



City of Harrisonburg

409 S. Main Street
Harrisonburg, VA 22801

Meeting Minutes - Draft City Council

Mayor Christopher B. Jones
Vice-Mayor Richard Baugh
Council Member Ted Byrd
Council Member Kai Degner
Council Member Abe Shearer

Tuesday, January 27, 2015

7:00 PM

Council Chambers

1. Roll Call

Present: 4 - Mayor Christopher B. Jones, Vice-Mayor Richard Baugh, Council Member Kai Degner and Council Member Abe Shearer

Absent: 1 - Council Member Ted Byrd

Also Present: 5 - City Manager Kurt Hodgen, Assistant City Manager Anne Lewis, City Clerk Erica Kann, City Attorney Chris Brown and Police Chief Stephen Monticelli

2. Invocation

Vice-Mayor Baugh offered the invocation.

3. Pledge of Allegiance

Mayor Jones led the Pledge of Allegiance.

3.a. Harrisonburg High School Musical - Seussical

Stanley Swartz, Harrisonburg High School Drama Director, stated he brought two characters from the musical *Seussical*, Jojo and Horton, who will perform the song "Alone in the Universe" which will be performed by Gabby Wilson and Graham Rebhun. Mr. Swartz invited everyone to Harrisonburg High School February 18 - 22, 2015, to see the musical and thanked council for their continued support.

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

Dr. Panayotis "Poti" Giannakouros, 98 Emory Street, stated a great MLK, Jr. celebration was held on Monday, January 19, 2015, particularly the event that began at noon and recognized the Harrisonburg Police Department for their service during the event.

Elaine Blakey, 1127 Sumter Court, stated all the materials and history of the MLK, Jr. Way street renaming and the MLK, Jr. program video are being placed in the Massanutten Regional Library. Mrs. Blakey thanked Council Member Degner for working with the Coalition and the Coalition for believing in her to serve as their event coordinator.

Robert Densmore, 1730 Sherry Lane, stated he had sent an email stating his objections and concerns about the proposed new elementary school on the corner of Garbers Church Road. Mr. Densmore stated he supports education, but does not support the proposal and feels another track of land would be more suitable.

Jerry Scripture, 1756 Heritage Estates Circle, stated he also had concerns about the Garbers Church Road site being considered. Mr. Scripture spoke about the following: cost of cut and fill, elevation and the footprint of the project.

Dan Nardi, 310 New York Avenue, stated he supported the building of a new elementary school and the pre-k program, but he asked council to fund the project in prudent and transparent way. Mr. Nardi stated he researched other Virginia localities for the last two years and the dollars per square foot they spent for their schools and feels that ours needed to be lower than the proposed \$131.00 square foot per student. Mr. Nardi stated council should limit the funding between \$18 and \$21M. Mr. Nardi also stated he had concerns about the Garbers Church Road, but they had been addressed. Mr. Nardi felt the land on Greendale Road would be a better location in regards to expansion and long term development. Mr. Nardi would like the School Board's plan be imbedded in the city's Capital Improvement Plan. Mr. Nardi noted the proposed plan for the pre-k program has increased since the last proposal. Mr. Nardi questioned the potential tax increase and the impact on the bond rating.

Amor Gogia, 650 Garbers Church Road, stated he lived two doors down from the new proposed site and had raised safety concerns at the prior School Board meeting. Mr. Gogia distributed a letter from George Pace with 11 points which ranged from redistricting requirements, city bond ratings, traffic, stormwater regulations and other site specific requirements. Mr. Gogia asked council to ask questions of the School Board.

Mike Layman, 1880 College Avenue, reviewed his involvement with the golf course, Parks and Recreation Commission, Harrisonburg Education Foundation and the acquisition of acquiring the piece of property where the proposed school is located. Mr. Layman stated he helped raise the \$43,000 to get the property, so a fence would not have to be installed and to have the area for expansion. Mr. Layman reviewed the core values of the First Tee Program and the Rotary Four Way Test and noted the following: is it the truth, is it fair to all concerned, has the process brought good will and will it be beneficial. Mr. Layman stated it is his plea for council to create a process to get all the facts and create a win-win and that he is a supporter of education.

