



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, October 13, 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: [Draft Meeting Minutes September 22, 2015](#)

- 5.b. Consider supplemental appropriation for Economic Development in the amount of \$150,000

Review & Recommendation: This supplemental appropriation request will transfer funds from the General Fund's fund balance to the Economic Development budget to cover expenses included in the Hotel Madison & Shenandoah Valley Conference Center predevelopment agreement. These funds were previously set aside by City Council for this purpose.

Attachments: [Supplemental](#)

Legislative History

9/22/15 City Council approved on first reading

- 5.c. Consider a supplemental appropriation for the School Board in the amount of \$1,200,000

Review & Recommendation: The School Board has incurred costs and will continue to incur costs for architecture and engineering services associated with the new school construction. These funds are the remaining amounts of the \$2,000,000 that City Council set aside for this purpose and will be transferred to the School Capital Projects Fund from the General Fund's fund balance. Funds will be transferred on a monthly basis in amounts sufficient to pay invoices as they are paid by the School Board.

Attachments: [Supplemental Appropriation \(School Board\)](#)

Legislative History

9/22/15

City Council

approved on first reading

6. Public Hearings

- 6.a. Consider a request from Eddie Warner to rezone a 37,643 +/- square feet parcel located at 475 Lucy Drive/2065 Reservoir Street, from R-3, Medium Density Residential District to B-2, General Business District

Review & Recommendation: Planning Commission recommended approval (7-0) of the rezoning request for the property located at the intersection of Reservoir Street and Lucy Drive and identified as tax map parcel 80-A-3.

Attachments: [Extract RZ 475 Lucy Drive](#)
[Site Maps](#)
[Staff Report RZ 475 Lucy Dr. & 2065 Reservoir St](#)
[Application and Other Supporting Documents](#)
[Surrounding Property Notification - 475 Lucy Drive](#)

- 6.b. Consider a request from Molly Bou LLC with representative Glenn Loucks for a special use permit per Section 10-3-97 (3) of the Zoning Ordinance to allow business and professional offices within the M-1, General Industrial District at 206 South Avenue

Review & Recommendation: Planning Commission recommended approval (7-0) of the special use permit request to allow a business and professional office on the 0.414 +/- acre parcel identified as tax map 19-A-3.

Attachments: [Extract SUP 206 South Avenue](#)
[Site Maps](#)
[Staff Report SUP 206 South Ave](#)
[Application and Other Supporting Documents](#)
[Surrounding Property Notification - 206 South Avenue.pdf](#)

- 6.c. Consider a request from Miguel Hernandez Aguirre and Maria Perez Rebollar to close 1,610 +/- square feet of an undeveloped public alley located perpendicular to and off of East Johnson Street, between 135 and 147 East Johnson Street

Review & Recommendation: Planning Commission recommended (7-0) closure of an approximate 10-foot by 161-foot portion of a undeveloped, public alley located adjacent to tax map parcels 33-C-4 & 5 with the following condition:
An easement is placed across the entire portion of the alley for future drainage or stormwater management projects.

Attachments: [Extract Alley Closing between 33-C-4 & 5](#)
[Site Maps](#)
[Staff Report Alley Closing Between 33-C-4 & 5](#)
[Application and Other Supporting Documents](#)
[Surrounding Property Notification - Alley Closing](#)

7. Regular Items

- 7.a. Consider amendment to the Memorandum of Understanding regarding the

development, ownership and financing of the Hotel and Conference Center

Review & Recommendation: On October 14, 2014, council approved various documents related to the construction and financing of the Madison Hotel and Conference Center. The Memorandum of Understanding approved by Council provided that the estimated construction cost of the conference center was \$10,000,000. The MOU anticipated that at some point the development budget would be firmed up and an updated budget presented to the parties to the MOU for approval. This Amendment to the MOU establishes an updated development budget of \$10,974,895 for the conference center portion of the project. dpM Partners, LLC has requested that council approve this amendment.

Attachments: [10-7-15 Amendment to Memorandum of Understanding](#)

7.b. Consider amending and re-enacting Section 6-1-15 and 6-1-26 of the Harrisonburg City Code

Review & Recommendation: These are proposed ordinance amendments related to the removal of snow and ice from sidewalks. The proposed amendments increase the amount of time to clear sidewalks, depending on the amount of snowfall, and place the responsibility for enforcement of the snow and ice removal ordinance with the Public Works Department instead of the Police Department. The amendments also provide for a waiver of costs in the case of physical hardship on the part of the owner or occupant of a property.

