



# City of Harrisonburg

409 S. Main Street  
Harrisonburg, VA 22801

## Meeting Minutes - Final City Council

*Mayor Deanna R. Reed*  
*Vice-Mayor Richard A. Baugh*  
*Council Member Ted Byrd*  
*Council Member George Hirschmann*  
*Council Member Christopher B. Jones*

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Tuesday, January 23, 2018

7:00 PM

Council Chambers

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### 1. Roll Call

**Present:** 5 - Mayor Deanna R. Reed, Vice-Mayor Richard Baugh, Council Member Ted Byrd, Council Member Christopher B. Jones and Council Member George Hirschmann

**Also Present:** 5 - City Manager Eric Campbell, Acting City Manager Ande Banks, City Attorney Chris Brown, Lt. Todd Miller and City Clerk Ande Banks.

### 2. Invocation

Mayor Reed offered the invocation

### 3. Pledge of Allegiance

Mayor Reed led the Pledge of Allegiance.

Mayor Reed stated due to a Mayors Challenge for the recent James Madison University Dukes versus North Dakota State University Bisons championship game, the losing team's Mayor would wear the winning team's jersey at a council meeting, therefore she is wearing the Bison's jersey.

### 4. Special Recognition

#### 4.a. Presentation from students of Harrisonburg High School, promoting the musical Cinderella

Stanley Swartz, theater teacher at Harrisonburg High School, thanked council for providing the opportunity to teach in Harrisonburg over the past 31 years and appreciates their support for the fine arts in the city. Mr. Swartz stated there are over 100 students involved in the production of Cinderella that opens on February 21, 2018 and runs through February 25, 2018 and tickets can be obtained through the Harrisonburg Public Schools Website or the Harrisonburg High School website. Mr. Swartz presented Kate Cummings, the student who plays Cinderella, and she performed for council.

**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 Baugh seconded by Council Member Byrd to approve the consent agenda as presented. The motion carried with a recorded roll call vote taken as follows:

**Yes:** 5 - Mayor Reed, Vice-Mayor Baugh, Council Member Byrd, Council Member Jones and Council Member Hirschmann

**No:** 0

**5.a. Draft Minutes from January 9, 2018 City Council Meeting**

**These minutes were approved on the Consent Agenda.**

**5.b. Consider amending and re-enacting Section 13-4-4 of the Harrisonburg City Code**

**This Ordinance Amendment was approved on second reading**

**6. Public Hearings**

**6.a. Consider granting Right of Way Authorization for the Garbers Church Road Shared Use Path Project**

Tom Hartman, assistant director of Public Works, presented a request for Right of Way Authorization for the Garbers Church Road Shared Use Path. Mr. Hartman shared the background information and funding for the project, which began in 2015 and noted input from the public has been received. Mr. Hartman stated in November of 2017, a design public input meeting was held, written comments from the public were received and a summary of comments were included with the agenda packet. Mr. Hartman stated although the plan met the city's needs, residents wanted the city to do more.

Mr. Hartman reviewed the alignment that was presented during the design public input meeting, the first section starts with Blue Stone Elementary and the High School, follows along the golf course into Hillandale Park, along a power line into the Wyndham Woods neighborhood. Mr. Hartman stated future phases of the project, which were requested in the public comments, would include extensions/connections to Thomas Harrison Middle School, West Market Street, and Westover Park.

Mr. Hartman stated some of the project benefits include: safety, improvement of public assets, transportation demand management, community health, accessibility and equity.

Mr. Hartman stated some of the project challenges include: private property acquisition (30 property owners, existing easements), property owner perception (safety and concerns of decrease in property values), Dominion Power approval, and stormwater management. Mr. Hartman reviewed possible options in regard to the project challenges, noted some alignment adjustments may be possible, and this will be a very open process and discussions can be had with the property owners. Mr. Hartman stated one of the options being reviewed is to stop the trail where it intersected Wyndham Woods and put the pedestrian and bicyclists on Wyndham Drive around to the Cul-de-sac, however, that creates additional challenges as far as the number of entrances, increased use of the trail would bring, and one concession if that was done would be to remove parking from that segment of Wyndham Circle to allow room for pedestrians for safety reasons.

Mr. Hartman stated staff recommends approval to begin right-of-way acquisition, with current alignment and although this project will not necessarily begin tomorrow it would allow staff to begin the next phase.

Mr. Hartman stated the right-of-way acquisition will take place in 2018, utility relocations (if needed) will happen in 2018, the project will go out to bid in late 2018, construction in 2019, and will be open to the public in the fall/winter of 2019.

At 7:25 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 Saturday, January 13, 2018, and Friday, January 18, 2018.

Christina Von Rotz-Brunk, 855 Neyland Drive, stated she grew up in a nice quiet little town, Harrisonburg, but now it's Rocktown and not as quiet as it used to be, but she wouldn't have it any other way. Mrs. Von Rotz-Brunk stated her husband is Swiss and in Switzerland they have a beautiful country and high quality of life, they are strategic in their decisions, they have walking paths and biking paths that go through every town and hiking paths that go up into the mountains. Mrs. Von Rotz-Brunk stated her in-laws are from a conservative area where people are protective about their privacy and no one is more worried about noise and crime as these people. Mrs. Von Rotz-Brunk stated she joked with her husband about how the Swiss are the noise police, what they figured out over time that the fears of noise, crime, and privacy were unwarranted. Mrs. Von Rotz-Brunk stated the paths created huge networks and the vast majority of kids ride bikes or walk to school. Mrs. Von Rotz-Brunk stated her in-laws visited this past fall and how nice would it have been for them to walk my kids to school. Mrs. Von Rotz-Brunk stated rapid change makes people worry and takes some adjusting, the 'Burg was a place where things were predictable and safe, we have made decisions that have set us on a new path where we enjoy an even higher quality of life, busier downtown, a community that is passionate and engaged, events that bring us together, excellent schools, continued growth and diversity that strengthens us and we have to make some big decisions which need to be made. Mrs. Von Rotz-Brunk stated she respects her neighbors and know a few who may be

worried, as change can be scary but should we let fears drive our decision making? Mrs. Von Rotz-Brunk stated once we connect ourselves this way we will wonder what took us so long as increased connection and increased community interaction will increase trust. Mrs. Von Rotz-Brunk stated we should reject fear and be bold and she strongly supports the Shared Use Path including the extensions mentioned and requests council to approve the request.

