is very similar to what the city is looking for in that area and future city projects in the area. He stated staff has concerns about the site layout and spoke to the applicant regarding additional sidewalk improvements along Vine Street. He stated the applicant noted they might be interested but were not ready to proffer it.

Council Member Jones asked for clarification of "vision statement" comments made by Mr. Fletcher that had not yet been approved by staff or City Council. Mr. Fletcher stated according to Chapter 15 of the Comprehensive Plan that specifically recommends a special study of the corridor be done. Council Member Jones asked when is that study expected to be done. Mr. Fletcher stated when staff has the resources for smaller scale plans. Council Member Jones stated we normally get needed studies done fairly quickly. He stated the Comprehensive Plan is ever

moving, the study would provide more validity to what staff is saying and is needed. Mr. Fletcher stated the study would just be one tool, staff knows they have a plan for additional mixed-use at that location.

Mr. Fletcher stated they had spoke with the applicant about switching the lay-out of the design, having the convenience store at the front and the fuel pumps to the rear to create the opportunity for green space and direct access for pedestrians.

Mr. Fletcher stated staff recommended denial as we do not want to lose sight of the opportunity to create a space that we know we want on that corridor. He stated staff felt that by recommending this request staff would set the wrong precedent and send the wrong message of how we hope to serve the people in this area of the city.

He stated Planning Commission (3-3) failed to make a recommendation to Council.

Council Member Dent stated the by-right uses for M-1 Industrial allows a gas station. Mr. Fletcher stated that is correct, but it does not allow convenience stores, retail, or restaurants unless they apply for a special use permit. He stated the applicant chose to request a rezoning instead.

Discussion took place about the decisions Council and Planning Commission make and how it is a fine line between deciding on a project and thinking they have the authority to design a development. Mayor Reed stated there are a lot of people who could benefit from this type of development and is not sure how one could recommend denial over one thing that does not quite fit the vision.

Vice Mayor Romero stated he wonders if the decision at Planning Commission would have changed if the by-right use was mentioned at the meeting. Vice Mayor Romero stated the communities in the area will definitely benefit from this development, but he would like to make sure the walkability of the area needs to be improved so it can be safely accessible. Council Member Jones agreed with Vice Mayor Romero and stated adding the retail part increases revenue for the city. Further discussion took place regarding the needs and benefits to the area, the information provided by staff and the need for the corridor study for future developments.

At 8:38 p.m., Mayor Reed closed the regular session and called the third public hearing to order. A notice appeared in the Daily News-Record on Monday, March 28, 2022, and Monday, April 4, 2022

Todd Rhea, Clark and Bradshaw, representative of applicant, stated the applicant, Bill Holtzman, president of Holtzman Corporation and Dexter Mumaw, director of construction for Holtzman Corporation, are present. Mr. Rhea provided the history of businesses in the city owned by Holtzman Corporation and their business history. He reviewed the work that went into getting to this stage of development, the surrounding area, the lack of this type of amenity in the area and the history of past development

requests for that area. He stated that the proposed primary use is the gas station and hence should be in full visibility. He compared this plan to another already successfully built location in Loudoun County that has a similar design and similar location. He stated the applicant has been proactive in addressing staff and citizen concerns over the last several years developing its proffers. He thanked Council for their time and ask for approval of this request.

Alleyn Harned, 77 N Willow St., stated he works next to this site, as so do many, this area lacks this type of amenity, he is excited to see EV stations proposed for this development, and of course we could always use more sidewalks when possible. He thanked Council for his time and noted he is in favor of the request.

Thomas Domonoske, 461 Lee Avenue, stated he appreciates all the time and effort each Council Member commit to their jobs and the hard work of city staff. He spoke on the request from staff to relocate the gas pumps and would hope that would be accepted by the applicant. He spoke on the process of creating the Comprehensive Plan and specific sections of the plan that relate to this project. He urges Council to side with staff and support their efforts to implement the Comprehensive Plan.

Panayotis "Poti" Giannakouros, stated how can you kill a proposal for something so small that could benefit so many people. He stated he feels the city is going into a major decision without the benefit of competent vetting from Planning Commission. He spoke on the lack of credentials of the chair of Planning Commission. He spoke on staff of Community Development.

Bucky Berry, 30 West Washington Street, spoke on how Walmart was supposed to go to this site a few years ago, but they backed out due to city requirements. He stated this area needs this development and is in favor.

Ed Blackwell, Blackwell Engineering, stated he has more sidewalks planned for this property than any other project he has done in the city over the last 35 years, there are projects planned to have sidewalks added to the other areas of that community by city and VDOT, and he feels it will be accessible for pedestrians and bicycle traffic.

