



City of Harrisonburg

409 S. Main Street
Harrisonburg, VA 22801

Meeting Agenda - Final City Council

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

Tuesday, September 8, 2015

7:00 PM

Council Chambers

1. Roll Call
2. Invocation
3. Pledge of Allegiance
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. Minutes

Attachments: [August 25, 2015 Draft Meeting Minutes](#)
 - 5.b. Special Meeting Minutes

Attachments: [August 31, 2015 Draft Meeting Minutes](#)
 - 5.c. Consider amending and re-enacting Section 1-1-12(1)b and enacting Section 1-1-12(1)e of the Harrisonburg City Code

Review & Recommendation: In accordance with council's direction at its July 14th meeting, staff has prepared a draft ordinance establishing a new voting Precinct 5 in Ward 1 consisting mostly of JMU's campus, and amending the description of the boundaries of Ward 1, Precinct 2 (Spotswood Precinct) for council's consideration. Staff has also prepared a map showing the proposed precinct changes. The proposed ordinance amendment and map are attached. Also attached is documentation from the Electoral Board as requested by council.

Attachments: [Public Hearing Notice](#)
[Ordinance](#)
[JMU Precinct Packet](#)
[With JMU Precinct](#)
[Without JMU Precinct](#)
[Ordinance - Corrected](#)
[Ordinance Revised 09/02/15](#)
[Signed Ordinance](#)

Legislative History

8/25/15 City Council approved on first reading

- 5.d. Consider a supplemental appropriation for the Fire Department in the amount of \$147,835.19

Review & Recommendation: These are carryover funds from the previous budgeted year for unexpended Fire Program funds and Four-for-Life funds.

Attachments: [Supplemental Appropriation \(Fire\)](#)

Legislative History

8/25/15 City Council approved on first reading

- 5.e. Consider a supplemental appropriation for the Police and Fire Departments in the amount of \$93,159.38

Review & Recommendation: The Police and Fire Departments were awarded various grants in the prior fiscal year. This request will reappropriate these unexpended prior year grant awards.

Attachments: [Supplemental Appropriation \(Grants\)](#)

Legislative History

8/25/15 City Council approved on first reading

- 5.f. Consider an ordinance closing a 13,462 square foot portion of Grove Street right of way between New York Avenue and Ohio Avenue in the City of Harrisonburg

Review & Recommendation: This item is the result of a city initiated closing of an undeveloped portion of Grove Street between New York Avenue and Ohio Avenue. The vacated portion of Grove Street, which consists of 13,462 square feet, will be conveyed to William F. Cale and Susan T. Cale, who own the adjoining property on both sides of the portion of Grove Street to be vacated. The Cales have agreed to terminate a 60 foot wide easement of right of way over a portion of Westover Park which benefits their property.

Attachments: [Public Hearing Notice](#)
[Ordinance - Grove Stree ROW](#)
[Grove St vacation of ROW plat](#)
[Signed Ordinance](#)

Legislative History

8/25/15 City Council approved on first reading

6. Public Hearings

- 6.a. Consider repealing Section 17-1-1 and amending and re-enacting Section 17-1-2 &

17-1-3 of the Harrisonburg City Code to eliminate school election districts and to provide for at-large election of Harrisonburg City Public School Board Members

Review & Recommendation: These proposed ordinance amendments eliminates the two election districts in the city and provides for the at-large election of school board members.

Attachments: [Public Hearing Notice](#)
[Ordinance](#)
[Signed Ordinance](#)

6.b. Consider CDBG 2014-2015 Consolidated Annual Performance Evaluation Report (CAPER)

Review & Recommendation: A short presentation will be given on the Consolidated Annual Performance & Evaluation Report (CAPER), which is a document required by the U.S. Department of Housing & Urban Development (HUD) for the evaluation and review of CDBG programs in fiscal year 2014-2015. This presentation will be followed by a public hearing and will commence the 15 day public comment period, which will end at 9:00 a.m. on September 24, 2015.