Cecil Gilkerson, 507 Paul Street, stated he was also against the proposed school on the 9 or 10 acres of land. Mr. Gilkerson stated he has worked with young people all his life and is concerned about the safety of the entire complex and that there is simply too much traffic. Mr. Gilkerson would like to see land used that would be able to have expansion options.

Joanne Benjamin, 1031 Toppin Boulevard, stated she was a recent graduate of the Citizen Academy and invited council to attend a potluck on Friday, February 13, 2015 at 6:30 p.m., which will be held at the Ice House and put on by James Madison LGPTQ Employee Group and the Shenandoah Valley Gay and Lesbian Association.

Daniel Brumbaugh-Kenney, 715 North Main Street, provided a brief history beginning in 1920 of the criminal justice system that put our current jail system in perspective. Mr. Brumbaugh-Kenney stated jail isn't working and there are better ways of dealing with neighbors and supporting them after they return to society after incarceration. Mr. Brumbaugh-Kenney stated the good news is people are realizing this across the political spectrum. Mr. Brumbaugh-Kenney stated since 2009 the US incarceration rate has been dropping. Mr. Brumbaugh-Kenney feels that the Commonwealth of Virginia isn't listening, because in 2010 a brand new jail was built and sat empty. Mr. Brumbaugh-Kenney encouraged council to pay attention to national trends and we need people to oversee programs, data to support what programs are needed and how we can assess when they are working. Mr. Brumbaugh-Kenney would like council not to commit long-term to Middle River Jail or a new jail, recommission the Community Justice Board and invest in computer systems and grant writers.

Tom Domonoske, 461 Lee Avenue, brought attention to the budget process and the work session that will be held on Saturday, February 7, 2015, beginning at 9:00 a.m., in Council Chambers. Mr. Domonoske stated this is when the first presentation of the draft budget would be presented. Mr. Domonoske stated this is the time to correct the error of our taxes going to Augusta County. Mr. Domonoske urged council to allocate funds towards programs to address reduction of incarceration.

City Manager Hodgen noted there wouldn't be the presentation of the first budget during the meeting noted. City Manager Hodgen stated that the Council Work Session is to set priorities for the budget. City Manager Hodgen stated budget submittals aren't due until January 30, 2015.

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 Degner, seconded by Council Member Shearer, that the Consent Agenda be approved. The motion carried with a recorded roll call vote taken as follows:

Yes: 4 - Mayor Jones, Vice-Mayor Baugh, Council Member Degner and Council Member Shearer

No: 0

Absent: 1 - Council Member Byrd

5.a. Minutes

These Minutes were approved on the Consent Agenda.

5.b. Joint School Board Meeting Minutes

These Minutes were approved on the Consent Agenda.

5.c. Consider a supplemental appropriation for various purposes in the gross amount of \$7,365,566

This Supplemental Appropriation was approved on second reading.

6. Unfinished Business**6.a. Consider solid waste management resolution**

City Attorney Brown presented the resolution that was tabled during the last council meeting. City Attorney Brown stated this resolution puts all the recycling and trash fees in one location. Council Member Shearer stated he was the one that tabled it and he spoke to the individual that he wanted to review it and stated the person met with Public Works and it was a successful meeting.

