



City of Harrisonburg

409 S. Main Street
Harrisonburg, VA 22801

Meeting Minutes - Draft City Council

Tuesday, January 10, 2023

7:00 PM

Council Chambers

1. Roll Call

Present: 4 - Mayor Deanna R. Reed, Council Member Christopher B. Jones, Council Member Dany Fleming and Council Member Monica Robinson

Absent: 1 - Vice-Mayor Laura Dent

Also Present: 6 - City Manager Ande Banks, City Attorney Chris Brown, City Clerk Pam Ulmer, Police Chief Kelley Warner, Chief Matthew Tobia and Acting Deputy City Manager Amy Snider

2. Invocation

Mayor Reed offered the invocation.

3. Pledge of Allegiance

Mayor Reed led the Pledge of Allegiance

4. Special Recognition

- 4.a.** Proclamation recognizing Mr. William Blessing for his contributions to the City as a member of the Transportation Safety and Advisory Commission and the Harrisonburg Rockingham Metropolitan Planning Organization.

Mayor Reed presented to Mr. William Blessing a Proclamation recognizing him for his contributions to the city as a member of the Transportation Safety Advisory Committee (TSAC) and the Harrisonburg-Rockingham Metropolitan Planning Organization (HRMPO).

- 4.b.** Virtual Attendance by Council Member

Chris Brown, city attorney, stated as per the policy on Electronic Meetings, a quorum is present, Council Member Robinson is unable to physically attend due to a medical condition, and she is attending virtually from her home in Harrisonburg. He stated Council will need to approve her virtual attendance.

A motion was made Council Member Fleming, seconded by Council Member Jones, to approve the virtual attendance to the January 10, 2023, City Council meeting by Council Member Robinson. The motion carried with a unanimous voice vote.

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

Yes: 4 - Mayor Reed, Council Member Jones, Council Member Fleming and Council Member Robinson

No: 0

Absent: 1 - Vice-Mayor Dent

5.a. Minutes from the December 13, 2020 City Council Work Session and Regular Session

These minutes were approved on the consent agenda

6. Public Hearings

6.a. Consider a request from Maria Sonia Trejo to rezone 793 North Liberty St

Adam Fletcher, director of Community Development, presented a rezoning request for property located at 793 N. Liberty Street from M-1 to R-8. He reviewed the property, the surrounding properties, noted in August staff observed work being done on a covered deck on this property without permits, the contractor was informed and through the process the property was deemed not conforming. He stated options were provided to the property owner, and rezoning was the chosen option.

He stated staff and Planning Commission (7-0) recommended approval of this request.

Council Member Fleming asked why the three residential properties, that are currently zoned M-1, didn't get rezoned at the same time. He stated the city could initiate it, but it not a typical practice, and it may happen after the rezoning rewrite.

At 7:15 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 Friday, December 23, 2022 and Friday, December 30, 2022

There being no one desiring to be heard, Mayor Reed closed the public hearing at 7:16 p.m., and the regular session reconvened.

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

Yes: 4 - Mayor Reed, Council Member Jones, Council Member Fleming and Council Member Robinson

No: 0

Absent: 1 - Vice-Mayor Dent

- 6.b.** Consider a request from Van Delay LLC & Michael L. Marston to rezone 178 & 188 South Mason St

Adam Fletcher, director of Community Development, presented a rezoning request for property located at 178 and 188 S. Mason from B-2 to B-1C. He reviewed the property, the surrounding property, and the submitted proffer related to the parking lot that will no longer be used for parking.

He stated staff and Planning Commission (7-0) recommended approval of this request.

At 7:22 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 Friday, December 23, 2022 and Friday, December 30, 2022

There being no one desiring to be heard, Mayor Reed closed the public hearing at 7:23 p.m., and the regular session reconvened.

Council Member Jones stated just painting the parking lot might not be enough to discourage people from parking there, he suggested the applicant place concrete, rock or a tall sign at the parking area so people can't use it.