Attachments: [Public Hearing Notice](#)
[Summary for Council](#)
[PowerPoint](#)

6.c. Consider a request from J-M Apartments with representative Jim Monger to rezone a 17,777 +/- square feet parcel located at 141 West Bruce Street, from M-1, General Industrial District to B-1C, Central Business District

Review & Recommendation: Planning Commission recommended approval (6-0) of the rezoning request for the property at the intersection of West Bruce Street and Chesapeake Avenue and identified as tax map parcel 25-H-19A, with the following proffers:

1. The property shall be redeveloped by improving and maintaining the existing structure, where all by-right uses of the B-1 district shall be permitted except for the following limitations:
 - a. Residential uses shall be limited to multi-family residential uses, where one parking space shall be provided on-site per bedroom.
 - b. Restaurants and personal service establishments are not permitted without an amendment to these proffers.
 - c. No retail uses shall be allowed except those associated with R.S. Monger and Sons, Inc.
2. Special Use Permits shall be permitted as approved by City Council.
3. The property shall maintain at least seven off-street parking spaces. Any number of these spaces may be used to meet the minimum required as specified in proffer "1a."
4. Exterior storage of materials associated with any warehousing component of the property shall only occur under the rear covered porch/dock and to the south of the building.

Attachments: [Cover Sheet RZ 141 W Bruce Street](#)
[Extract RZ 141 W Bruce Street](#)
[Site Maps](#)
[Application & Other Supporting Documents](#)
[PowerPoint](#)

6.d. Consider a request from J-M Apartments with representative Jim Monger to amend

the Zoning Ordinance Section 10-3-85 Uses Permitted Only By Special Use Permit of the B-1, Central Business District by adding warehousing and other storage facilities as a special use in the B-1 district

Review & Recommendation: Planning Commission recommended approval (6-0) of the Zoning Ordinance amendment that would modify Section 10-3-85 by adding warehousing and other storage facilities as a special use in the B-1 district. Warehousing and other storage uses are currently not permitted by right or by special use permit in the B-1, Central Business District.

Attachments: [Cover Sheet ZO Amend warehousing in B-1](#)
[Extract ZO Amend warehousing in B-1](#)
[Staff Report RZ 141 West Bruce Street](#)
[PowerPoint](#)
[Signed Ordinance](#)

- 6.e. Consider a request from J-M Apartments with representative Jim Monger for a special use permit per Section 10-3-85 of the Zoning Ordinance to allow warehousing and other storage facilities within the B-1, Central Business District at 141 West Bruce Street

Review & Recommendation: Planning Commission recommended approval (6-0) of the special use permit request to allow warehousing and other storage facilities on the 17,777 +/- square feet parcel located at the intersection of West Bruce Street and Chesapeake Avenue and identified as tax map parcel 25-H-19A.

Attachments: [Cover Sheet SUP 141 W Bruce Street](#)
[Extract SUP 141 W Bruce Street](#)
[Site Maps](#)
[Application & Other Supporting Documents](#)
[PowerPoint](#)

7. Regular Items

- 7.a. Consider a request from Purple and Gold, LLC to preliminarily subdivide a 1.1 +/- acre parcel into 11 townhouse lots and one common area lot, with variances from the Subdivision Ordinance

Review & Recommendation: The property, zoned R-3, Medium Density Residential District, does not have public street frontage but is addressed as 2237 Reservoir Street. Planning Commission recommended approval (7-0) of the preliminary plat found on tax map 80-A-8A with variances to the Subdivision Regulations Section 10-2-42 (c) to allow the lots to not have public street frontage and Section 10-2-43 to deviate from easement dedication requirements.

Attachments: [Cover Sheet PP Charleston Townes 2015](#)
[Extract PP Charleston Townes 2015](#)
[Site Maps](#)
[Application & Other Supporting Documents](#)
[Final Version Charleston Townes Resubmission \(08-07-15\)](#)
[PowerPoint](#)

7.b. Update from Superintendent on City of Harrisonburg Public Schools

Review & Recommendation: The superintendent will update Council on enrollment trends and projected space challenges

Attachments: [PowerPoint](#)

7.c. Consider Resolutions of Support for two (2) Public Works projects for consideration under VDOT's new House Bill 2 (HB2) funding program

Review & Recommendation: The Public Works Department is seeking City Council to consider the attached Resolutions of Support for two (2) projects that will be submitted for funding consideration under VDOT's HB2 prioritization program. The projects are the I-81 Exit 247 Improvement and South Main Street / MLK Jr. Way Improvements, both are displayed on the attached project sketches. The Harrisonburg Rockingham Metropolitan Planning Organization (MPO) recently passed its own Resolutions of Support for both of these projects.