A motion was made by Council Member Degner, seconded by Council Member Shearer, that this Resolution be approved. The motion carried with a recorded roll call vote taken as follows:

Yes: 4 - Mayor Jones, Vice-Mayor Baugh, Council Member Degner and Council Member Shearer

No: 0

Absent: 1 - Council Member Byrd

7. Public Hearings**7.a. Consider an amendment to 2014 CDBG Action Plan**

Ande Banks, Director of Special Projects and Grant Management, presented the summary of the proposed 2014 CDBG Action Plan amendment that included the following: \$99,570.75 that was allocated to the East Wolfe Street Sidewalks Project will be moved to the new West Mosby Road Sidewalks Project. Mr. Banks stated the reason for the change is based on the new map that was distributed by the US Department of Housing of Urban Development (HUD) based on the 2010 census. Council Member Degner asked about the Newtown Cemetery and where that fell on the map. Mr. Banks stated the Newtown Cemetery project is not eligible for CDBG funding due to prior consideration by HUD and its location outside of an eligible census tract. Mr. Banks presented the amendment schedule and stated the public comment period ends on March 2, 2015 at 9:00 a.m.

At 7:54 p.m., Mayor Jones closed the regular session and called the first public

hearing to order. A notice appeared in the Daily News-Record on Monday, January 19, 2015.

John Lutz, 1065 Hamlet Drive, stated he is looking to invest in that area and he would like to see more police patrol to control near Mosby Court in the 25 MPH speed limit especially if sidewalks are installed.

Dr. Panayotis "Poti" Giannakouros, 98 Emory Street, stated he was in the area today and was pleased to see the pedestrian crossing feature that was installed, but not yet activated and feels the sidewalks will be used. Dr. Giannakouros stated he was concerned that this project was being chosen against the project on Wolfe Street. Dr. Giannakouros stated he would have liked to see a more detailed map of where the LMI neighborhoods are, because sidewalks aren't benefiting those whose house they are in front of, but those going through the area. Dr. Giannakouros suggested funding both of them to help our city thrive.

Council Member Shearer stated HUD has stringent rules that we need to abide by. Mr. Banks stated he will place the new map on the city website and if the funds aren't used properly they can be taken back from HUD.

Mayor Jones asked if the Northeast Neighborhood didn't qualify due to higher incomes within the neighborhood. Mr. Banks stated he would provide council with the equation HUD uses when determining the LMI areas.

At 8:01 p.m., Mayor Jones closed the public hearing and the regular session reconvened.

8. Regular Items

8.a. Presentation about the 6th Annual Brent Berry Food Drive

Bucky Berry, 30 West Washington Street, provided an overview of individuals going hungry every night.

Brent Berry reviewed the results of his 2014 6th annual Brent Berry Food Drive which included filling two tractor trailer loads of food and they assisted 3500 families in the City of Harrisonburg and Rockingham County. Mr. Berry thanked all those who helped and named other items that were collected other than food during the event. Mr. Berry noted that this was not a Salvation Army event, but a family event.

Mr. Berry noted in a few weeks they would be collecting food at the Ford Dealership. Mr. Berry asked council to consider an allocation of \$100,000-150,000 towards homelessness. He also noted that details will soon be released about a summit on hunger and homelessness.

8.b. Consider amendments to the City's employment policy

City Attorney Brown stated city staff and council were approached by Virginia Organizing to review the employment policy and with the direction of council, staff has reviewed the policy. City Attorney Brown presented the revisions to the city's employment policy. City Attorney Brown stated staff has met with and received feedback from members of the community, has contacted various other localities, and reviewed employment policies from a variety of businesses and Virginia localities. City Attorney Brown noted that items marked in yellow and green aren't for council's consideration, but they were items the Human Resources were correcting. City Attorney Brown noted some of the changes and they were the following: added language to affirmatively state that the city seeks a diverse and inclusive workforce; all openings will be advertised to existing employees and to the general public, unless a waiver is received; advertise job openings in a variety of ways to increase the diversity of applicants; and included the extended list of protected classes to cover the state and federal laws.

Jennifer Whistleman, Director of Human Resources, stated there are some initiatives listed that the city already is doing, some of the items listed will take more time and resources. Ms. Whistleman noted that department directors attend trainings and educational classes, but they will be expanded. Ms. Whistleman stated that she has spoken to Charlottesville several times who have been working in this capacity for the last ten years.