Kelly Ganoë, 1021 Wyndham Drive, stated she owns two lots at the end of the Cul-de-sac and bought that property because she loved the privacy and quiet, and is distraught to learn this may change. Ms. Ganoë stated she has three young children and animals that frolic in the back yard which may cease if this path goes through her yard. Ms. Ganoë stated she has questioned the cost of having that section of yards ripped apart and asked council to please reconsider.

Matt Hassman, 3rd Street, stated he is in support for this alignment, as the Safe Routes to School coordinator he is aware that connectivity is a big problem and hurdle to get kids to and from school. Mr. Hassman stated this path would be the easiest and least expensive way for us to connect to Route 33, which would connect anything north of Market Street. Mr. Hassman stated this path would be the only way for the students on that area of town to access the trail. Mr. Hassman stated the project has been scaled down and have lost a lot of that connectivity therefore he encourages council to move forward with it. Mr. Hassman stated he grew up in Cincinnati where they had lots of trails that go through people's back yards and one of the benefits is that by being in close proximity to a path property values would increase.

Laura Logie, 363 Hillandale Avenue, stated when she lived in Queens, New York City, she used to walk to school and is not sure how she feels about this project. Ms. Logie asked how much the project will cost as she wants to make sure the city has the money to do all the things needed. Ms. Logie stated her granddaughter would probably benefit from the path but is concerned about the cost. Council Member Jones stated part of the costs will be the right-of-way acquisitions, which, at this time, is an unknown cost. City Manager Campbell stated city staff is soliciting grant funding to assist with the total costs.

Julie Thurnau, 360 Maryland Avenue, stated her children go to Thomas Harrison Middle School and they ride their bikes to and from school and it is the only time they enjoy exercising without being made to and as they transition to high school that is the plan as well. Ms. Thurnau stated professionally as a dietician she has worked with numerous people with regard to obesity, and the number one preventative is exercise, and the easiest way to do that is to have access that is safe to walk or ride bikes.

Bill Call, 1042 Wyndham Drive, stated there are probably 10-12 kids who come by every morning on their way to school and if you look at the cost to put this path behind the homes he is not sure it would be cost effective. Mr. Call stated no one will be

building on the golf course and school property, therefore potential increase of use for that one section is unlikely. Council Member Jones stated he had a second neighbor give that exact same scenario.

Kyle Lawrence, 441 East Gay, thanked Public Works for all they have done toward this trail, the construction timeline was an ambitious goal and he is excited they are working so hard. Mr. Lawrence stated on behalf of all the people who were involved with the Connect Our Schools idea, they are thankful for the inclusive and transparent public input opportunities. Mr. Lawrence stated the design alignment is most desirable for the path as it maximizes the safety and utility while minimizing impact to property owners. Mr. Lawrence thanked council for funding the project to begin with and moving ahead with what could be the largest bike and pedestrian project in the city's history. Mr. Lawrence stated the three miles of greenway will help build a much larger network in the city and urges council to move forward with allowing staff to figure out if this is an option.

Pamayotis "Poti" Giannakaouros, PO Box 1711 Harrisonburg, stated the dotted line section of the alignment that empties out essentially to a bowl has one of the highest-grade hills in the area. Mr. Giannakaouros stated this spike that attaches to the trail would open tremendous access to amenities and shopping for those that do not own cars and it has been pointed out there are no other uses for that property. Mr. Giannakaouros stated he feels that segment of the trail will get a lot of use from people who do not have cars in addition to children.

Tim Howley, Queen Anne Court, stated he has three children and definitely makes use of the paths and would be a safe way to encourage activity. Mr. Howley stated he teaches at JMU and one of the things he teaches is how environmental factors change people's behaviors, therefore, if we make it desirable and safe to be outside we will see change in physical activity overall. Mr. Howley stated when we look at our counterparts in Europe, they are more physically active and have lower rates of obesity and heart disease. Mr. Howley stated he is in support of continuing to move forward with the project.

At 7:47 p.m., Mayor Reed closed the public hearing and the regular session reconvened.

Vice Mayor Baugh stated some people have concerns about this project, but as staff presented there are still a lot of details to be worked out and based on what has been seen he is in favor of approving granting Right-of-Way Authorization.

Council Member Byrd stated he can support up to Wyndham Woods Circle and then would like to see other options pursued from that point to the end of the Cul-de-sac. Council Member Byrd stated if we opt to go with the alignment that would require cars to be moved off the road, after reviewing the area, there is only one sidewalk, and people are using the road to walk and ride in, and feels this should be examined

further as well.

Council Member Jones stated he has vested interests and overall he supports the project, but he does feel that these conversations need to be had in order to get to the costs. Council Member Jones stated regardless of our thoughts we have to take a vote to find out more details. Council Member Jones stated he was approached about this one year ago and hadn't really thought about it. Council member Jones stated the volume is so low in the Wyndham area would the cost make sense. Mayor Reed stated if we don't pass this through we cannot have the conversations with property owners. Council Member Jones stated he just wants to make sure that his neighbors understand that this vote means to proceed but also to look at options in specific areas.