Attachments: [Current Ordinance Reflecting Requested Changes](#)
[Proposed Ordinance](#)

7.c. Request for approval of the Gemeinschaft proposal for a Day-Reporting Center pilot project

Review & Recommendation: As fiscal agent for the Rockingham-Harrisonburg Jail, the County received a proposal from Gemeinschaft to provide services for a Day Reporting Center for adult offenders in the City and County. The program is intended to serve individuals convicted of, on probation for, or awaiting trial for nonviolent misdemeanors, nonviolent felonies and certain drug offenses.

The proposal calls for an effective date of 12:00 a.m., January 1, 2016, for an initial term ending June 30, 2017. Unless either party delivers written notice of renewal to the other party at least 90 days prior to the expiration of the then-existing term, this Agreement shall terminate upon the expiration of the then-existing term. By agreement of both parties, the contract may be renewable as mutually negotiated for two two-year periods, beginning on July 1st of each year.

The City and County each included \$255,000 to fund the 6-month pilot project. The actual program participation will be a decision of the courts. More details on the program, including the program fee structure (page 22) are included in Gemeinschaft's attached submittal.

Attachments: [Day Reporting RFP Submittal](#)

7.d. Consider amendments to the City Code relative to Assistant City Manager

Review & Recommendation: It is recommended that council re-title the Assistant City Manager position to Deputy City Manager. This is the more common title for a city, county or town's "second in command", used in such localities as Lynchburg, Staunton, Williamsburg, Albemarle, Rockingham, Blacksburg and Leesburg. The "deputy" title more accurately reflects the position's functional status within the city organization as it carries out all of the functions of the office of City Manager in the event of the City Manager's short- or long-term absence, in addition to currently having daily oversight responsibility for a number of City departments.

There are a few code sections that will need to be amended in order to make this change official per City Ordinances. The City Attorney will have those proposed amendments for your consideration at our October 27 meeting.

8. Special Event Application Requests

8.a. Consider Halloween on the Square for a special event request

Review & Recommendation: Halloween on the Square will be held on Saturday, October 31st on Court Square in downtown Harrisonburg. Activities on Court Square will be from 10:00 a.m. - noon and trick-or-treating throughout downtown will be from noon - 2:00 p.m.

Attachments: [Halloween on the Square 10.31.15](#)
[City of Hburg COI General](#)
[Halloween - County Rockingham](#)
[Halloween- Sellers](#)
[Halloween on the Square - Street Closure](#)
[Certificate of Liability Insurance](#)

8.b. Consider the Veterans Day Parade for a special event request

Review & Recommendation: The Veterans Day Parade will be held on Sunday, November 8th at 2:00 p.m. down Main Street starting at the Rockingham County Administration Building.

Attachments: [Veterans Day Parade - 11.8.15](#)
[Veterans Day Map](#)
[Veterans Day Road Closure](#)
[City of Hburg COI General](#)

8.c. Consider the Turkey Trot for a special event request

Review & Recommendation: The Turkey Trot will be held on Thursday, November 26th at 8am in downtown Harrisonburg. This 4mile run/walk will benefit the Blue Ridge Area Food Bank.

Attachments: [Turkey Trot 11.26.15](#)
[Turkey Trot Route Turn by Turn](#)
[Turkey Trot Route](#)
[Turkey Trot Insurance](#)

8.d. Consider the Holiday Parade for a special event request

Review & Recommendation: The Holiday Parade will be held on Friday, December 4th in downtown Harrisonburg at 7:30pm.

Attachments: [Holiday Parade 12.4.15](#)

8.e. Consider the Generations Crossing 5k as a special event request

Review & Recommendation: The Generations Crossing 5k will be held on Thursday, December 31, 2015, starting in downtown Harrisonburg and going throughout James Madison University's campus. This event is pending approval from the Purchasing Department until the receipt of insurance.

Attachments: [Generations Crossing 5k 12.31.15](#)
 [Generations Crossing NYE 5K Route](#)

8.f. Consider First Night Harrisonburg for a special event request

Review & Recommendation: First Night Harrisonburg will be held on Thursday, December 31st in downtown Harrisonburg. The attached program booklet map shows the times streets will be closed. Approval is pending from the Purchasing Department until receipt of insurance and firework permit is received.