Mayor Jones asked if the minority contact list continue to grow. Ms. Whistleman stated that it has already grown and will continue to grow. Council Member Degner asked if there is anything else that wasn't noted during the presentation that Ms. Whistleman has learned. Ms. Whistleman stated it takes a commitment of time and will continue to take time as they continue reviewing the recruitment policies, minimum standards for each position and how positions are advertised for each position. City Attorney Brown stated Virginia Organizing has requested further meetings and he would be happy to do so and these policies can be revisited.

A motion was made by Council Member Degner, seconded by Vice-Mayor Baugh, to approve the amendments are presented. The motion carried with a recorded roll call vote taken as follows:

Yes: 4 - Mayor Jones, Vice-Mayor Baugh, Council Member Degner and Council Member Shearer

No: 0

Absent: 1 - Council Member Byrd

8.c. Consider Amendment to Section 4-2-31 of the Harrisonburg City Code (Retail Revitalization Zone)

Brian Shull, Economic Development Director, provided a history of the revitalization zone and stated the proposal is to expand the boundary of the South Main Street Retail Revitalization Zone. Mr. Shull stated the current zone extends from the southern city limits along South Main Street to the Stone Spring/Erickson Avenue

intersection and has been used as a great incentive. Mr. Shull stated both city staff and the Economic Development Advisory Committee recommend extending this zone further north along South Main Street to the South Avenue intersection. The intent is to encourage continued retail redevelopment along this corridor by offering incentives for new capital investment of \$1M or more. Mr. Shull stated the initiative puts a freeze on the assessed value for up to five years. Mr. Shull stated this request is not changing incentives, but it is expanding the area. Council Member Degner asked Mr. Shull about his reasoning behind \$1M or more. Mr. Shull stated with this particular program, the \$1M requirement is where we need to be for real estate development; however, there are other programs that we could tweak for the smaller properties. Council Member Degner stated he would be interested to hear ideas for the smaller retailers outside of the downtown area. Council Member Shearer clarified that the city isn't abating taxes; this program freezes the current assessed value and collects taxes on the building as is. Mr. Shull stated with making these changes the business should be getting additional retail sales which would bring more revenue to the city. City Manager Hodgen noted that this program also encourages businesses to look at current vacant properties.

A motion was made by Council Member Shearer, seconded by Vice-Mayor Baugh, to amend Section 4-2-31 of the Harrisonburg City Code to expand the area as noted and to be approved on first reading. The motion carried with a recorded roll call vote taken as follows:

Yes: 4 - Mayor Jones, Vice-Mayor Baugh, Council Member Degner and Council Member Shearer

No: 0

Absent: 1 - Council Member Byrd

8.d. Presentation on a proposed project to replace the Park View tank and Pump Station

Mike Collins, Director of Public Utilities, introduced the individuals who helped put the project together and presented pictures of the current Park View Water Tank and Pump Station. Mr. Collins stated there are two drivers of this project which are fire protection and asset management and he reviewed the reasons which included the following: tank must be upgraded from 75,000 gallons to 405,000 gallons of water; pump station must be upgraded from 300 gallons per minute to 750 gallons per minute; and repairs are becoming more difficult to be completed to the 1960 tank and pump station. Mr. Collins stated the preliminary engineering report (PER) will bring closure to the planning phase and enter the design phase. The PER provides the scope, cost and the schedule for the project. Mr. Collins stated in order to close the planning phase, he is seeking council's approval of the PER document so it can be forwarded to the Virginia Department of Health Water Resources Division (VDH) for approval, work with stakeholders and develop an interim funding strategy. Mr. Collins stated this planning process began in 1996 and he hopes to close it in 2015. Mr.