**A motion was made by Vice Mayor Baugh, seconded by Council Member Byrd, to approve the Right of Way Authorization with an understanding that further options will be considered for the Wyndham Woods Circle area. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 5 - Mayor Reed, Vice-Mayor Baugh, Council Member Byrd, Council Member Jones and Council Member Hirschmann

**No:** 0

## 7. Regular Items

### 7.a. Presentation of the results of the Feasibility Study by Mathers Architects for space needs of the Harrisonburg-Rockingham Community Services Board HRCSB

Ellen Harrison, executive director of the Harrisonburg-Rockingham Community Service Board (HRCSB), stated they have experienced tremendous growth. Ms. Harrison stated every year they present an update on the services provided and the expectations of the Department of Behavioral Health and Developmental Services as outlined in their Performance Contract. Ms. Harrison stated over the past 45 years they have been providing mental health, substance abuse treatment and developmental services with the youngest clients being less than a year old. Ms. Harrison stated services are provided in the homes, schools, jails, emergency departments, general community and in the two clinics that serve children and adults. Ms. Harrison stated over the past seven years they have experienced a 54% cumulative increase in the total number of unique persons served, which averages to approximately seven percent annually. Ms. Harrison stated their clients receive more than one service and from more than one program, which equates to a great deal of foot traffic, over 4,000 persons annually. Ms. Harrison stated if we look at just the raw data of unique persons served and project forward seven years, we expect to see well over 6,700 people which equates to a 40% increase. Ms. Harrison stated they employ 240 people, full time and part time, of which 82% are clinical and 18% administrative staff, she listed the centers they work at and noted the workforce continues to grow with the demand of services.

Ms. Harrison stated the biggest influence on their projected growth is the changes of law by the 2017 General Assembly as up until then they were mandated to only provide emergency services and case management. Ms. Harrison stated of the 40 Community Service Boards in Virginia, they were the only two services that must be provided, although the HRCSB provides over 20 different types of services to the community. Ms. Harrison stated last year the General Assembly codified that all 40 Community Service Boards will begin to participate in Steps Virginia, which is a systems transformation, excellence and performance that includes nine core services that standardize the public mental health system. Ms. Harrison stated the first two come on line by 2019 are same day access and primary care services and noted this leads to a significant upward trajectory and demand, which translates that HRCSB needs to add capacity and provide services by hiring additional clinicians and supporting staff.

Ms. Harrison stated in terms of the clinical work space at 1241 N. Main St. there are five buildings and have only a small amount of space left if medical records are moved. Ms. Harrison stated they have doubled the occupancy in their offices, have offered a work from home option for those in more congested work areas, and have encroached on all the possible common spaces. Ms. Harrison stated there is no space left at the McNulty Center and yet she needs to hire two additional people.

Ms. Harrison stated the waiting room capacity in both facilities are not sufficient.

Ms. Harrison stated a feasibility study was done by Mather Architects, which was completed in November, 2017. Ms. Harrison stated it evaluated the projected space needs for all clinical services seven years forward. Council Member Jones asked if this has been presented to the county yet. Ms. Harrison stated it will be presented on January 24, 2018.

Ms. Harrison presented the Space Consideration and Feasibility Study, and reviewed a few key points of the existing condition of the facilities. Ms. Harrison noted they were trying to determine if renovation or new build would be the best option, and stated the anticipated growth would likely fill the entire parcel. This consideration is complicated because the CSB cannot close during construction. Ms. Harrison stated the study revealed the organization needs 57, 634 square feet of space and they currently operate under 29,000 square feet, and shows they are well under what they need to operate in an efficient and safe way based on the known growth patterns.

Ms. Harrison stated in December, 2017, after hearing all the options explored by Mather Architect for space accommodations required, the CSB Board of Directors endorsed and approved to build a new facility on existing property on North Main Street and a modest expansion at the McNulty Center.

Ms. Harrison stated this type of construction would allow us to move children's services to the main building and for children who are at 16-23 years old can come to

the same building that they have always gone to with no interruption.

Ms. Harrison reviewed the projected costs and feels this is the most efficient way to continue their services. Ms. Harrison asked council for a commitment to approve HRCSB moving forward on a new build on North Main Street and a modest expansion on E. Washington street as outlined in the feasibility study.

Council Member Byrd stated in the joint meeting with Rockingham County the first week of January, 2018, it was discussed that this proposal was going to be presented. Council Member Byrd stated the reality is that this has to be done and is okay with moving forward. Council member Byrd stated they were asking is that the finance people of the City, Rockingham County and HRCSB get together to look at the best way of putting this together.

Council Member Jones stated this is a continuation of other services that need to be offered for prevention of incarceration and for re-entry and thanked the HRCSB for their services.

**A motion was made by Councilmember Byrd, seconded by Councilmember Jones, to proceed with continuing with the space consideration study as presented. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 5 - Mayor Reed, Vice-Mayor Baugh, Council Member Byrd, Council Member Jones and Council Member Hirschmann

**No:** 0

- 7.b.** Consider further partnership with Harrisonburg Redevelopment and Housing Authority in the development of a blight removal program and employee assisted homeownership program

Michael Wong, executive director of the Harrisonburg Redevelopment Housing Authority (HRHA), stated in addition to discussing homeownership and the initiative with HRHA, he would like to discuss a possible partnership with the city in the development of a Blight Removal Program and an Employee Homeowner Assistance Program. Mr. Wong stated the HRHA has been going through housing market studies and homeowner rates continue to decrease in the city and this has been a focus of the HRHA for the last few years. Mr. Wong stated last year HRHA and the city partnered in submitting the Affirmative Housing Plan and they were one of the very first cohorts to submit that plan. Mr. Wong stated in that plan there is an emphasis in regard to homeownership for lower and moderate income as well as the protected classes, and there have been many discussions and a new Comprehensive Plan. Mr. Wong stated homeownership helps in the stabilization and revitalization of neighborhoods, it encourages community investment, and increases civic engagement.