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

Yes: 4 - Mayor Reed, Council Member Jones, Council Member Fleming and Council Member Robinson

No: 0

Absent: 1 - Vice-Mayor Dent

- 6.c.** Consider a request from Scott D. Huston and Merridy M. Gnagey for a special use permit to allow short-term rental at 965 Smith Ave

Adam Fletcher, director of Community Development, presented a request for a special use permit for property located at 965 Smith Ave for a short term rental (STR). He reviewed the property, the surrounding properties, the zoning designation, the differences between a homestay and STR, and parking requirements. He stated the applicant has already operated as a homestay but wanted to increase the number of nights to over 90 days, increase the number of guests to five and two accommodation spaces.

He stated staff and Planning Commission (5-2) recommended approval of this request with the following conditions:

- a. All STR accommodations shall within the principal building.
- b. No more than two STR guest rooms or accommodation space.
- c. The number of STR guests at one time shall be limited to five.
- d. Submit a completed Short-Term Rental Pre-Operation Form and maintain compliance with the items identified in the form.
- e. Minimum off-street parking spaces do not need to be delineated and can be accommodated utilizing the driveway or other areas on the property.
- f. If in the opinion of Planning Commission or City Council, the use becomes a nuisance, the SUP can be recalled for further review, where additional conditions, restrictions, or the revocation of the permit could occur.

Mayor Reed asked the reasoning why two members of Planning Commission recommended denial. Mr. Fletcher stated on commissioner's denial was the disrepair that happens in neighborhoods with STR's and the increase of property value that affects affordable housing.

Council Member Fleming spoke on the possible parking areas for this request. Mr. Fletcher stated there is plenty of parking on the private property.

Council Member Robinson asked about the accommodation spaces and guest numbers. Mr. Fletcher stated the applicant can answer those questions.

At 7:33 p.m., Mayor Reed closed the regular session and called the third public hearing to order. A notice appeared in the Daily News-Record Friday, December 23, 2022 and Friday, December 30, 2022

Scott Huston, applicant, stated one of the bedrooms has a bunkbed and a full size bed, which would allow up to three children in the room and then another bedroom for the parents.

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

Council Member Jones stated quite a few STR's have been approved in this neighborhood and we have not received any negative feedback on any of those. He stated he likes to see the self-governance happening with STR's in the city.

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

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

No: 1 - Council Member Robinson

Absent: 1 - Vice-Mayor Dent

- 6.d.** Consider a request from WGG LLC for a special use permit to allow short-term rental at 524 Long Ave

Adam Fletcher, director of Community Development, presented a request for a special use permit for property located at 524 Long Ave for a short term rental (STR). He reviewed the property, the surrounding properties, the areas zoning designation, and parking requirements. He noted the property is an unsubdivided duplex unit and the operator would live in the lower unit with the STR will be for the upper unit. He stated the applicant already has a by-right homestay approved and in operation and is looking to expand the ability to beyond the 90 nights per year. He stated this request is similar to one on Broad Street presented at a previous Council meeting where staff recommended denial and reviewed to pending proposed amendment to ordinance 10-2-205 and other additional recommended amendments.

Council Member Fleming asked what the additional amendments were. Mr. Fletcher stated it is amendments to language, nothing significant.

Mayor Reed asked what the difference between this request and the one on Broad Street at a previous meeting. Mr. Fletcher stated it is all subjective, this request is for property completely separate from the owner's business next door, it can be sold separately, it can operate to any future property owner, and staff wanted to maintain and not set any precedent that they wanted to eliminate full on units for people to be able to live in.

Council Member Robinson asked how we determine which unit should be allowed to have a STR. Mayor Reed stated it is decided on a case by case basis. Mr. Brown stated you are entitled to look at the surrounding properties. Council Member Fleming stated in this case the two properties that are just to the east of the subject property are both owned by the applicant, and he asked if there was a plan to create one big single property out of this. Mr. Fletcher stated if the applicant were to do that there would need to be a change to the zoning district, physical changes to the buildings would be needed, there were conversations with the applicant about the grander picture of what they wanted to do, there are options, this is the most economical option for them. Council Member Robinson stated when people are trying to supplement their income, along with the cost of inflation, she understands the need to go beyond the 90 day rental ability but feels it should be only if a necessity. Council Member Fleming stated the ability of the owners of the property to make economic decisions that are a benefit to their family and not supporting that is restricting that type of individual economic growth. Council Member Jones stated both projects helped support a family member and it is helping a unit be preserved. Further discussion took place regarding the reasons why to approve or deny these types of requests.