Collins noted that it took a while for Eastern Mennonite University to become a partner and reviewed the scope of the project which included the tank located on EMU property. Mr. Collins noted the pump station is being proposed with the Public Works' roundabout proposal on Chicago Avenue and Mount Clinton Pike. Mr. Collins stated currently the water tank is a steel tank and it would be replaced with something similar called a steel bowl and concrete pedestal, which provides the best life cycle costs and aesthetic options. Mr. Collins stated there were several community input opportunities on the following: type of water tank, color and style, graphics and text, architectural amenities, landscaping, access, ancillary uses and lighting. Mr. Collins stated the community has expressed that they want something to come back to the community or the school. Mr. Collins stated there has been funding allotted to graphics, but nothing final yet. Mr. Collins stated the tower will plan for cell phone towers. Mr. Collins stated there is an option for an observation deck that could be used for classes; however, at this time there is not commitment for funding and he is not asking council to approve this option. Mr. Collins stated with that being said, he could make this project have the opportunity to keep the option open by taking bids on it and not choosing to include it. Mr. Collins stated there have been discussions within the community about getting this option added. Mr. Collins stated the base scope without any amenities would cost \$3,928,000 for the entire project. Mr. Collins stated there aren't funds in the current budget to fund this project, but feels that the project can be reduced to \$3,500,000 by city crews doing preparation work. Mr. Collins stated the city would have to get into a debt service for 30 years at 3%, costing approximately \$180,000 per year. Mr. Collins stated that would impact the rate to approximately \$0.09 per 1,000 gallons for customers. Mr. Collins reviewed the schedule with site work and utility construction to begin this year. Mr. Collins suggested having the bid released in November, so construction could begin in 2016. Mr. Collins asked for council's approval to move this document forward to the health department. Mr. Collins stated that the city would need to start pursuing borrowing funds in November; however, with work taking place before November he suggested reviewing interim funding options. Mr. Collins stated negotiation for land acquisition will continue. Council Member Shearer stated approving the PER is not approving the plan or the cost of the project. Mr. Collins stated if the next three steps are completed, the next step will be procurement of engineering and design in which we would need to have approval about the project before incurring the engineering expenses. Council Member Degner asked if there were any aesthetics that were being looked at for cost sharing. Mr. Collins stated over the next few months his department would continue working with stakeholders to gather more information. City Manager Hodgen stated all the items that are considered as amenities can be included in the bid which would allow us to pick and choose which items we feel are necessary now and/or later. Mayor Jones asked if there would be a particular time for citizens to submit designs and ideas. City Manager Hodgen feels that opportunity would take place during the

negotiations with the community.

A motion was made by Vice-Mayor Baugh, seconded by Council Member Degner, to approve the PER for the Park View Water Tank and Pump Station to be submitted to the Health Department.

The motion carried with a recorded roll call vote taken as follows:

Yes: 4 - Mayor Jones, Vice-Mayor Baugh, Council Member Degner and Council Member Shearer

No: 0

Absent: 1 - Council Member Byrd

8.e. Consider resolution incorporating additional lane mileage into VDOT's Highway Maintenance Inventory

Tom Hartman, Assistant Director of Public Works, stated the reason for this update is from a project inventorying our streets within Harrisonburg that was completed with VDOT during this past summer. Mr. Hartman stated a few of those adjustments could be done administratively in Richmond, but the addition of 1.68 miles of lane mileage and .84 center line miles on Lucy Drive and Goldfinch Drive needed to be done by resolution. Mr. Hartman reviewed the maintenance program overview which included the following: cities are responsible for street maintenance; funds received from VDOT for moving lane mileage; exclusions from the program; street classifications; allowable maintenance activities; and non-allowable maintenance activities. Mr. Hartman reviewed the maintenance payments which included the following: the city receives quarterly payments; 80.49 lane miles of arterials and 243.29 lane miles of collector/local streets; city receives \$4.3 million in FY2015; and payment rates set by Commonwealth Transportation Board on an annual basis. Mr. Hartman presented a graph showing allowable charges versus VDOT funding and noted in 2014 VDOT opened the program for maintenance and paving which the city has received additional funds. Mr. Hartman also showed a graph comparing the streets that are in need of repair and streets that have been repaved which has decreased the gap due to extra funding; however, the gap that still exists causes only the worst road to get paved. Mr. Hartman reviewed the expectations from the state that included the following: uncertainty at state level regarding continued funding for transportation programs; state maintenance reimbursement rates have not kept pace with maintenance needs; and in order to maintain current levels of service, the city has subsidized the state's maintenance fund. Mr. Hartman requested council to approve the resolution as presented.