Mr. Wong stated as part of the background HRHA studied other localities that have similarities to the city: Morgantown, WV; Charlottesville, VA; and Lynchburg, VA. Mr.



Wong stated these localities have partnered with their universities, the city and the housing authority to address neighborhood deterioration by purchasing homes as they became available and created a sponsorship program which allows employees to access homeownership in the community. Mr. Wong reviewed some of the programs offered through the localities.

Mr. Wong stated one key initiative was a study that was recently completed and done in collaboration with several colleges and universities, this study was released in November 2017 showing Virginia is in a highly competitive situation for future growth.

Mr. Wong stated HRHA recognizes that any reliability to the federal government funding will continue to decrease, therefore partnerships with non-profits, etc., are sought to carry out affordable housing and redevelopment activities.

Mr. Wong stated by HRHA being proactive, decisive, and planning will help address housing issues in the future.

Mr. Wong stated the HRHA is asking council for a partnership to address affordable housing and fill in the gaps as we move forward in the future.

Mr. Wong stated on the November 2017 Board of Commissioners meeting, they authorized a budget allocation of \$75K to jump start the program, in hopes it will help leverage for grant or trust funds. Mr. Wong stated initially there are six participants that are targeted for this program, they are younger families who are looking to improve their financial situation and obtain homeownership and they have been in the workforce and are trying to improve through education.

Mayor Reed asked if the six participants have already been chosen. Mr. Wong stated the program hasn't opened yet but feels there should be no problem choosing the six participants through an application process. Council Member Jones asked if there will be an open enrollment process and if everything will be publicly displayed. Mr. Wong stated yes, initially members within the current Family Self Sufficiency Program (FSSP) will be targeted first. Council Member Jones asked if the first six participants will be open to the community. Council Member Byrd stated HRHA will be targeting six participants that are currently in the FSSP. Mr. Wong stated Mr. Byrd is correct and noted that once the first six participants are successful, the program will be expanded to community participants. Council Member Jones asked if there is a variety of individuals in the FSSP (ie. Elderly, families with kids, singles etc.). Mr. Wong stated predominately they are younger families who are looking to improve their financial situation and obtain homeownership and they have been in the workforce and are trying to improve through education. Council Member Jones stated there is a significant population that is elderly and single men that may need this program, and wants to ensure they are not omitted. Mr. Wong stated he feels that once this program is open to the community there will be the flexibility and opportunity to serve all demographics.

Mayor Reed asked if the goal is for the six participants in the FSSP to be able to buy their own home and are they in certain neighborhoods. Mr. Wong stated the individuals participate in the Housing Choice Voucher Program or other housing programs. Mr. Wong stated predominately they are residents of the city.

Mr. Wong stated one of the initiatives of this process is development of a homeownership center and collaborating with other agencies who provide homeownership training is a critical component of this proposal.

Mr. Wong stated there is also a blighted properties portion of this proposal, where perhaps the properties could be purchased and then re-used those properties for affordable homeownership or affordable rentals.

Mr. Wong stated there are resources for funding such as access to Community Development Block Grant (CDBG) funding, grants, and the Housing Trust Fund. Mr. Wong stated HRHA receives \$140K annually from CDBG, and the public assistance amount would raise it by \$25K if approved. Mr. Wong stated they will not be redirecting the \$140K that HRHA currently receives to this program.

Council Member Jones stated he liked the Employee Assistance Program (EAP) part of the program, but the blight portion scares him because it puts government in a position of overreaching. Council Member Jones stated he only recalls one blighted home in the past four years that the statute allows to be considered blighted property. Council Member Jones feels that the city does not have homes that reach the blighted state, and feels it would not be appropriate to start looking for them to take and give to someone else.

Mr. Wong stated they haven't developed a program as of yet or set the parameters.

Council Member Byrd stated the reason he asked about the CDBG funding is that there is only a certain amount of funding, which goes to agencies that cover some type of housing.

Ande Banks, deputy city manager stated the specific category Mr. Wong is referring to, is for agencies that provide services across the city, not just housing. Mr. Banks stated those funds shift and change and provide services and assistance to a host of non-profits across the community. Mr. Banks stated the city and HRHA work together on some of the big Housing and Urban Development Comprehensive Plan and Consolidated Annual Plan, and trying to address homeownership has been an initiative on both sides. Mr. Banks stated HRHA would be applying for CDBG funds, and those funds would be sub-granted to HRHA for use in this program which would assist with a Down Payment Assistance Program.

Mr. Wong stated that is correct, they plan on using commercial lenders to finance and

the program would provide a secondary down payment assistance process that would have a forgivable component. We would allow access to the program.

Mr. Wong stated he is open to these ideas and is beginning a conversation to address these ideas, it is an opportunity to have a clear program that we can encourage owners to improve their property, which will also have a positive impact to the community.

Council Member Jones stated he is on the Harrisonburg Downtown Renaissance Board, and wants to make sure this program doesn't have any caveat regarding aesthetics and feels that can't be pushed into the community as well. Council Member Jones recalled a personal instance that made the point you can't call someone for one thing as it will lead to something else. Council Member Jones stated if we start looking for more blighted homes, that will be a problem as it sends a signal to a lot of the homes of those individuals I was just talking about. Council Member Jones stated this could get out of hand with the weeds and tall grass and discrimination. Council Member Jones stated he sees how the EAP program would be a great service for the city, but is against anything regarding blighted properties.

Mayor Reed agreed with Council Member Jones, and is hesitant that when you start opening up this blighted property program, she doesn't want HRHA to go through neighborhoods, as not knowing what the criteria would be to consider a property blighted. Mayor Reed stated she likes the idea of families to learn about home ownership, and want to make sure it is diverse.

