



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, February 9, 2016

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

**Review &
Recommendation:**

Attachments: [Draft Minutes Jan 26, 2016 meeting](#)

5.b. Consider amending and re-enacting Section 15-2-1, Conditions of Where Animals Are Kept, Tethering of Dogs, of the Harrisonburg City Code

**Review &
Recommendation:** At the December 8, 2015 City Council meeting, staff provided feedback on citizen-submitted changes to Chapter 15 of the city code relating to animal welfare specifically rules regarding tethering of dogs. Council requested a survey be posted to Be Heard Harrisonburg for public input.

Attachments: [Memorandum](#)
[BHH Tethering Survey Results](#)
[Ordinance - Reflecting Proposed Changes](#)
[Amended Ordinance after CC meeting 01/26/16](#)
[Public Hearing Notice](#)

Legislative History

1/26/16 City Council amended and approved on first reading

5.c. Consider a supplemental appropriation for the Police Department in the amount of \$33,044.00 from the 2016 Department of Motor Vehicles Speed and Alcohol Enforcement Grant

Review & Recommendation: On September 29, 2015 the Virginia Department of Motor Vehicles awarded the Harrisonburg Police Department the annual grant funding for speed and alcohol enforcement from October 1, 2015 through September 30, 2016. Grant funding totaling \$33,044 will cover the costs of overtime, equipment, and training. HPD plans to work 760 plus overtime hours to conduct a minimum of four checkpoints, 78 saturation patrols, attend one conference, and increase the number of radar units in active use from 28 to 30.

Attachments: [Memorandum](#)
[Supplemental Appropriation](#)
[DMV Grant - Alcohol](#)
[DMV Grant - Speed](#)

Legislative History

1/26/16 City Council approved

5.d. Consider a supplemental appropriation for the Public Utilities Department in the amount of \$110,000 from the Sewer Enterprise Fund Balance

Review & Recommendation: Mike Collins, Harrisonburg Director of Public Utilities, requests transfer of \$110,000 from the Sewer Enterprise Fund Balance to Motor Vehicles & Equipment expense code used by the Public Works Department.

Attachments: [Memorandum](#)
[Supplemental Appropriation](#)

Legislative History

1/26/16 City Council approved

6. Public Hearings

6.a. Consider an amendment to the 2014-2015 CDBG Action Plan

Review & Recommendation: This public hearing is required by HUD to receive citizen comments on an amendment to the Community Development Block Grant 2014-2015 Action Plan. Staff proposes that the following amendment be made: \$14,106 that was allocated to the 2014-2015 Mercy House Small Mercies Expansion Project (15CDBG02) will be moved to the Mercy House Family Shelter Appliances Project (15AMEND2). Staff will make a short presentation, to be followed by a public hearing and a 30 day public comment period. There is no action needed on this item at this time.

Attachments: [Public Hearing Ad](#)
[Mercy House Amendment Schedule](#)

6.b. Consider a request from Astroverto Arellano and Juan J. Arellano for a special use permit per Section 10-3-40 (7) of the Zoning Ordinance within the R-2, Residential District to allow occupancy of not more than four (4) persons on the property addressed as 680 North Liberty Street

Review & Recommendation: Planning Commission recommended approval (7-0), of the special use permit to allow occupancy of not more than four (4) persons provided one (1) off-street parking space per tenant is provided on site. The 6,200+/- square property is identified as tax map 40-W-10.

Attachments: [Memorandum](#)
[Extract SUP 680 N Liberty St](#)
[Staff Report SUP 680 North Liberty Street](#)
[Site Maps](#)
[Application and other supporting documents](#)
[Surrounding Property Notification](#)

- 6.c. Consider a request from Harold and Thelma Williams Life Estate with representative Tara Koontz for a special use permit per Section 10-3-40 (6) of the Zoning Ordinance within the R-2, Residential District, to allow for a major family day home on a 24,000+/- square foot property addressed as 98 Pleasant Hill Road

Review & Recommendation: Planning Commission recommended approval (7-0) of the special use permit to allow a major family day home on the property identified as tax map parcel 9-D-1, with the following condition:

A vehicle turnaround shall be provided on site. The turnaround shall not simply be additional space for the storage of vehicles for drop-off and pick-up of children, but rather a designated area, where vehicles can safely turnaround on site to eliminate the need to back into Pleasant Hill Road when exiting the property.