At 9:06 p.m., Mayor Reed closed the public hearing and the regular session reconvened.

A motion was made by Council Member Jones, seconded by Vice Mayor Romero, to table this agenda item. The motion carried with a recorded vote as follows:

A motion was made by Council Member Jones, seconded by Vice Mayor Romero , to table this agenda item. The motion carried with a recorded vote as follows:

Yes: 4 - Mayor Reed, Vice Mayor Romero, Council Member Jones and Council Member Dent

No: 0

Absent: 1 - Council Member Hirschmann

Recess

At 9:09 p.m., Mayor Reed called the meeting into recess.

At 9:19 p.m., Mayor Reed called the meeting back into session.

6.d. Consider a request from Turkey Properties LLC to rezone a +/- 2.32-acre portion of 797 Chicago Avenue

Adam Fletcher, director of Community Development, stated agenda items 6d and 6e are presented together. He presented a request for a rezoning from B-2 and B-2C to R-5C and special use permit to allow more than 12 units per building for property located at 797 Chicago Avenue. He reviewed the subject parcel, the surrounding land use, the zoning history of the subject parcel, the proffers offered, and noted this project provides traditional neighborhood design principals and residents will have access to work, shopping, recreation, etc. via several modes of transportation.

He stated staff and Planning Commission (4-2) recommended approval of these requests.

Mayor Reed asked the reasoning for the two Planning Commissioners not recommending approval. Mr. Fletcher stated much of the discussion was associated with the continuity of concerns from the adjacent neighborhoods, open space, but would have to refer to the minutes of the meeting. Council Member Dent read part of the extract of minutes from the Planning Commission meeting. Council Member Jones asked if Council Member Dent remembers anyone saying anything on the impact this development would have on schools. Council Member Dent stated she recalled some conversation of that but also received public comment on that as well.

Council Member Jones questions the location of the buffer. Mr. Fletcher stated the buffer is already naturally occurring, but further conversation is taking place with the applicant on that. Council Member Jones stated the residents that are already there need to be protected with the fencing and vegetation buffer.

Vice Mayor Romero asked what the by-right use of this property is as is. Mr. Fletcher stated much of the B-2 uses with the existing conditions and exceptions previously proffered. Vice Mayor Romero asked about the neighborhood meeting that took place regarding this proposed development. Mr. Fletcher stated the applicant would be able to provide that information. Vice Mayor Romero asked what the number of bedrooms will be. Mr. Fletcher stated the applicant would be best to answer that question.

Council Member Jones asked if the special use permit is required to move the

rezoning request forward for this applicant.

At 9:37 p.m., Mayor Reed closed the regular session and called the fourth and fifth public hearing to order. A notice appeared in the Daily News-Record on Monday, March 28, 2022, and Monday, April 4, 2022

Fred Bosserman, APR Associates PC, representative for applicant, stated Angel Rodriguez, owner of property, and Gil Colman, Colman Engineering, are present. He stated the Mr. Rodriguez owns several commercial properties around the subject site, including La Morena, and has been interested in developing additional parking spaces to qualify La Morena as a restaurant and has been trying to negotiate with other property owners in the area to purchase a small portion of land for that purpose and ended up buying this parcel. He reviewed a revised plan. Council Member Jones asked if staff has seen this revised plan. Mr. Bosserman stated no. Mr. Colman stated it is just a concept, nothing has been proffered. Mr. Bosserman stated it reflects changes to solve some of the questions and issues staff and Planning Commission had. Mr. Fletcher stated the conceptual design can be changed, the only thing guaranteed are the proffers offered. He stated it would need to go through the engineering comprehensive site plan. Council Member Jones stated he would want staff's thoughts and recommendations on this revised concept. Mr. Fletcher stated Council is not approving the design, they are just to decide on the acceptance of the proffers. Mr. Colman stated this project still needs to go through the comprehensive site plan process, and any plan would have to be approved by staff. Council Member Dent stated this is a perfect illustration of the things we hear over and over that the conceptual design is not proffered and can change as it evolves.

Mr. Bosserman stated this parcel has not generated any commercial interest and has been subject to misuse and abuse. He spoke on the height of the proposed buildings, the water retention of the site, the buffer, and the willingness to listen to the concerns of the neighbors and staff.

Council Member Jones stated this cannot be considered workforce housing until everything is done and costs are calculated. Mr. Colman stated according to the location, it fits for workforce housing.

Vice Mayor Romero asked what the bedroom makeup of the housing will be. Mr. Bosserman stated it is intended to be all three-bedroom units. Vice Mayor Romero asked what the outcome of the discussion with the community was like. Mr. Bosserman stated there were concerns about the buffer on the west, the height of the buildings, the traffic, and the quality of the build, which of most have been addressed by the property owner and are being considered.

