



# City of Harrisonburg

409 S. Main Street  
Harrisonburg, VA 22801

## Meeting Agenda - Final-revised City Council

*Mayor Ted Byrd*  
*Vice-Mayor Charles Chenault*  
*Council Member Kai Degner*  
*Council Member Richard Baugh*  
*Council Member Abe Shearer*

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Tuesday, December 9, 2014

7:00 PM

Council Chambers

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**1. Roll Call**

**2. Invocation**

**3. Pledge of Allegiance**

**3.a. Presentation of a resolution from the JMU Student Government Association**

**Review & Recommendation:** The JMU SGA will present a resolution to City Council that was passed in the Student Senate of James Madison University.

**Attachments:** [Resolution](#)

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

**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)**

**5.a. Approval of minutes**

**Attachments:** [November 25, 2014 Draft Meeting Minutes](#)

**5.b. Consider a supplemental appropriation for the Emergency Communications Center in the amount of \$1,893,485**

**Review & Recommendation:** In June 2014, the Harrisonburg City Council and Rockingham County Board of Supervisors approved moving forward with the ECC radio system upgrade. A portion of the financing was to be provided by using \$2.6 million in ECC fund balance with the City and the County each providing \$748,372 in Fiscal Year 2016. This supplemental appropriation will transfer \$1,893,485 from ECC fund balance to a radio system upgrade capital project account.

**Attachments:** [Supplemental Appropriation \(ECC\)](#)  
[Radio System Upgrade Proposal](#)

**Legislative History**

11/25/14      City Council      approved

**5.c. Consider an ordinance closing and vacating Collicello Street, 6th Street and two 10**

foot alleys collectively containing approximately 41,125 square feet in the City of Harrisonburg

**Review & Recommendation:** This property was divided among three parties and all money for this property has been received.

**Attachments:** [Collicello Street Ordinance Plat](#)

## 6. Public Hearings

- 6.a.** Consider amending the Zoning Ordinance by adding the ability to operate recreational and leisure time activities uses within the B-1, Central Business District

**Review & Recommendation:** Planning Commission recommended approval (5-0) of the Zoning Ordinance amendment that would modify Section 10-3-84 (4), which currently allows theaters, community rooms, museums and galleries and other places of assembly for the purpose of entertainment or education. The amendment would add the following statement to the stated section: In addition, customary recreational and leisure-time activities which are compatible with surrounding uses are permitted.

**Attachments:** [Extract ZO Amend Rec & Leisure Time in B-1 Supporting Documents for 10-3-84\(4\) ZO amend Council Public Hearings 12-9-14](#)

- 6.b.** Consider a request from Cosner Construction Inc., H G M & S, LLC, W. Michael Heatwole III, Matthew Geary, J. Kenneth Kline, and Roy L. & Wanda L. Hartman to rezone 15 parcels totaling 4.44 acres by amending proffers on R-3C, Multiple Dwelling Residential District Conditional zoned property

**Review & Recommendation:** The properties are addressed as 1725, 1727, 1731, 1733, 1737, 1739, 1743, 1745, 1749, 1751, 1755, 1757, 1761, and 1767 Pear Street as well as 151, 160, 161, 162, 164, 171 and 173 Howard Lane. Planning Commission recommended approval (5-0) of the proffer amendment rezoning request for the properties identified as tax map parcels 9-T-1 through 15 with the following proffers:

1. The concept plan prepared by Hamrick Engineering, P.C. dated October 7, 2014 is proffered except for the location of the street trees which may vary due to necessary sight distance easements.
2. Occupancy will be limited to two unrelated people or a single family.
3. Tax map parcel numbers 9-T-4 through 9-T-15 will have three off-street parking spaces.

**Attachments:** [Staff Report Freeman Station Proffer Amendment \(2014\)](#)  
[Extract RZ Freeman Station Proffer Amend](#)  
[Application Letter and Supporting Documents](#)  
[Site Map](#)  
[Zoning Map](#)  
[Surrounding Property Owners Notice](#)  
[Council Public Hearings 12-9-14](#)

- 6.c.** Consider Real Estate Purchase Contract regarding the sale and renovation of the Harrison House

**Review & Recommendation:** On October 28, 2014, Council approved a Memorandum of Understanding between the City of Harrisonburg, the Trustees of the Margaret Grattan Weaver Foundation and the Trustees of Asbury United Methodist Church regarding the purchase and renovation of the Thomas Harrison House by the city. Council also tentatively approved a real estate purchase contract with the Trustees of Asbury United Church for the conveyance of the Thomas Harrison House to the city by the church, and for the conveyance to the church of a 9,775 square foot parcel by the city. Under Virginia law, any conveyance of real estate by a locality requires a public hearing. A copy of the real estate purchase agreement and updated plat are attached. The city is retaining a ten foot access easement across the parcel being conveyed to the church.