Attachments: [I-81 Exit 247 Improvements - Alternative 1](#)
[Resolution of Support I-81 Exit 247 Improvements](#)
[Resolution of Support - MPO I-81 Exit 247 Improvements](#)
[Resolution of Support S. Main & MLK, Jr. Way](#)
[Resolution of Support - MPO S. Main & MLK, Jr. Way](#)
[MLK, Jr. Way Widening Phase 1](#)
[Signed Resolution I-81 Exit 245](#)
[Signed Resolution I-81 Exit 247](#)
[Signed Resolution South Main/MLK, Jr. Way](#)

7.d. Consider a resolution on the issuance of up to \$40,000,000 of Revenue Bonds by the Industrial Development Authority of the Town of Broadway, Virginia, for the Benefit of Virginia Mennonite Retirement Community, Inc

Review & Recommendation: The Industrial Development Authority (IDA) of the town of Broadway intends to issue up to \$40,000,000 of revenue bonds for the benefit of Virginia Mennonite Retirement Community, Inc (VMRC). Under Section 15.2-4905 of the Code of Virginia, the Harrisonburg City Council must concur with this financing. This concurrence is necessary because VMRC is located in the city, but is using the Broadway IDA for the issuance. There is no financial obligation for the city related to the concurring resolution. Unfortunately, the Harrisonburg IDA was unable to issue these bonds because the city needs the IDA's bond issuing capacity for a large upcoming city financing.

Attachments: [IDA Rev Bond Issuance - VMRC](#)
[Signed Resolution](#)

7.e. Consider a resolution setting the percentage of personal property tax relief for the year 2015 to 30%

Review & Recommendation: This is the annual resolution to set the percentage of personal property tax relief pursuant to Article J of Title 4 Chapter 2 of the Harrisonburg City Code. The Commissioner of the Revenue has determined the final percentage for the tax year 2015 to be thirty percent (30%)

Attachments: [Resolution](#)

7.f. Consider Finance Committee Fund Balance recommendations to council

Review & Recommendation: The Finance Committee met last month to consider recommendations relative to the Unappropriated Fund Balance at fiscal year-end, June 30, 2015. Those recommendations are listed below and included on the attached spreadsheet.

1. Use of \$748,372 to balance current year budget (this is a one-time amount for a radio system upgrade project for the ECC).
2. Reserve \$1,200,000 for architectural/engineering services for the new school project.
3. Reserve \$520,000 for non-recurring capital outlay items in the FY 15-16 budget.
4. Reserve \$150,000 for predevelopment costs associated with the Hotel Conference Center project.
5. Reserve \$200,000 for Fire Programs and Four-for-Life Fund

Attachments: [6-30-15 Fund Balance](#)

7.g. Consider addition of Assistant Director of Economic Development position

Review & Recommendation: At the September 8, 2015 meeting, Council members indicated an interest in filling the position of Assistant Director of Economic Development. This is a position that has been in the City system for a number of years, at one point having been filled via a contract with James Madison University, but standing vacant since 2009.

Attached for further discussion is a copy of the position class specification and a non-exhaustive listing of possible initial task assignments should the position be filled.

Attachments: [9-2-15 Assistant Director Responsibilities](#)
[Asst Director Class Specification](#)

8. Supplementals

8.a. Consider a supplemental appropriation for the Public Works Department in the amount of \$2,148,332

Review & Recommendation: The Public Works Department has received grant funds and payments from JMU in the amount of \$2,148,332 for three (3) projects located in the City. Each project requires different match amounts and those are listed below:

- * VDOT Revenue Sharing Paving
 - o Grant \$950,000
 - o Local Match \$950,000
- * VDOT Revenue Sharing - Bluestone Trail at JMU
 - o Grant \$364,500
 - o Local Match \$364,500 (Reimbursed by JMU)
- * Transportation Alternatives Program Grant - Downtown Streetscape Phase III
 - o Grant \$469,332
 - o Local Match \$117,333

Attachments: [Supplemental Appropriation \(Public Works\)](#)

9. Other Matters

10. Boards and Commissions

11. Adjournment