He stated staff and Planning Commission (7-0) recommended denial, but if Council so decides to approve, he presented recommended conditions.

- a. All STR accommodations shall only be permitted within the upper level dwelling unit of the existing principal structure.
- b. No more than two STR guest rooms or accommodation space.

- c. The number of STR guests at one time shall be limited to four.
- d. Submit a completed Short-Term Rental Pre-Operation Form and maintain compliance with the items identified in the form.
- e. The STR may operate without providing any of the required minimum off-street parking spaces.
- f. If in the opinion of Planning Commission or City Council, the use becomes a nuisance, the SUP can be recalled for further review, where additional conditions, restrictions, or the revocation of the permit could occur.

At 7:58 p.m., Mayor Reed closed the regular session and called the fourth public hearing to order. A notice appeared in the Daily News-Record on Friday, December 23, 2022 and Friday, December 30, 2022

Joel Graham, 150 Crescent Drive, applicant, stated his brother will be living in the lower level of the unit as the operator and shared his reasoning for the request.

Council Member Fleming stated the applicant has done a great job with the Friendly City Inn and asked if this STR would be advertised through the Inn as additional space available on their website. Mr. Graham stated there could be some opportunities for cross-promotion

Panayotis "Poti" Giannakouros, stated the benchmark for STR's we should be following would be a detached place to sleep with a house under the conditions of primary residence. He spoke on another item coming up later in the meeting.

At 8:05 p.m., Mayor Reed closed the public hearing and the regular session reconvened.

Council Member Fleming noted that Council Member Dent is absent and since she voted against approving this at the Planning Commission her input may be important. He asked this item be tabled until she can come back.

Mayor Reed stated she spoke to Council Member Dent, but she did not mention any concerns on this particular item. Further discussion took place regarding Council Member Dent's absence and possible vote. Council Member Fleming suggested the applicant have the brother on the deed so he would not have to stay at the property but still operate it. Further discussion took place regarding the difference between owner and operator. Council Member Robinson stated there has been change in this area of the city, it seems like this location is more suited for a STR, however, her concern is that Council Member Dent did recommend denial of this request at the Planning Commission meeting and it would be nice to hear her side of things. Further discussion took place regarding the conversations at Planning Commission and City Council deciding on a case by case basis.

Council Member Fleming stated he doesn't see the concern of gentrifying, which is

an important consideration to take with these STR's, with this particular request. Mayor Reed stated that is not the concern for this request. Council Member Jones reminded everyone that there is a consideration that if any of the STR's become a nuisance or violate any conditions Council can revoke the special use permit. He noted there haven't been any complaints or violations to date.

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

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

No: 1 - Council Member Robinson

Absent: 1 - Vice-Mayor Dent

- 6.e.** Consider a request to amend the Zoning Ordinance to create and define a new use called "Cooperative Sober Living Residence" to be allowed by special use permit in certain zoning districts

Adam Fletcher, director of Community Development presented a zoning ordinance amendment to add a new definition and use for Cooperative Sober Living residences. He reviewed the history of this item, reasonable accommodation request options, the proposed ordinance and possible amendments to the proposed ordinance.

He stated staff recommended approval, however, Planning Commission (7-0) recommended denial as they believed this should be pushed more toward the by-right option, they did not want to create an opportunity where there would be a discussion in the public realm that might negatively stigmatize the people who would be living in these residences.

Chris Brown, city attorney, stated this is a very difficult and thorny issue, with concerns from neighbors, those that want to help these residents and zoning issues. He reviewed the current occupancy ordinances and stated these are in place so that certain sections wouldn't turn into a fraternity row in neighborhoods, which is all legal under Virginia law and the Federal Fair Housing Law. He stated the Fair Housing Law does require a locality to make reasonable accommodations to persons with disabilities when they apply. He stated we have three "group homes" in the city and have been located in community residential areas that are occupying single family residences in which normally unrelated groups would not be able to occupy. He reviewed Virginia State Code that was amended on July 1, 2022, that addresses group homes, recovery residences etc. he stated the Fair Housing Act is critical on this, in which many localities across the nation have dealt with and substantial litigation. He reviewed the Fair Housing Act, in particular the following:

"Cannot discriminate in the sale or rental or otherwise make unavailable, a

dwelling to a buyer or renter, because of a handicap.” And “a refusal to make a reasonable accommodation in rules, policies, practices necessary to afford such person equal opportunity to use and enjoy a dwelling.”