Cheryl Foster, 3rd Street, stated this development will be in their back yard, she believes it will relieve some of the problem with housing, it may provide new jobs for

those involved in the project, provide revenue for the city, may alleviate some of the problems of people wandering through that area littering, camping etc., and may benefit the city as Mr. Rodriguez expands his business. She stated she would like Council to consider a two-story level building to match the surrounding residential properties, would like to see as many trees as possible, she is concerned about additional traffic, and concerned about the impact to the school.

Chris Pipkins, 470 W. Wolfe Street, stated supports local small business owners, he appreciates all the research and care put into the process by Mr. Bosserman, Mr. Rodriguez, and Mr. Colman. He stated there is no doubt here is good will and intentions here, his concerns are the tree line, density of the units and parking provided for the residents of the unit. He stated the parking does not match up with the possible spots needed. He stated he has concerns about the types of trees that will be planted. He asked Council to approve the rezoning request, but reduce the density allowed, and consider choosing native trees.

Thomas Domonoske, 461 Lee Avenue, stated he supports La Morena, and supports this project, it has been thoroughly vetted by staff, the developer is collaborating with the community, and housing is needed. He stated he urges Council to approve the request.

Kathryn Yoder, 606 Lee Avenue, stated she supports the development. She stated we are in a national and local housing crisis and urges Council to approve the requests.

At 10:23 p.m., Mayor Reed closed the public hearing and the regular session reconvened.

Council Member Jones stated he would like to hear more on the revised concept plan such as the price point for rentals, the demographics this project is geared to, the final decision on buffering, etc.

Vice Mayor Romero stated two development projects were approved recently in which we knew what the rental price would be, and as Mr. Colman mentioned, the more housing that becomes available the more choices are available for others. He stated he feels he is good to go with approving the proffers, the developer has listened to the concerns of the community, and he feels comfortable affording these requests.

Further discussion took place regarding affordable housing, the need for information on the rental price, demographics, the plans concept, etc.

Council Member Dent stated she likes that the developer is listening to the community's concerns, and now that we have a housing coordinator, we can delve into what the city can offer to make truly affordable housing. Council Member Jones stated affordable is varying, what is affordable for one may not be affordable for the

other, we need housing in all spectrums.

Mayor Reed asked the applicant what his vision is for this development. Mr. Rodriguez stated his vision is for families, which is why these units will be three-bedroom, and after researching with other rental companies, in order to accommodate families, it must be three-bedroom units, and he must look at local market rate. He assured Council the property will be nice and well maintained, and not be student housing. He stated he would be willing to come back with the specific information Council needs to make a decision.

Further discussion took place regarding tabling the item versus voting on the request now.

A motion was made by Council Member Jones, seconded by Council Member Dent, to table this agenda item. The motion carried with a recorded vote as follows:

Yes: 3 - Mayor Reed, Council Member Jones and Council Member Dent

No: 1 - Vice Mayor Romero

Absent: 1 - Council Member Hirschmann

- 6.e.** Consider a request from Turkey Properties LLC to for a special use permit to allow multi-family dwellings of more than twelve units per building

Presented with Agenda Item 6d

A motion was made by Council Member Jones, seconded by Council Member Dent, to table this agenda item. The motion carried with a recorded vote as follows:

Yes: 3 - Mayor Reed, Council Member Jones and Council Member Dent

No: 1 - Vice Mayor Romero

Absent: 1 - Council Member Hirschmann

- 6.f.** Consider approving the FY 2022-2023 through 2026-2027 Capital Improvement Program

Adam Fletcher, director of Community Development, thanked all his colleagues for all their hard work on the Capital improvement Program (CIP), he reviewed what the CIP is, the importance of this program to the city, what information is included in the CIP Project Request Form and the total projects requests for FY 22/23 - FY 26/27, the combined total of CIP projects by year, the 5-year total percentage of CIP Projects by department and the 5-year CIP needs compared to projected available funds.

He stated Planning Commission recommended approval of the CIP with one slight change from Council Member Dent that it be approved with a statement added to the introduction of the CIP as follows:

Information provided for each project does not include all details of any particular project however, environmental resilience and sustainable infrastructure such as, but

not limited to, solar panels, should be considered with all city projects.

Council Member Dent thanked Mr. Fletcher for adding the statement.

At 10:57 p.m., Mayor Reed closed the regular session and called the sixth public hearing to order. A notice appeared in the Daily News-Record on Monday, March 28, 2022, and Monday, April 4, 2022

There being no one desiring to be heard, Mayor Reed closed the public hearing at 10:58 p.m., and the regular session reconvened.