A motion was made by Council Member Shearer, seconded by Council Member Degner, to approve the resolution to incorporate the additional lane mileage on Lucy Drive and Goldfinch Drive be approved. The motion carried with a recorded roll call vote taken as follows:

Yes: 4 - Mayor Jones, Vice-Mayor Baugh, Council Member Degner and Council Member Shearer

No: 0

Absent: 1 - Council Member Byrd

9. Supplementals

9.a. Consider a supplemental appropriation for the Parks & Recreation Department in the amount of \$12,577.50

City Manager Hodgen stated these funds were recovered from a break-in that was sustained at the Hillandale Park Maintenance Facility. City Manager Hodgen stated funds come into the city's General Fund and then need to be appropriated to the Parks and Recreation Department to expend those funds.

A motion was made by Council Member Degner, seconded by Council Member Shearer, that this Supplemental Appropriation be approved on first reading. The motion carried with a recorded roll call vote taken as follows:

Yes: 4 - Mayor Jones, Vice-Mayor Baugh, Council Member Degner and Council Member Shearer

No: 0

Absent: 1 - Council Member Byrd

9.b. Consider a supplemental appropriation for the Police Department in the amount of \$14,183.00

City Manager Hodgen presented agenda items 9.b., 9.c. and 9.d. together.

City Manager Hodgen stated these funds were awarded through a DOJ Edward Byrne Memorial Justice Assistance Grant and will be used to purchase force-on-force training equipment which is simulation training equipment to teach officers force training at various levels.

A motion was made by Council Member Degner, seconded by Council Member Shearer, to approve Supplemental Appropriations 9.b., 9.c. and 9.d. on first reading. The motion carried with a recorded roll call vote taken as follows:

Yes: 4 - Mayor Jones, Vice-Mayor Baugh, Council Member Degner and Council Member Shearer

No: 0

Absent: 1 - Council Member Byrd

9.c. Consider a supplemental appropriation for the Police Department in the amount of \$34,675.00

City Manager Hodgen presented agenda items 9.b., 9.c. and 9.d. together.

City Manager stated these funds were awarded through a DMV Grant for transportation safety and provides funds for saturation patrols, checkpoints,

equipment and training with the objective to increase safety belt usage; reduce the number of alcohol/drug related crashes, injuries and fatalities; decrease speed related crashes; reduce motorcycle crashes; and improve the collection and accessibility of traffic records data.

A motion was made by Council Member Degner, seconded by Council Member Shearer, to approve Supplemental Appropriations 9.b., 9.c. and 9.d. on first reading. The motion carried with a recorded roll call vote taken as follows:

Yes: 4 - Mayor Jones, Vice-Mayor Baugh, Council Member Degner and Council Member Shearer

No: 0

Absent: 1 - Council Member Byrd

9.d. Consider a supplemental appropriation for the Police Department in the amount of \$47,000.00

City Manager Hodgen presented agenda items 9.b., 9.c. and 9.d. together.

City Manager Hodgen stated these funds would be transferred from Federal Asset Forfeiture Funds, law enforcement use only, to the Administration Police Supply line item to purchase new Glock 9mm pistols and accessories to replace current weapons. City Manager Hodgen stated the department will trade in the existing firearms and an additional \$50.00 per gun to receive these new firearms.