Mr. Wong stated when we talk about blight, he is talking about clearly abandoned properties that are having people live in them that aren't supposed to be, tax liens, trustee issues, etc., Mr. Wong stated they are not in business of being a judge of people's homes but there are those types situations and areas in our community that they have those types of those situations.

Mr. Banks stated this is not someone who didn't mow their yard and this is not opening up evaluation of properties to aesthetics. Mr. Banks stated for federal dollars to be used for a blight program or a down-payment assistance program, the rulers are built in, especially for spot blight. Mr. Banks stated for federal dollars to be used for EAP, they would have to meet the Low to Moderate Income (LMI) standards.

Council Member Byrd stated we are being asked to consider further partnership and this doesn't limit to just CDBG funding it may include General Fund requests. Council Member Byrd stated HRHA is using \$75K of their own funding as a trial, and feels council should further the conversation as there are many items on tonight's agenda that are asking for funds.

Vice Mayor Baugh stated he thinks it makes sense to consider the further partnership. There have been some issues identified this evening, blight as we have done is

according to state law, we can't just walk up and do it. Vice Mayor Baugh stated he was ok with approving for further partnership including the blight issue.

Council Member Jones stated he is sensitive to the history of R4, tons of people lost homes, history was lost in the name of urban development.

Council Member Hirschmann stated he agrees with the approach to see how things develop. Mayor Reed stated she is hesitant and wants to be a part of the procedure.

Mr. Wong stated there will be volunteers going out in the community for the Annual Point In Time Count of the homeless, and anticipates a higher number of homeless individuals.

**A motion was made by Council Member Jones, seconded by Council Member Byrd to approve authorization for Harrisonburg Redevelopment and Housing Authority to work with city staff to develop an EAP program for council's consideration of approval. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 5 - Mayor Reed, Vice-Mayor Baugh, Council Member Byrd, Council Member Jones and Council Member Hirschmann

**No:** 0

**7.c.** Consider approving a resolution for the VDOT Urban Maintenance Program Mileage Deletions

Tom Hartman, assistant director of Public Works, presented a resolution to delete street mileage from the city's inventory. Mr. Hartman stated on July 11, 2017 council approved Park Village Incorporated to acquire the rights-of-way and streets for Shank, Hawthorne, Villa, Pine and Spruce near Virginia Mennonite Retirement Community (VMRC) off Park Road. Mr. Hartman stated the mileage of those streets need to be deducted from our state inventory, which equals 0.8 lane miles that we request VDOT to remove from our inventory. Mr. Hartman stated this translates to a \$9,800 to \$10,000 annual deduction to our maintenance payments and will take effect in FY19.

**A motion was made by Council Member Byrd, seconded by Council Member Hirschmann to approve the resolution as presented. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 5 - Mayor Reed, Vice-Mayor Baugh, Council Member Byrd, Council Member Jones and Council Member Hirschmann

**No:** 0

**7.d.** Presentation from Virginia Cooperative Extension on the 4H Program

Dr. Tanya Price, Associate Professor and Extension Specialist, 4-H, stated, as a faculty member of Virginia Tech for the Virginia 4-H program, she would like to share with council a proposal to bring the 4-H program to the city. Dr. Price provided some

personal and professional background and her 4-H experience, reviewed what 4-H is and how the 4-H Program participation increases confidence, independence, resilience, and compassion within youth.

Dr. Price stated the 4-H Organization is the largest out of school youth organization in the nation, and are the only federally approved and organized youth development organization. Dr. Price stated last year there were over 188K members enrolled statewide. Dr. Price stated they believe kids learn best when they learn through hands on and the best part about our program is that it is free, there are no membership dues, there is no financial burden to a family, which makes our program available to all.

Dr. Price noted that each office is responsible for securing external funding to support their programming efforts which often come in the form of grants, fundraising and/or donations.

Dr. Price stated they have 108 extension offices in Virginia which served 14,514 youth last year, and the programming efforts are made through 13 delivery modes. Dr. Price stated all of the curriculum is written and peer reviewed by land grant faculty and staff. Dr. Price stated they are heavily reliant on volunteers who are highly trained, and serve as extenders of knowledge and as caring supporting role models to our youth.

John Thompson, District Director, Northern District of Virginia Cooperative Extension, located at 2322 Bluestone Hills Drive reviewed his professional history within the 4-H Program and noted how he competed against 4-H participants in high school and college and found that they were head and shoulders above him in performance of presentation skills and preparedness for college activities. Mr. Thompson would like the same opportunity available for the youth who live here in the city.

Mr. Thompson stated the Virginia Cooperative Extension (VCE) is requesting council consider an annual budget appropriation of \$65-\$70K which would pay for the salary and fringes of an extension agent, and may include a few dollars for operational expenses. Mr. Thompson reviewed what VCE is offering in exchange.

Mr. Thompson stated should council approve this funding request for FY19, VCE would work on the Memorandum of Understanding (MOU) in the spring, the position would be loaded into their system and they would begin looking for the candidate and further details would be worked out with council and the VCE office as council would participate in that process. Mr. Thompson stated the city would be billed quarterly to request the funding if approved.

Mr. Thompson stated some of the work for a needs assessment have been done through the city's Community Budget Survey for FY18 which reflected a need for STEM related projects and a specific need for food source education. Mr. Thompson

stated many options are available through the 4-H curricular areas and reviewed a few of those options. Mr. Thompson stated he believes that the more chances a youth has to excel and travel the more opportunities will open up to that youth.

Dr. Price stated there are six pillars of character that the 4H program can help nurture: trustworthiness, respect, responsibility, fairness, caring and citizenship.

Council Member Jones thanked them for the presentation and asked if they had a chance to talk to city residents, school board members or school staff. Dr. Price stated they have not had the opportunity yet but it is something they hope to establish and make some impacts at the local level and then take it to the schools.