Attachments: [Memorandum](#)
[Extract SUP 98 Pleasant Hill Rd](#)
[Staff Report SUP 98 Pleasant Hill Road](#)
[Site Maps](#)
[Application and other supporting documents](#)
[Surrounding Neighbors Notification](#)

- 6.d. Consider a request to amend the Zoning Ordinance Sections 10-3-196 & 197 to modify the minimum setback regulation required for concealed wireless telecommunications facilities in residential districts and the MX-U district as well as the B-1 and B-2 districts

Review & Recommendation: Planning Commission recommended approval (7-0) of the Zoning Ordinance amendment that would eliminate the required minimum setback for concealed wireless telecommunications facilities when such facilities are collocated. The amendments would occur within Section 10-3-196 (2), which allows concealed facilities by special use permit within all residential districts and the MX-U, Mixed Use Planned Community District; and within Section 10-3-197 (1), which allows concealed facilities by right within the B-1 and B-2 districts.

Attachments: [Memorandum](#)
[Extract ZO Amend 10-3-196 and 197](#)
[Ordinances - Reflecting Proposed Changes](#)
[Staff Report ZO Amend. Section 10-3-196 & 197](#)

7. Regular Items

- 7.a. Presentation by the Salvation Army on Giving 2015

Review & Recommendation: Click here to enter the action/summary (insert the summary from the memo here).

7.b. Presentation on the East Market Street Regenerative Stormwater Conveyance Channel project

Review & Recommendation: The Public Works Department and representatives from A. Morton Thomas & Associates, Inc. (AMT) will present a project status update for the East Market Street Regenerative Stormwater Conveyance (RSC) channel project.

Attachments: [Memorandum](#)
[Project Area & Contributing Drainage Area Maps](#)

8. Other Matters

8.a. Consider a motion to appoint Deputy City Manager Anne C. Lewis as clerk pro tempore during the absence of the City Clerk.

Review & Recommendation: Currently, neither City Code nor the city's classification list include provisions for a deputy clerk. Therefore, in order to maintain operations during the Clerk's absence, a clerk pro tempore should be appointed.

9. Boards and Commissions

9.a. Board of Equalization

Review & Recommendation: The city clerk was informed that Sara Ardrey-Graves moved out of the area. A new application was received, Phyllis Coulter, and is attached. The person appointed to this position would be serving an unexpired term to expire on December 31, 2016.

Attachments: [Phyllis Coulter](#)

9.b. Building Code Board of Appeals

Review & Recommendation: There are three current vacancies and the city clerk has notified the individuals that their term has expired and hasn't heard anything to date about their interests in continuing to serve. The city clerk did receive one new application, which is attached. If this applicant is appointed, his term would expire November 30, 2018.

119.3 Officers and qualifications of members.

The LBBCA shall annually select one of its regular members to serve as chairman.

When the chairman is not present at an appeal hearing, the members present shall select an acting chairman. The locality or the chief executive officer of the locality shall appoint a secretary to the LBBCA to maintain a detailed record of all proceedings. Members of the LBBCA shall be selected by the locality on the basis of their ability to render fair and competent decisions regarding application of the USBC and shall to the extent possible, represent different occupational or professional fields relating to the construction industry. At least one member should be an experienced builder; at least one member should be an RDP, and at least one member should be an experienced property manager. Employees or officials of the locality shall not serve as members of the LBBCA.

Attachments: [Fye, James](#)

10. Adjournment