



City of Harrisonburg

409 S. Main Street
Harrisonburg, VA 22801

Meeting Minutes - Final City Council

Tuesday, November 26, 2024

7:00 PM

Council Chambers

1. Roll Call

Present: 6 - Mayor Deanna R. Reed, Council Member Laura Dent, Vice-Mayor Laura Dent, Council Member Christopher B. Jones, Vice-Mayor Dany Fleming and Council Member Monica Robinson

Also Present: 6 - City Manager Ande Banks, Deputy City Manager Amy Snider, City Clerk Pam Ulmer, Chief Matthew Tobia, Deputy City Attorney Wesley Russ and Deputy Police Chief Todd Miller

2. Invocation

Mayor Reed offered the invocation

3. Pledge of Allegiance

Mayor Reed led the Pledge of Allegiance

4. Special Recognition

4.a. Recognition of the 2024 Citizens Academy Graduates

Michael Parks, director of Communications, reviewed all that is involved in the Citizens Academy and the city departments that participated. He asked all the graduates in attendance to stand for acknowledgement.

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 Robinson, seconded by Council Member Fleming, to approve the consent agenda. The motion carried with a roll call vote as follows:

5.a. Minutes from the October 22, 2024, City Council Meeting

These minutes were approved on the consent agenda

5.b. Consider a supplemental appropriation in the amount of \$1,302,216

This supplemental appropriation was approved on second reading.

5.c. Consider a supplemental appropriation in the amount of \$1,186,239

This supplemental appropriation was approved on second reading.

6. Public Hearings

6.a. Consider a request from Josue Elidio Pereira Coreas to rezone 731 Jefferson Street

Adam Fletcher, director of Community Development, presented a rezoning request for 731 Jefferson Street from M-1 to R-3C. He reviewed the surrounding land uses, the history of the property, and proffers submitted.

He stated staff and Planning Commission (7-0) recommend approval of the request.

At 7:12pm Mayor Reed closed the regular session and called the first public hearing to order. A notice appeared in the Daily News-Record on Wednesday, November 13, 2024, and Wednesday, November 20, 2024

There being no one desiring to be heard, Mayor Reed closed the public hearing at 7:13 p.m., and the regular session reconvened.

Council Member Fleming stated it is nice to see a workable solution for this property.

A motion was made by Council Member Fleming, seconded by Vice Mayor Dent, to approve the rezoning request as presented. The motion carried with a recorded roll call vote taken as follows:

Yes: 6 - Mayor Reed, Council Member Dent, Vice-Mayor Dent, Council Member Jones, Vice-Mayor Fleming and Council Member Robinson

No: 0

6.b. Consider a request from Lonnie and Linda Suter to rezone 1158 Rockingham Drive

Adam Fletcher, director of Community Development, presented a request to rezone property located at 1158 Rockingham Drive from R-1 to R-8C. He reviewed the surrounding land uses, long term plans for the area, and the proffers submitted.

He stated staff and Planning Commission (7-0) recommend approval of this request.

At 7:19 pm Mayor Reed closed the regular session and called the second public hearing to order. A notice appeared in the Daily News-Record on Wednesday, November 13, 2024, and Wednesday, November 20, 2024

There being no one desiring to be heard, Mayor Reed closed the public hearing at 7:20 p.m., and the regular session reconvened.

A motion was made by Council Member Jones, seconded by Council Member Fleming, to approve the rezoning request as presented. The motion carried with a recorded roll call vote taken as follows:

Yes: 6 - Mayor Reed, Council Member Dent, Vice-Mayor Dent, Council Member Jones, Vice-Mayor Fleming and Council Member Robinson

No: 0

- 6.c.** Consider a request from Waterman Investments, LLC to amend Zoning Ordinance to modify regulations associated with minimum principal building setbacks for townhomes within the R-8 district

Thanh Dang, deputy director of Community Development, presented an ordinance amendment request to allow reduced setbacks for townhomes in R-8. She provided the background of the R-8 zoning district and reviewed the recommended amendments.

She stated staff and Planning Commission (7-0) recommended approval of the request.

Matthew Tobia, fire chief, Harrisonburg Fire Department, stated the recommended amendments to the R-8 zoning district have been reviewed by the Fire Department in relationship to the spread of fire from one building to another and public safety.

At 7:33 p.m., Mayor Reed closed the regular session and called the third public hearing to order. A notice appeared in the Daily News-Record on Wednesday, November 13, 2024, and Wednesday, November 20, 2024

Todd Rhea, applicant representative, stated the original ordinance treated townhomes differently than duplexes and single family homes.

At 7:34 p.m., Mayor Reed closed the public hearing and the regular session reconvened.

A motion was made by Vice Mayor Dent, seconded by Council Member Jones, to approved the ordinance amendment as presented. The motion carried with a roll call vote as followed:

Yes: 6 - Mayor Reed, Council Member Dent, Vice-Mayor Dent, Council Member Jones, Vice-Mayor Fleming and Council Member Robinson

No: 0

- 6.d.** Consider a request from Liberty Hall LC, Ordovician, L.C., and Aichus LLC for a Comprehensive Plan Map amendment at properties addressed as 51, 75, 85 Waterman Drive, and West Market Street (Quarry Heights)

6d-6h presented together.