Attachments: [First Night Application 12.31.15](#)
 [Map](#)
 [Program Booklet Map](#)

9. Supplementals

9.a. Consider a supplemental appropriate for the Police Department in the amount of \$13,315

Review & Recommendation: This is a grant award from the U.S. Department of Justice through the Edward Byrne Memorial Justice Assistance Grant. The City of Harrisonburg plans to use the fund provided through the Edward Byrne Memorial Justice Assistance Grant to purchase equipment for the Police Department to aid in training, Geo-Mapping for community service initiatives, logistical planning for major events and large-scale operations and effective incident scene command.

The city will utilize \$13,315.00 of total funding for this grant project. Of this total amount, the City plans to utilize \$13,315.00 in federal funding as awarded through this grant program in order to realize the goals of the project. The City of Harrisonburg does not have the finances necessary to budget for the items outlined in this program's narrative and does not anticipate acquiring these funds. Additionally, funding for the items listed in this grant proposal is not being sought from any other sources (federal, state, local, foundation, etc.), thus no funds or potential funds are being supplanted through this project.

The items that the City of Harrisonburg will purchase for the Police Department with granted funds to increase the ability to train, conference, investigate, collaborate and inter-operate with the EOC include two InFocus MondoPad M-Touch 57-inch tablets (\$10,728.16) with two Apple TV's to connect mobile devices and hardware to the tablet (\$140.00 total), two iPad Airs for interactive control of the tablets (\$1,114.00 total), mounting hardware for one of the MondoPad units to hard-mount it in one of the training rooms (\$318), and a mobile cart for the second unit (\$1,015.00).

Attachments: [Supplemental Appropriation \(PD JAG\)](#)

9.b. Consider a supplemental appropriation for the Police Department in the amount of \$6,416.00

Review & Recommendation: These funds would be budgeted from the Federal Seized Asset line, for law enforcement use only, to purchase employee performance documentation software.

Guardian Tracking is a performance documentation/ early intervention and recognition system software that helps organizations manage employee performance documentation. It will help manage several processes that take place in all organizations including: flagging high performing employees; supporting evaluation scores; flagging employees on thresholds of behavior; monitoring goals and performance improvement plane; tracks discipline; and, defends personnel decisions. Guardian Tracking provides transparency, pro-activity, recognition, culture, early intervention and positive recognition. Positive recognition has been shown to be the number one factor in gaining job satisfaction.

Attachments: [Supplemental Appropriation \(Asset Forfeiture\)](#)
[Harrisonburg \(VA\) PD - 147 Users - GT Hosted Application Services Agreement](#)
[Harrisonburg \(VA\) PD - Guardian Tracking Proposal](#)

9.c. Consider a supplemental appropriation for the Police Department in the amount of \$22,243.64

Review & Recommendation: These funds were awarded through the 2015 Bullet Proof Vest Partnership with the Bureau of Justice Assistance. The award may be used to reimburse half the cost of National Institute of Justice compliant armored vests which were ordered after April 1, 2015 through August 31, 2017.

Attachments: [Supplemental Appropriation \(BVP Grant\)](#)

10. Other Matters

11. Boards and Commissions

11.a. Tree Advisory Board

Review & Recommendation: Currently, there is one vacant position on the Tree Advisory Board. This term would expire January 27, 2018.

Attachments: [John Henry](#)

11.b. Central Shenandoah Planning District Commission

Review & Recommendation: There is a current vacancy for the CSPDC due to Stacy Turner moving from Harrisonburg. Although Mrs. Turner worked for the city she served as a citizen of Harrisonburg. Her term expires June 30, 2016, so the appointment would be for an unexpired term.

During the next CSPDC the Board of Commissioners will be electing a new member to the Executive Board due to a vacancy that occurred with the departure of one of the members. One of the CSPDC Commission members will be eligible to be appointed to the Executive Committee. Currently, the ballot will show the following from Harrisonburg, unless City Council appoints someone prior to the October 19, 2015 Board of Commissioners meeting: Abe Shearer - Elected Representative; Ted Byrd - Elected Representative; and, Vacant - Citizen Representative.

12. Adjournment