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

Yes: 4 - Mayor Reed, Vice Mayor Romero, Council Member Jones and Council Member Dent

No: 0

Absent: 1 - Council Member Hirschmann

7. Regular Items

7.a. Election ordinance amendments for sections 1-1-11 and 1-1-12 to adopt a new City precinct map and move the JMU polling location

Chris Brown, city attorney, stated at the last City Council meeting, Mr. Mark Finks, Registrar, presented some suggested ordinance changes that were approved by Council. He stated normally, this item would have been on the consent agenda, however, due to a few developments, staff was required to tweak the ordinances to meet certain state requirements. He explained what amendments were made and why since the last meeting.

Council Member Dent asked if the polling place at JMU still moving to Godwin Hall. Mr. Brown stated that is correct.

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

7.b. Presentation on the proposed FY 2022-23 Budget

Mayor Reed read the following statement:

Pursuant to Sections 2.2-3112(B)(1) and 2.2-3115(H) of the Conflict of Interest Act of Virginia, I am declaring for the minutes of this meeting that as a result of my employment with the On the Road Collaborative, which has a contract with the Harrisonburg City Public Schools, I have a personal interest in the transaction of the City's budget as a member of a business, profession, occupation, or group of three or more person the members of which are affected by the transaction. I further affirm that I am able to participate in this Council's consideration of the City's budget fairly,

objectively, and in the public interest.

Vice Mayor Romero read the following statement:

Pursuant to Sections 2.2-3112(B)(1) and 2.2-3115(H) of the Conflict of Interest Act of Virginia, I am declaring for the minutes of this meeting that as a result of my employment with the Harrisonburg City Public Schools I have a personal interest in the transaction of the City's budget as a member of a business, profession, occupation, or group of three or more person the members of which are affected by the transaction. I further affirm that I am able to participate in this Council's consideration of the City's budget fairly, objectively, and in the public interest.

Ande Banks, interim city manager presented the proposed budget for FY 22/23. He acknowledged the Executive Leadership Team, Mr. Propst, finance director, Amy Snider, assistant to the city manager, and Michael Parks, director of Communications working as a team to bring this proposal to Council. He reviewed City Council's 2039 Vision, the budget preparation process, the focus of the proposed budget, the budget development challenges, the budget highlights, proposed new full-time positions, and the civic and community organizations grant funding recommendations.

He reviewed an overview of the budget which included at \$0.03 real estate tax increase, the population estimates, all fund expenditures, the General Fund revenues and the comparisons between FY 21/22 and FY 22/23 of that revenue, and the General Fund Expenditures and the comparisons between FY 21/22 and FY 22/23 of those expenditures.

He reviewed City School highlights of the proposed budget which included the comparison of FY 21/22 and FY 22/23 budgeted services for supporting city schools, paying for the HHS2 project, local appropriations to city schools from FY 13/14 to FY 21/22, and local school expenditures for the same time frame.

He reviewed opportunities that have been or may be available to the city, to include the American Rescue Plan Act funding, the Infrastructure Investment and Jobs Act funding, and the Congressionally Directed Spending funding.

He provided the proposed budget calendar, with recommended dates for a Council Work Session if they desire and a final approval of the budget at the May 24, 2022, City Council Meeting and noted the proposed budget is available for review on the city's website.

Council Member Dent proposed it be considered to increase the real estate tax rate to \$0.04 so that after further review of the budget it the entire increase was not needed it could be reduced. Vice Mayor Romero requested the tax increase be reduced to \$0.02 in hopes that other funding options become available. Mr. Banks stated ARPA funding cannot be used to replace revenue. He stated he does not recommend going below \$0.03 increase as it is proposed to cover the debt service

for the HHS2 project. He stated you can always come down from what the advertised proposed tax increase is, but you can never go higher. Further discussion took place regarding the proposed published tax increase.

A motion was made by Council Member Jones seconded by Vice Mayor Romero, to approve the real estate tax increase to \$0.03 for FY 23/22 be published as presented. The motion carried with a recorded vote as follows:

Yes: 3 - Mayor Reed, Vice Mayor Romero and Council Member Jones

No: 1 - Council Member Dent

Absent: 1 - Council Member Hirschmann

7.c. Consider a resolution for submittal of a request for congressionally directed spending (CDS) for Fiscal Year 2023

Ande Banks, interim city manager, stated the city has an opportunity to seek a congressional earmark for an important capital improvement project that fits nicely within the parameters of the congressionally designated spending, the Western Raw Water Line. He stated the Western Raw Water Line maximized the water coming out of Rawley, and because it is at a higher elevation it virtually falls into the city. He stated the resolution is for City Council's support to make the request for congressionally designated spending to both Senator Kaine and Senator Warner for their consideration as they look at congressional spending.