He stated just to clarify the definition: “disability” is an individual with a physical or mental impairment that limits one or more major life activities or a person who is regarded as having such an impairment. He stated drug and alcohol addiction is considered such an impairment. He stated that doesn’t apply to someone who is currently using illegal drugs. He stated from what he understands, the recovery centers or group homes residence who are found to be using alcohol or illegal drugs are asked to leave. He stated the Act requires localities to consider and adopt accommodations for group homes for people who are recovering from alcohol and drug addiction. Courts will most likely require localities to accommodate a request for up to eight unrelated individuals to reside in a home if they fall under this category. He reviewed the State Code for certified, highly regulated, assisted living facilities for individuals with mental illness, intellectual disability or development disability, with one or more resident or non-resident staff persons living there. He stated State Code references for 8 or fewer residents with someone providing service and supervision it must be treated just as you would a single family residence. He stated eight should be the maximum we allow in a Cooperative Sober Living Residence in the city. He reviewed other language in the State Code.

Council Member Robinson asked for clarification of what we have locally. Mr. Brown stated we have three Oxford Houses, that are credentialed, and as of July 1, 2022, Oxford House is recognized by the State as a credentialing agency. He stated a few that we have been approached by over the past few years are not credentialed.

Mr. Brown stated 8 unrelated occupants is where we need to be at, we can still have the special use permit process, but we can’t base denial on the status of the individuals with a disability. He stated we can base the request on other traditional zoning regulations such as parking. He stated the proposed special use permit was designed to provide a process by which an accommodation could be granted by the locality to these group homes. He reviewed what the ordinance amendments consisted of and the changes that need to be made to reflect the changes from July 1, 2022. He stated there may be additional changes from the State Board of Behavioral Health and Development. He reviewed additional requirements and language in the State Code, and stated staff feels that it makes sense for recovery residence of no more than eight individuals to be a by-right use. He stated staff’s recommendation is for Council to refer back to staff and the Planning Commission to look at the By-Right use for up to eight individuals for certified Recovery Residences and other issues such as impacts to a locality, additional court cases etc.

Council Member Fleming stated there are 160 of these in Virginia, Winchester has 14, Richmond has 40, Roanoke has 11, and it sounds like it's a recent treatment model, and it is growing faster than localities can account for this and you can't not allow it due to Fair Housing Act laws. He asked if we have reached out to other localities. Mr. Brown stated staff has reached out to several localities. Further discussion took place regarding possible regulations that could be applied and possible changes to State regulations.

Council Member Robinson asked how many people must be in a sober living house in order to require a live in staff member. She stated she is concerned about the violations. Mr. Brown stated there is no authority that requires someone to live on site at these residences. Council Member Fleming stated some of the credentialed organizations to require on-site live in support.

At 8:58 p.m., Mayor Reed closed the regular session and called the fifth public hearing to order. A notice appeared in the Daily News-Record on Friday, December 23, 2022 and Friday, December 30, 2022

Bob Sear, 1652 Central, stated he attended the Planning Commission meeting, reviewed current city ordinances, and shared his concerns about enforcement of violations.

Anthony Bopp, 69 Sharon Street, stated the way Oxford House has flaunted city regulations is irritating. He stated they create the housing, wait for complaints, and then come to the city to accommodate the regulations. He referenced the federal law "reasonable accommodation" requirement by localities, it doesn't say we have to do everything Oxford House wants. He stated these facilities seem to be consistent with profit maximization not necessarily with the recovery of the residents living in these homes. He thinks some professional should be working in these homes, for the recovery aspect and to watch over things. He stated the Fire Department should inspect the house prior to anyone moving into these homes.

Panayotis "Poti" Giannakouros, spoke on the need for the wellbeing of these residents and preventing predatory exploitation of them; reducing the number allowed to reside might help weaken the profit motive; the possibility of requiring an owner/operator occupancy such as in short term rentals; how potential for profit oriented expansion is the threat and should be limited;

At 9:17 pm, Mayor Reed closed the public hearing and the regular session reconvened.