Council Member Jones stated the contribution requested is \$65-70K and asked how many students could that network serve. Dr. Price stated it could approximately serve 750-1,000 students, would be a brand-new program in the city and the agent would need to establish networks and connections. Dr. Price stated the potential is there and once people start to see the impacts it has on children the program will continue to grow.

Council Member Hirschmann asked what the differences are between 4-H and FFA. Dr. Price stated FFA is more agriculture based whereas the 4-H program has expanded beyond agriculture, focusing on STEM education, healthy living, citizenship and with the connection of the Land Grant University System, they are able to bring the research of the university into the homes of the families.

Council Member Jones stated he would like to see this supported under contributions for FY 18/19, and now is the time to have these conversations.

Mr. Thompson stated they would be happy to have any conversation or answer any questions at any point to put council at ease and help understand what it could look like.

Mayor Reed stated it may be another opportunity to partner with other organizations. Dr. Price stated that is very common and other offices in the Commonwealth do have those partnerships.

Council Member Jones asked if they can show council the model of what that network looks like to reach the range of youths expected to be reached locally. Mr. Thompson stated that can be done.

Council Member Jones stated the council meets in May to review the budget, in which contributions are reviewed and would need the model in order for it to be crystal clear in what this program can provide.

Council Member Byrd stated it's not just the city, it's also the School Board that

operates with the exact same population and that conversation needs to be made for additional partnerships.

**This Presentation was received and filed.**

**7.e.** Consider a resolution addressing Deferred Action for Childhood Arrivals (DACA) and Temporary Protective Status (TPS)

Ande Banks, deputy city manager, stated at the request of the Mayor, presented a resolution that was originally requested by residents on December 12, 2017 addressing Deferred Action for Childhood Arrivals (DACA) and Temporary Protective Status (TPS), city staff worked with those residents and the resolution expresses the council's concern to our congressional delegation as they weigh into this very important issue of immigration and that they at least hear council's voices looking out for the impacts of residents and families in the city.

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

**Yes:** 5 - Mayor Reed, Vice-Mayor Baugh, Council Member Byrd, Council Member Jones and Council Member Hirschmann

**No:** 0

## **Recess**

Meeting went into Recess at 9:15pm

Meeting Reconvened at 9:22 pm

**7.f.** Discussion regarding the construction of a second high school

Larry Propst, director of Finance, presented calculations for the Real Estate Tax Rate Equivalent based on total debt service for existing debt and for new debt should a new high school be built. Mr. Propst stated these figures are based on the CIP and stated in perspective it shows that for every \$1M borrowed it will be \$63K of new annual Debt Service. Mr. Propst stated the question was raised as to how these figures would look if the new borrowing was pushed out a year or two, and he presented figures for six different scenario's dependent upon when new debt is incurred.

Mr. Propst reviewed the Financial Management Debt policies, and noted as we pay off debt the capacity increases and by using the CIP estimates of \$94M the remaining available capacity would be \$8M.

Council Member Byrd asked if these scenarios reflect any other debt that the city may have to issue for other things other than the high school. Mr. Propst stated this is based on no other funds needed within the next ten years.

Mr. Propst reviewed the real estate tax increases expected per scenario on a \$100,000 home, and reviewed the city's current real estate tax rate compared to other localities.

Council Member Byrd asked if the real estate taxes per \$100,000 strictly reflects for debt and does not include an increase for operational funding for schools, local share or city. Mr. Propst confirmed, this strictly reflects tax increases for debt only.

Mr. Propst stated there are other considerations such as the increase in operating costs of the second high school estimated by Harrisonburg City Public Schools (HCPS) to be approximately \$1M which is equivalent to 2.5 cents on the real estate tax rate. Council Member Byrd asked if this was only if they staffed the new school at Standard of Quality levels provided by the HCPS. Council Member Jones stated there may be offset of funding for operational expenses available. Mr. Propst stated it should be considered to phase in tax rates regardless of the timing of the borrowing scenario.

Mr. Propst stated Scenario 1 reflects the School Boards timeline as well as using the CIP numbers and if we use the current estimate of \$76M plus land the cost would be 11.5 cents plus any increase for operational expenses.

Council Member Byrd thanked Mr. Propst for breaking out the information, it was extremely helpful.

Vice Mayor Baugh stated one thing that has concerned him about the perception is an issue of scale, and the best way he can express the scale of this project is with comparisons. Vice Mayor Baugh stated the new city hall cost \$10M, we just brought online Bluestone and Elon Rhodes for approximately \$40M, which means in a very short period of time the city has built what can equate to 5 city halls. Vice Mayor Baugh stated the proposal in front of us would equate to eight more city halls. Vice Mayor Baugh stated council's job is to deal with big numbers, so he can understand the perception of the big number, however, the proposal in front of us is not just another large number, it is on the scale beyond anything we have faced. Vice Mayor Baugh stated he feels like people hear it but don't understand it. Vice Mayor Baugh stated he is an optimist, tends to see the best in people and tends to believe that things will work out for the best, but during his ten years of doing this he can't escape the observation that building 13 city halls in this short time frame could put the city just a couple of bad breaks from overwhelming our financial system. Vice Mayor Baugh stated our credit will be stretched to the max, all of our resources will have to go to pay debt and the city will be basically living paycheck to paycheck for years. Vice Mayor Baugh stated if we look at comparable cities, we do not have tons of money in the



bank like other localities, nor do we have massive savings in case we hit a bump in the road. Vice Mayor Baugh stated he feels we are in a bad place right now, there is no option in front of us that doesn't carry with it what would be generally seen as an unacceptable level of high school overcrowding, nor is there an option that doesn't carry with it what would generally be seen as an unacceptable level of financial risk. Vice Mayor Baugh stated the figures we were just looking at the city would need to come up with about \$5M per year debt service just for this project. Vice Mayor Baugh stated council heard a proposal from the Community Service Board and although there is no ask yet it will be a \$10M project that the city will have to fund half of, and feels the people aren't grasping the scale of what the city's needs are.