A motion was made by Council Member Degner, seconded by Council Member Shearer, to approve Supplemental Appropriations 9.b., 9.c. and 9.d. on first reading. The motion carried with a recorded roll call vote taken as follows:

Yes: 4 - Mayor Jones, Vice-Mayor Baugh, Council Member Degner and Council Member Shearer

No: 0

Absent: 1 - Council Member Byrd

9.e. Consider a budget reallocation for the Public Works Department in the amount of \$2,613,995

City Manager Hodgen stated this request would transfer funds from the Stone Spring/Erickson line item to the Reservoir Street line item. City Manager Hodgen noted that during last year's work session we were waiting to hear about the revenue sharing to do Phase IV of Stone Spring/Erickson. We determined at that time that project wasn't a priority project and we were aware that we needed additional funding to complete the estimated cost of the Reservoir Street project. City Manager Hodgen stated with the approval of VDOT, staff is recommending moving the funds and with approval of VDOT we will subsequently apply for Stone Spring/Erickson Phase IV when we are ready to proceed with the project. City Manager Hodgen also noted the transfer of funds from Ramblewood Athletic Complex to the Pleasant Valley Road

Bridge.

A motion was made by Council Member Degner, seconded by Vice-Mayor Baugh, that this Reallocation be approved on first reading. The motion carried with a recorded roll call vote taken as follows:

Yes: 4 - Mayor Jones, Vice-Mayor Baugh, Council Member Degner and Council Member Shearer

No: 0

Absent: 1 - Council Member Byrd

9.f. Consider a supplemental appropriation for the School Board in the amount of \$100,000

City Manager Hodgen stated this request is from the School Board to cover the incurred architecture and engineering costs to-date for new school construction. City Manager Hodgen stated staff recommends approval of the supplement appropriation.

A motion was made by Vice-Mayor Baugh, seconded by Council Member Degner, that this Supplemental Appropriation be approved on first reading. The motion carried with a recorded roll call vote taken as follows:

Yes: 4 - Mayor Jones, Vice-Mayor Baugh, Council Member Degner and Council Member Shearer

No: 0

Absent: 1 - Council Member Byrd

10. Other Matters

Council Member Degner stated there was a Finance Committee scheduled and he and Council Member Shearer filled in due to scheduling conflicts, and they reviewed information from comparison schools. Council Member Degner stated he felt that it was important for the School Board Liaison Committee meet in the upcoming weeks. It was noted the Liaison Committee is to meet early next week.

Council member Degner reminded everyone to stay safe on the ice that is still around.

Council Member Shearer echoed Council Member Degner about the meetings that need to be held.

Vice-Mayor Baugh reviewed the two matters coming from Planning Commission to City Council.

Mayor Jones congratulated the owners of Popeye's, Ponsy and Nuanta Wareechatchai, of the opening of another business. He noted that they were Harrisonburg graduates and it is nice to see people staying in the community and raising their families here.

11. Boards and Commissions

Council Member Shearer noted that a member of the Parks and Recreation Commission stated he would be submitting his resignation.

12. Closed Session

At 9:09 p.m., a motion was made by Council Member Degner, seconded by Council Member Shearer, to enter into closed session as authorized by the Virginia Freedom of Information Act, Virginia Code Section 2.2-3711(A), under: Subsection 3 for the discussion of the acquisition of real estate for the public purpose. The motion carried with a recorded roll call vote taken as follows:

Yes: 4 - Mayor Jones, Vice-Mayor Baugh, Council Member Degner and Council Member Shearer

No: 0

Absent: 1 - Council Member Byrd

12.a. Discussion or consideration of the acquisition of real property for a public purpose

13. Adjournment

At 9:33 p.m., the closed session ended and the regular session reconvened. City Attorney Brown read the following statement, which was agreed to with a unanimous recorded vote of Council: I hereby certify that to the best of my knowledge (1) only public business matters lawfully exempted from open meeting requirements under Chapter 37 of Title 2.2 of the Code, of Virginia, 1950, as amended, and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the closed meeting by the City Council.

At 9:33 p.m., there being no further business and on motion adopted, the meeting was adjourned.

CLERK

MAYOR