Council Member Fleming stated he is wondering how other localities are approaching this and would like to get feedback from them. He stated there are people in these places, and he doesn't want to put them at risk.

Mr. Brown stated the staff chooses to withdraw this request for further evaluation

but asked if the up to eight individuals and the by-right use is acceptable to Council. Council Member Fleming stated it sounds like a good starting point. Council Member Jones stated we are seeing more of these because it is profitable, and we are forced to make these companies accountable, and we need to be as aggressive as possible to protect the neighborhoods and the city.

Mayor Reed stated we must look at how it effects the neighborhoods, but we also want to make sure that the people living in those homes are taken care of. She wants to know what services the residents of these homes are getting. Further discussion took place on how these homes operate, what services they provide and other organizations already in the city that offer programs.

This PH-Zoning Ordinance was referred back to staff.

- 6.f.** Consider a request to amend the Zoning and Subdivision Ordinances to modify the required information placed on public notice signs posted on properties

Adam Fletcher, director of Community Development, presented an ordinance amendment to allow changes in how properties are posted for items coming to Planning Commission and City Council. He reviewed current signage and the changes that are recommended.

He stated staff and Planning Commission (5-2) to recommend approval of this request.

He noted some of the discussions at Planning Commission included changes to the actual text of the sign. He stated Commissioner Armstrong noted that she was sensitive to persons not accessing computers to access the QR codes, and Commissioner Washington that she liked all the details on the previous signs.

Council Member Fleming shared his thoughts on how the signs should look. Mr. Fletcher stated there were quite a few suggestions for the signs and changes can be made, the ordinance amendment reflects that we can make changes to the signs.

At 9:35 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 Friday, December 23, 2022 and Friday, December 30, 2022

Bob Sear, 1652 Central Avenue, stated the developer should be required to send a certified letter to owners last known address.

At 9:36 p.m., Mayor Reed closed the public hearing and the regular session reconvened.

Council Member Jones stated he thinks that signage should be in Spanish as well,

take-away printouts should be available, and offered suggestions on color of print.

Council Member Fleming stated providing more access other than just QR codes is needed.

Council Member Robinson asked if the QR codes are scanned will the information be provided in other languages. Mr. Fletcher stated we rely on Google Translate on our website for translation.

A motion was made by Council Member Jones, seconded by Council Member Fleming, to approve the ordinance amendment as presented and that the final signage be approved by City Council prior to being used. The motion carried with a recorded vote as follows:

Yes: 4 - Mayor Reed, Council Member Jones, Council Member Fleming and Council Member Robinson

No: 0

Absent: 1 - Vice-Mayor Dent

6.g. Consider CDBG Funding Priorities

Kristin McCombe, program coordinator, Community Development Block Grant (CDBG), provided a background on the CDBG, reviewed the goals of the 5-year CDBG Strategic Plan, the tentative schedule for the 2023-24 CDBG Program and noted the grant application deadline is February 16, 2023, at 12:00 pm. She provided the contact information for questions and proposal submissions.

At 9:46 p.m., Mayor Reed closed the regular session and called the seventh public hearing to order. A notice appeared in the Daily News-Record on Friday, December 30, 2022.

There being no one desiring to be heard, Mayor Reed closed the public hearing at 9:46 p.m., and the regular session reconvened.

no action required

6.h. Amendment to the CDBG 2020 Action Plan

Kristin McCombe, program coordinator, Community Development Block Grant (CDBG), stated the amendment to the 2020 CDBG Action Plan is to move \$136,000 of CDBG-CV funding that was allocated to the Salvation Army CDBG-CV project will be reallocated to the NEW Mercy House Rental Assistance Project. She provided the schedule and contact information for comments and noted the Public Comment period ends February 10, 2023, at 10:00 am.

At 9:49 p.m., Mayor Reed closed the regular session and called the eighth public hearing to order. A notice appeared in the Daily News-Record on Friday,

December 30, 2022.

There being no one desiring to be heard, Mayor Reed closed the public hearing at 9:50 p.m., and the regular session reconvened.