Vice Mayor Baugh stated a lot has been said about waiting until more debt has been paid down but the problem is there really isn't a significant decrease until 2028. Vice Mayor Baugh stated opening a high school in 2021 means three more years of overcrowding with short-term solutions but seven to eight years of being on a financial cliff. Vice Mayor Baugh stated that is an awful long time to be on a financial cliff, and feels what we are really being asked is for 2021 to be the line for unacceptable overcrowding and financial risk. Vice Mayor Baugh asked council where do we think is the least bad place to draw the line between what in normal circumstances would be unacceptable overcrowding and what in normal circumstances would be unacceptable financial risk.

Council Member Jones stated he feels we must shift our educational system as well as our financial situation from a state of being reactive to proactive, regardless of the scales, although this is enormous, it is always painful. Council Member Jones stated it is his opinion that we have dealt in a state of reacting year after year, we weren't forecasting for the future and that is extremely risky. Council Member Jones stated he would be remiss to not look at the recent presentations from both the CSB and HRHA and not see the need for more services, we are going to need the space and we constantly feel we are going to need more space. Council Member Jones stated he may not agree 100% with the proposal as he is a fan of the mega-campus but can appreciate what the request is. Council Member Jones made a motion to accept in principal the city School Board's request to fund, design and construct a second high school for Harrisonburg to open for the 2021/2022 academic year at a preliminary price of \$76M and to authorize the city manager and city attorney to negotiate and execute a contract to purchase real estate necessary for the new high school and to take all other actions necessary to secure funding for the new high school subject to the city's ability to secure such funding on terms acceptable to this council. The motion failed due to lack of second.

Vice Mayor Baugh stated he was hoping to solicit more discussion on finances and the proposal school board has made since we are going to patch overcrowding. Vice Mayor Baugh stated he could accept the motion if we had a discussion of when the date was to do it.

Council Member Byrd stated the question is limiting the overcrowding and limiting the financial risk, and since there is only one proposal how can we limit the overcrowding in a manner where we are also limiting the financial risk. Council Member Byrd asked is there a better spot than 2021.

Council Member Jones stated in 2013 when they asked for land council didn't respond and now we are sitting here today. Council Member Jones stated he doesn't disagree with anything that is being said, but the scenarios being painted are now worse. Council Member Jones stated we have a lot of people who have been faithful taxpayers and don't want their taxes increased but he also understands there is a lot of faith in our school system and they aren't going anywhere, at some point someone must be brave and change things. Council Member Jones stated he can't continue to let the kids go without or be in a more detrimental situation and not continuously put the best people out into the work force, the technical schools and our colleges especially since our main goals should be public safety, water and education.

Mayor Reed stated she thinks we all know that this is the biggest decision we have to make as council members, we all have our concerns and we all have our passions. Mayor Reed stated at first she thought it would be good to have a big campus but that is not what our citizens want. Mayor Reed stated she wanted the land to stay in the city and the amount to be \$70M, but she is no longer going to continue to let our kids suffer, there is no one more of an advocate for our children than she is. Mayor Reed stated this is a difficult decision because we also must be aware of the financial strain on our finances, but realizes we need to look forward, and she supports the school board and the high school.

Council Member Hirschmann stated he is certainly very concerned about the fiscal cliff and all through this process the school board was asked what Plan B or Plan C would be, and was told there was no Plan B or Plan C. Council Member Hirschmann stated it would have been nice to have a look at another option. Council Member Hirschmann stated he is concerned about pushing the financial burden because things happen and it doesn't take much to push one over the cliff. Council Member Hirschmann stated he thinks there needs to be an answer for the overcrowding over the next 2-3 years regardless of what happens with the new school.

Council Member Jones stated how can you have several other facilities yet we are debating over the cost of education. Council Member Jones stated he hopes council is prepared to increase the operational budget for the school in May to tackle the overcrowding. Council Member Jones stated if we can't believe enough that we need to turn the ship, increasing the operational budgets is only a band-aid.

Council Member Hirschmann stated his point was something needs to be done immediate for the kids, and feels that along the way there are other views that could have been explored and they weren't.

Council Member Byrd stated he reviewed previous joint meeting minutes, and believes this is the first official ask for funding this proposal.

Council Member Jones stated the School Board picked the route they wanted to go, with the pre-school and the elementary school first, but at some point, someone has to do something new. The high school was overcrowded when decisions were made to build an elementary school.

Mayor Reed stated council hasn't been stalling, council started this process in June and have been collecting information and trying to come up with a decision.

Vice Mayor Baugh stated one of the obvious potential risks is when you address this problem by constructing another building it means we don't have extra money for anything else. Vice Mayor Baugh stated if we had bought real estate in 2013 we would have committed to an annex or addition, which now is not what is wanted. Vice Mayor Baugh stated, speaking personally, he can easily imagine making a really important fiscal decision on faith, however, he feels like he needs to fight with all of his being any temptation of acting on faith with public money.

Council Member Jones stated he believes the citizens have faith in council to do the right thing with their money, and his faith is in these folks that believe we are doing the right thing with their money. I believe that moving forward with the high school is the right thing.

Vice Mayor Baugh stated he makes the motion identical to what is being asked by the school board, except substitute 2021 with 2023 as an opening date.

Ted Byrd seconded the motion

Mayor Reed stated she cannot support this motion. Council Member Jones stated the vote will be three to two, so it doesn't matter what he votes the decision will be to build for a 2023 opening.