Thanh Dang, deputy director of Community Development, presented an amendment to the Comprehensive Plan Map, rezoning request, and 3 special use permits for property located at 51, 75, and 85 Waterman Drive (Quarry Heights). She reviewed the area, the concept plan, the proffers offered for each request and recommended conditions to two of the special use permit requests.

She stated staff and Planning Commission (7-0) recommended approval of the requests with the conditions as presented.

Council discussed the shared use paths, the future road connections, water capacity,

At 8:06 p.m., Mayor Reed closed the regular session and called the fourth, fifth, sixth, seventh and eighth public hearings to order. A notice appeared in the Daily News-Record on Wednesday, November 13, 2024, and Wednesday, November 20, 2024

Todd Rhea, applicant representative, reviewed the vision of the development, neighborhood and community engagement sessions, how the applicant has addressed community concerns, and the improvements to the stormwater and flooding on Waterman Drive that would be done as part of this project.

David Frazier, applicant, provided the history of the quarry and their decision to introduce this development.

Katrina Didot, 845 College Avenue, Rachel Van Patter, 892 College Avenue, Kris Shenk Zehr, 867 College Avenue, spoke on this project and provided written document of comments. See attachment to agenda item.

Isaac Whitmore, Rockingham Drive, spoke in favor of this project

Gil Coleman, 855 Summit Ave, spoke on what a great project this is but concerned about the noise and future road connections.

Mica Shenk Zehr, 867 College Avenue, spoke against the project.

Lori Hostettler, 864 College Avenue, spoke on the impact this development could have on student populations in our schools.

Edwin Clamp, 873 College Avenue, spoke against the proposed future road connection to College Avenue.

Curt Shenk Zehr, 867 College Avenue, requested the woodland be maintained and

the proposed future road connection be removed.

Mike Martin, 35 Maplehurst Avenue, spoke on an article from Brent Finnegan regarding school population versus development in city.

Kasey Kettler, called in but unable to hear completely.

At 9:00 pm Mayor Reed closed the public hearing and the regular session reconvened.

Council and applicant's representative discussed the extended buffer provided by the developer, the future road connection, time frame of project, the proffers offered by the developer to meet the concerns of the community, market prices, noise ordinance for construction sites, the city's housing needs, next processes, and community engagement. Council requested that the future road connection to College Avenue be removed before the second reading.

A motion was made by Council Member Jones, seconded by Vice Mayor Dent, to approve the Comprehensive Plan Map amendment as presented. The motion carried with a recorded roll call vote taken as follows:

Yes: 6 - Mayor Reed, Council Member Dent, Vice-Mayor Dent, Council Member Jones, Vice-Mayor Fleming and Council Member Robinson

No: 0

- 6.e.** Consider a request from Liberty Hall LC, Ordovician, L.C., and Aichus LLC to rezone properties addressed as 51, 75, 85 Waterman Drive, West Market Street, and Brickstone Court (Quarry Heights)

A motion was made by Council Member Jones, seconded by Vice Mayor Dent, to approved the rezoning request as presented. The motion carried with a roll call vote as follows:

Yes: 6 - Mayor Reed, Council Member Dent, Vice-Mayor Dent, Council Member Jones, Vice-Mayor Fleming and Council Member Robinson

No: 0

- 6.f.** Consider a request from Liberty Hall LC, Ordovician, L.C., and Aichus LLC for a special use permit to allow multiple-family dwellings of more than 12 units per building at 51, 75, 85 Waterman Drive, and parcels on West Market Street and Brickstone Court (Quarry Heights)

cj / mr

A motion was made by Council Member Jones, seconded by Council Member Robinson, to approve the special use permit as presented. The motion carried with a recorded roll call vote taken as follows:

Yes: 6 - Mayor Reed, Council Member Dent, Vice-Mayor Dent, Council Member Jones, Vice-Mayor Fleming and Council Member Robinson

No: 0

- 6.g.** Consider a request from Liberty Hall LC, Ordovician, L.C., and Aichus LLC for a special use permit to allow attached townhouses of no more than eight units at properties addressed as 51, 75, 85 Waterman Drive, and West Market Street (Quarry Heights)

cj / ld

A motion was made by Council Member Jones, seconded by Vice Mayor Dent, to approve the special use permit with conditions as presented. The motion carried with a recorded roll call vote taken as follows:

Yes: 6 - Mayor Reed, Council Member Dent, Vice-Mayor Dent, Council Member Jones, Vice-Mayor Fleming and Council Member Robinson

No: 0

- 6.h.** Consider a request from Liberty Hall LC, Ordovician, L.C., and Aichus LLC for a special use to allow reduced side yard setbacks at properties addressed as 51, 75, 85 Waterman Drive, and West Market Street (Quarry Heights)

cj / mr

A motion was made by Council Member Jones, seconded by Council Member Robinson, to approve the special use permit with conditions as presented. The motion carried with a recorded roll call vote taken as follows:

Yes: 6 - Mayor Reed, Council Member Dent, Vice-Mayor Dent, Council Member Jones, Vice-Mayor Fleming and Council Member Robinson

No: 0

7. Regular Items

- 7.a.** Consider approving a Donation Agreement between Build Our Park and the City of Harrisonburg

Wesley Russ, deputy city attorney, presented a donation agreement between Build our Park and the City for approval. He reviewed the agreement.