No action is required

No action required

7. Regular Items

8. Reallocations

- 8.a.** Consider a reallocation of budgeted funds for the General Capital Projects Fund in the amount of \$989,762.

Larry Propst, director of Finance presented a reallocation in the amount of \$989,762 for the construction of a fence at the Public Safety Building, which has been a priority staff identified for safety and security of the employees and city property. He stated funds will come from vacancy savings in the Police Department and ECC.

Ande Banks, city manager, stated this has been a priority since Chief Monticelli was on board.

Council Member Fleming stated it not really commensurate that the savings were from vacancies as we had staff work extra hours and overtime. Mr. Propst stated we certainly have an increase in overtime, but overall the total vacancy savings over the entire year was more than enough. Further discussion took place regarding the need for this project and the funds that were available this year, but may not be available next year, all depending on staff.

A motion was made by Council Member Jones, seconded by Council Member Fleming, that this Reallocation be approved. The motion failed with a recorded roll call vote taken as follows:

Yes: 4 - Mayor Reed, Council Member Jones, Council Member Fleming and Council Member Robinson

No: 0

Absent: 1 - Vice-Mayor Dent

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)

Panayotis "Poti" Giannakouros, stated this is the first full meeting with sustenance

for our new Council and it's been eventful. He stated he has seen both things that concern him and give him hope, he saw his concerns about meeting the needs of our non-English speaking residents be represented by Council Member Jones, and in the spirit of the hope he has seen today he invited everyone to the annual Peoples Day Celebration at noon on Monday, January 16, 2023, celebrating the Martin Luther King, Jr. holiday and the renaming of the city's Martin Luther King, Jr. Way. He stated he hopes to see the new Council Members at this event.

9.b. City Council and Staff

Council Member Jones encouraged everyone to celebrate MLK, Jr. Day on Sunday, January 15, 2023, at 3pm for a community worship service at Emanuel Mennonite Church and Monday, January 15, 2023, at 10:10 am at EMU Layman Auditorium for a MLK, Jr. convocation. He stated he hopes to see many at these two events and celebrate what Dr. King stood for and what he did.

Council Member Fleming stated he is excited to see Council Member Jones' brother at these events. He stated he attended, along with Council Member Robinson and Amy Snider, the Virginia Municipal League (VML) orientation, great sessions; he will be attending his first Harrisonburg Downtown Renaissance Board meeting next week; support from the city to the JMU nation of the injury sustained by a JMU alumnus who was shot. Council Member Jones stated we did lose one of JMU's football players.

Council Member Robinson stated at the VML orientation and training session we dug deep into our Council responsibilities, and we were able to ask many questions. She stated the Arc will be holding a program on MLK, Jr. Day, giving out free food at Lucy Simms Center between 1-4 pm on Monday, January 16, 2023. She stated there will be an opening ceremony from 12-1 where Rodney Brandon will be delivering the I Have a Dream speech.

Mayor Reed stated there are a lot of different events going on to celebrate the MLK, Jr. Day and she urged everyone to attend at least one. She stated JMU will be holding an event on Monday, January 16th in the evening and Bridgewater College will be hosting an event on Wednesday, January 18, 2023, with Reverend William Barber from the Poor Peoples Campaign at 7:30 pm. She stated she had the honor to go to Dayton's Council Meeting on January 9, 2023, to support her sorority sister Melody Pannell, the first African American woman to serve on Dayton's Council. She stated she will be attending many Legislative Days in Richmond soon. She stated her sorority is celebrating Founders Day on January 13, 2023, and she will be starting her new position at EMU next week.

10. Boards and Commissions

11. Closed Session

This was tabled.

- 11.a. Closed meeting as authorized by the Virginia Freedom of Information Act, Virginia Code Section 22.2-3711(A)

Under Subsection (3) for a discussion of the acquisition of real estate for a public purpose and the disposition of publicly held real estate where the discussion in an open meeting would adversely affect the bargaining position of the public body;

And

Under Subsection (8) for consultation with legal counsel employed by the City regarding a specific legal matter requiring the provision of legal advice by such counsel.

Mayor Reed stated since some of our Council members are either not present or not present in person, she would like to move the Closed Session to the next City Council meeting on January 24, 2023.

12. Adjournment

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

CITY CLERK

MAYOR