Further discussion took place regarding timeline and if decisions can change at a later date. Council Member Jones stated we can't say no to education. Mayor Reed stated she is not saying no to education, she is saying no to the year of completion.

Council Member Byrd stated the reason for his agreement on this is that we were given one option and we have explained that it puts us at the brink for 2021, additional options were asked for. Council Member Byrd stated we have overcrowding, we get that, but he also has the fiscal responsibility as there will be zero capacity available for anything else in the city and we must balance everyone's needs. Council Member Byrd stated he wishes there was an Option B and C. Council Member Byrd stated he will be open to other solutions that will eliminate the overcrowding sooner.

Council Member Hirschmann stated a request for other options had been mentioned several times over the months, and it has never been addressed.

Council Member Jones asked if it could be changed to opening in 2022. Vice Mayor Baugh stated he has tried to make it clear from the beginning that he has nothing but unacceptable options and trying to figure out the one that is least bad. Vice Mayor Baugh stated 2023 is five more years of patching on overcrowding and is five years on the fiscal cliff, it is in the middle between those two really bad places neither of which we want.

Mayor Reed stated she doesn't see it that way, and feels this motion is unacceptable.

**A motion was made by Council Member Jones which failed for lack of second. A motion was made by Vice Mayor Baugh, seconded by Council Member Byrd to accept in principal the city School Boards request to fund, design and construct a second high school for Harrisonburg to open for the 2023/2024 academic year at a preliminary price of \$76M and to authorize the city manager and city attorney to negotiate and execute a contract to purchase real estate necessary for the new high school and to take all other actions necessary to secure funding for the new high school subject to the city's ability to secure such funding on terms acceptable to this council. The motion carried with a recorded roll call vote taken as follows:**

**Yes:** 3 - Vice-Mayor Baugh, Council Member Byrd and Council Member Hirschmann

**No:** 2 - Mayor Reed and Council Member Jones

## **8. Special Event Application Requests**

## **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)

James "Bucky" Berry, 30 West Washington Street, stated he feels if the city continues to borrow money several programs won't be able to be funded if we keep borrowing money, the higher the taxes the more the need will be to address hunger. Mr. Berry stated he feels the shelters and charities will not be able to be funded. Mr. Berry stated they have received a lot of support from local businesses and have so far raised \$10,000 to buy food. Mr. Berry stated his food drive is now a 501c organization, and will be adding Mercy House to their locations that benefit from those funds. Mr. Berry stated the Harrisonburg Police Department made such a wonderful difference during the Christmas celebration at Mercy House. Mr. Berry stated until we can get affordable rent, we will continue to have homelessness, and is afraid that the city is putting all its eggs in one basket.

Laura Logie, 363 Hillandale Avenue stated the city has spent so much money, we need to learn to be fiscally responsibly and consider those living on fixed incomes.

## 9.b. City Council and Staff

Council Member Jones stated he has an annual report from the Chamber of Commerce to turn in.

Vice Mayor Baugh stated Planning Commission is still working on the Comp Plan and didn't have any agenda items coming up to council.

Council Member Byrd welcomed Eric Campbell, city manager, to his very first meeting.

Council Member Hirschmann stated he had the opportunity to meet with the Community Resource Center, which is an organization that is a referral service that tries to help people in the city with a need such as obtaining drivers licenses, find housing, etc. Council Member Hirschmann stated the city provides a limited contribution to this organization, which equals half of their budget and would like to see the contribution increased to this organization.

Mayor Reed stated applications for the Community Police Academy are now being accepted and are due by February 23, 2018, and the Academy will run March 6, 2018 through May 1, 2018 on Tuesday evenings; Harrisonburg is receiving applications for Community Development Block Grant funding between now and February 13, 2018 and if anyone is interested in applying they should contact Kristin McCombe in the City Manager's Office or visit the city's website; civic and community organizations seeking funding from the city for the next fiscal year are asked to visit the city's website for additional information, applications are due by January 30, 2018; individuals owning a dog within the city are required to obtain a dog license for each dog owned and licenses must be purchased by January 31, 2018 at the Treasurer's Office at City Hall or the SPCA.

**10. Boards and Commissions****10.a. Board of Equalization**

**A motion was made by Council Member Byrd, seconded by Vice Mayor Baugh, to re-appoint Gerald Bland to the Board of Equalization. The motion carried with a unanimous voice vote.**

**10.b. Building Code Board of Appeals**

Chris Brown, city attorney, stated as council may recall back in late November, 2017, staff was considering an amendment to city code to reduce the number of members required on the Building Code Board of Appeals because there hadn't been an appeal in over ten years. Mr. Brown stated there is now one appeal request and possibly a second, and over the last few weeks staff has secured the property qualified applicants who have agreed to serve on the Board.

A motion was made by Council Member Byrd, seconded by Vice Mayor Baugh, to appoint James Fye, Brian Koerner, Wade Robinson and Scott Graves and to re-appoint Gerald Bland and John Sease to the Building Code Board of Appeals. The motion carried with a unanimous voice vote

**10.c. Deer Population Task Force**

Council Member Byrd noted for the record this board has not met since 2007-08 and is not sure if it meets ever.

Mr. Banks stated as he understood this board is called upon when there might be an issue with overpopulation in some of the larger public parks to determine how best to address that overpopulation.

A motion was made by Council Member Byrd, seconded by Vice Mayor Baugh, to appoint Christopher Moore to the Deer Population Task Force. The motion carried with a unanimous voice vote

**10.d. Transportation Safety & Advisory Commission**

A motion was made by Council Member Byrd, seconded by Council Member Hirschmann, to re-appoint Leonard Van Wyk to the Transportation Safety & Advisory Commission. The motion carried with a unanimous voice vote

**11. Adjournment**

At 10:34 p.m., there being no further business and on motion adopted, the meeting was adjourned.

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CITY CLERK

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MAYOR