**Attachments:** [Real Estate Purchase Contract - Thomas Harrison House](#)  
[Harrison House Plat](#)  
[Harrison House Public Hearing](#)

## 7. Regular Items

### 7.a. Presentation of the City's Fiscal Year 2014 Comprehensive Annual Financial Report (CAFR)

**Review & Recommendation:** As required by Section 45 of the City Charter and Section 15.2-2511 of the Code of Virginia, the CPA firm that audited the City's financial records for Fiscal Year 2014 will present the CAFR to City Council. The CAFR was prepared by the Department of Finance and audited by Brown, Edwards & Company, LLC which has issued an unmodified opinion on the CAFR

**Attachments:** [2014 CAFR](#)

### 7.b. Consideration of Eastham House Proposal

**Review & Recommendation:** On September 12, 2014, the City issued a Request for Proposals (RFP) soliciting proposals for the purchase or lease of the City-owned Eastham House located at 317 S. Main Street. As of the October 22, 2014 RFP closing date, only one proposal was received by the City. Harrisonburg Downtown Renaissance submitted a proposal to explore both no-cost lease and purchase options that would allow HDR to relocate its offices from the Hardesty-Higgins House to the second floor of the Eastham House. In addition, HDR proposed to partner with the Harrisonburg-Rockingham Historical Society to use the first floor as a satellite museum location.

Both HDR and the H-R Historical Society understand that the City's Information Technology Department shall maintain possession of the building until their anticipated move into the new Municipal Building in late summer 2015. In an effort to allow all partners an opportunity to explore options and to create the best possible deal structure for all parties, HDR has requested a six month feasibility period for the purposes of firming up the scope, budget and timeline for the renovations, exploring financing alternatives, and solidifying partnership commitments.

The City's Building Official has reviewed the proposal and has discussed proposed structural changes and building use code questions with HDR representatives. More detailed analysis will be required once building plans are submitted to the City for formal review. City staff recommends proceeding with the six month feasibility period with HDR to allow for further analysis to take place.

**Attachments:** [Eastham House Sale or Lease RFP](#)  
[HDR Eastham House Proposal](#)  
[Historical Society Letter of Support](#)

**7.c. Consider authorization to submit planning documents to Department of Corrections**

**Review & Recommendation:** City and County staff have been working with consultants on the development of a "Community Based Corrections Plan" and a "Facilities Plan" as part of a course of action to address overcrowding in our regional jail facility. Submittal of these documents is a beginning step in a lengthy process that involves the Department of Corrections, the Governor's Office and the General Assembly.

Submittal of these documents does not commit the City of Harrisonburg or Rockingham County to any of the recommendations in the documents, but does establish the limits of any facility we may build and the maximum amount of any state reimbursement funding that we may be eligible for. In other words, we can "back down" from the recommendations, but we cannot go beyond them. Given the timing elements associated with the submittal process, if we do not submit these documents to Richmond by the end of this month, it would be December of 2016 before our next opportunity to submit.

As partners in the regional jail, both Harrisonburg City Council and the Rockingham County Board of Supervisors must authorize submittal of the documents to the Department of Corrections.

Council has previously received copies of the referenced documents and they are also available through the Rockingham County website.

Staff recommends authorizing the submittal of these documents.

**Attachments:** [Plan Study w-drawings 2014-11-20](#)  
[First Draft Complete](#)

**7.d. Report and recommendation on solid waste disposal**

**Review & Recommendation:** At the last City Council meeting, staff presented for council consideration the three most viable options for the city's solid waste disposal program in light of the closure of the RRF. Staff recommends that the city select van der Linde Recycling. A report and spreadsheet providing an overview of the options is attached.

**Attachments:** [Staff Report - Solid Waste Disposal V2](#)  
[Solid Waste Disposal Scenarios v2](#)

**8. Other Matters****9. Boards and Commissions****9.a. Board of Zoning Appeals**

**Review & Recommendation:** There are two current openings on the Board of Zoning Appeals. Cynthia Runnells term expired March 20, 2014 and she wasn't interested in serving again. The other vacancy comes from the resignation of David Nahm.

**Attachments:** [Thomas Jenkins - Application](#)  
[Matthew Phillippi - Application](#)  
[David Nahm - Resignation](#)

**9.b. Industrial Development Authority**

**Review & Recommendation:** There are two vacancies due to resignations and both terms were due to expire on April 24, 2016. Appointments that are made will be filling an unexpired term.

**9.c. Harrisonburg Electric Commission**

**Review & Recommendation:** Martha Shifflett has moved out of the area. HEC will be submitting a slate for someone to fill her unexpired term, expiring December 31, 2015, beginning January 1, 2015. Based on HEC By-laws, the person selected would be eligible for a reappointment, beginning January 1, 2016, for a three year term. The appointed new member of the Board replacing Mrs. Shifflett would serve a maximum of four (4) years.

**Attachments:** [HEC Letter - Shifflett](#)

**10. Adjournment**