A motion was made by Council Member Jones, seconded by Council Member Fleming, to approve the request as presented. The motion carried with a recorded roll call vote taken as follows:

Yes: 6 - Mayor Reed, Council Member Dent, Vice-Mayor Dent, Council Member Jones, Vice-Mayor Fleming and Council Member Robinson

No: 0

8. Supplementals

8.a. Consider a supplemental appropriation for the Harrisonburg City School Board

Larry Propst, director of Finance, presented a Supplemental Appropriation in the amount of \$270,000 to replace a section of roof at Keister Elementary School and replace an elevator at Waterman Elementary

A motion was made by Council Member Fleming, seconded by Council Member Robinson, to approve the supplemental appropriation as presented. The vote carried with a roll call vote as follows:

Yes: 6 - Mayor Reed, Council Member Dent, Vice-Mayor Dent, Council Member Jones, Vice-Mayor Fleming and Council Member Robinson

No: 0

8.b. Consider a supplemental appropriation for the Water Capital Projects Fund

Larry Propst, director of Finance, presented a supplemental appropriation in the amount of \$2M for Public Utilities, for EPA grant funds received and for installation of intake screens at the North River intake and Dry River intake.

Ande Banks, city manager, stated the intake screens are something that Public Utilities has been working with the DEQ and the Virginia Game and Inland Fisheries Department to protect the biological life in the streams.

A motion was made by Council Member Fleming, seconded by Council Member Robinson, to approve the supplemental appropriation as presented. The vote carried with a roll call vote as follows:

Yes: 6 - Mayor Reed, Council Member Dent, Vice-Mayor Dent, Council Member Jones, Vice-Mayor Fleming and Council Member Robinson

No: 0

9. Reallocations**9.a.** Consider a reallocation of ARPA funds

Larry Propst, director of Finance, presented a request to approve a reallocation of ARPA funds to be used for the street paving in the Northeast Neighborhood, the project is finished and has \$40,000 left over, to be reallocated to the Northeast Neighborhood sidewalk and trails project.

A motion was made by Council Member Fleming, seconded by Council Member Robinson, to approve the reallocation as presented. The vote carried with a roll call vote as follows:

Yes: 6 - Mayor Reed, Council Member Dent, Vice-Mayor Dent, Council Member Jones, Vice-Mayor Fleming and Council Member Robinson

No: 0

10. Other Matters

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

Sarah Blackstone, 247 Emerald Drive, spoke on the feral cat population in the city and the Trap, Neuter, and Return (TNR) program. She reviewed the challenges of this based on city ordinances related to care and custodial of feral cats specifically Section 15-2-16 and 15-2-2 and shared studies of cat colonies with TNR programs in place at other localities. She requested that further conversations can be made to amend the city ordinances to allow for the TNR program.

Bucky Berry, spoke on his thoughts that the Harrisonburg Police Department is top heavy with administration; on how City Council will need to work with the Trump administration; the upcoming food drive;

10.b. City Council and Staff

Council Member Jones spoke on the National League of Cities Race, Equity and Leadership (REAL) conference; the B-Cubed program; and how proud he is of how far the city has come with equity.

Vice Mayor Dent spoke on the National League of Cities conference events; the concerns of the NLC EENR committee with the Trump administration possibly curtailing/ reversing of climate funding; her application to the advisory board of the EPA; the recent HRMPO meeting;

Mayor Reed spoke on the Parks and Recreation Commission meeting and the tour of the skate park; her speaking engagement at the National League of Cities conference; her Turkey Drive event for First Responders; and the loss of her neighbor;

Council Member Robinson congratulated Mayor Reed and Vice Mayor Dent for their reelection to City Council; she spoke on her tour of the new Public Works building; and the National League of Cities conference and events;

Council Member Fleming spoke on the Horizon Conference; the annual award reception of Harrisonburg Downtown Renaissance; the Community Connectors Grant meeting; the JMU / City Liaison meeting; the Virginia First Cities board meeting; the National League of Cities conference; and concerns about tax exempt municipal bonds may be a risk.

11. Boards and Commissions

11.a. Planning Commission

A motion was made by Vice Mayor Dent, seconded by Council Member Fleming, to reappoint Richard Baugh and Kate Nardi to terms to expire on December 21, 2028, and January 4, 2029. The vote carried with a unanimous voice vote.

11.b. Economic Development Authority

A motion was made by Council Member Fleming, seconded by Council Member Robinson, to appoint Mike Martin and William Holland to the Economic Development Authority for 1st terms, to expire on November 26, 2028. The vote carried with a unanimous voice vote.

12. Adjournment

At 10:33 p.m., there being no further business and on motion adopted, the meeting was adjourned.

CITY CLERK

MAYOR