Vice Mayor Romero asked what the odds are of getting these funds. Mr. Banks stated he cannot answer that, he knows that the use of earmarks has not been in progress for the past ten to fifteen years and are at the discretion of the members of Congress. Vice Mayor Romero asked if there was anything Council could do to help get those funds. Mr. Banks stated they can call the Senator's offices and recommend their consideration of this project.

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: 4 - Mayor Reed, Vice Mayor Romero, Council Member Jones and Council Member Dent

No: 0

Absent: 1 - Council Member Hirschmann

8. Special Event Application Requests

8.a. Consider the special event application request for the EMU Spring Commencement Ceremony on Sunday, May 8, 2022.

Matt Little, recreation and special events manager, Parks and Recreation, presented a special event application request for the Eastern Mennonite University (EMU) Spring Commencement on Sunday May 8, 2022. He stated the applicant is

requesting the closure of Park Road from Mt. Clinton Pike to Parkwood Drive from noon to 3:30 p.m. He stated the assistance of Public Works and the Harrisonburg Police Department is requested, the estimated cost is \$500, and the event organizer is responsible for payment of applicable charges.

A motion was made by Council Member Jones, seconded by Council Member Dent, that this Special Event Application be approved. The motion carried by a voice vote.

9. Supplementals

9.a. Consider a supplemental appropriation in the amount of \$2,189,601

Larry Propst, finance director, presented a supplemental appropriation in the amount of almost \$2.2M for the retention incentives approved by Council on March 8, 2022.

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

Yes: 4 - Mayor Reed, Vice Mayor Romero, Council Member Jones and Council Member Dent

No: 0

Absent: 1 - Council Member Hirschmann

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)

Panayotis "Poti" Giannakouros, spoke on ARPA funding and requests more ways to engage the public. He spoke on the history of the fourth courthouse, the local government at that time, and how we should learn from our history. He stated he is heartened to see his elected representatives vote contrary to the spouses and friends of local millionaires.

James "Bucky" Berry, spoke on the vacancies of officers and K9 dogs at Harrisonburg Police Department, it is also a nationwide problem, but he doesn't see HPD turning around. He spoke on the donation from George's chicken to feed the local families and the new captain at the Salvation Army.

10.b. City Council and Staff

Council Member Jones thanked Senator Warner for coming to the city to visit Farmers Focus, Corwin Heatwole has an amazing business and business model, he set an exemplary standard of diversity, equity, inclusion, and economic development for entrepreneurs for farmers and has a great sustainability model and promotes clean eating. He stated our team has done a great job in supporting this business.

Council Member Dent stated she planted a tree on Arbor Day along side the Blacks

Run Cleanup Day that was a big success and great community effort.

Vice Mayor Romero wished his son a happy 16th birthday.

Mayor Reed stated to the public comment regarding ARPA Funding, a survey is available online and virtual small group engagement meetings are being done upon request. She wished Laura Toni-Holsinger, executive director of United Way good luck on her next chapter as she is leaving United Way. She wished Council Member Hirschmann well with his back surgery and want him to get well soon.

Ande Banks, interim city manager, thanked Kelley Warner, chief of Harrisonburg Police Department, and Matt Tobia, chief of Harrisonburg Fire Department, for the hard work they are doing, as every department director that has been leading through the adversity over the past two years of this economy and pandemic, his hats off to the Executive Leadership Team for the amazing job they do day in and day out, every week of the year.

11. Boards and Commissions

- 11.a. Consider appointing two Council Members and one staff member to Central Shenandoah Planning District Commission and nominate one member to the Executive Committee

A motion was made by Council Member Jones, seconded by Vice Mayor Romero, that this Boards and Commissions be approved. The motion carried by a voice vote.

12. Closed Session

- 12.a. 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 and for the disposition of public property, where the discussion in an open meeting would adversely affect the negotiating strategy or bargaining position of the public body;

A motion was made by Vice Mayor Romero, seconded by Council Member Dent, that this Closed Session Item be approved. The motion carried with a recorded roll call vote taken as follows:

Yes: 4 - Mayor Reed, Vice Mayor Romero, Council Member Jones and Council Member Dent

No: 0

Absent: 1 - Council Member Hirschmann

13. Adjournment

At 12:14 a.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 12:14 a.m., there being no further business and on motion adopted, the meeting was adjourned.

CITY CLERK

MAYOR