



City of Harrisonburg

409 S. Main Street
Harrisonburg, VA 22801

Meeting Minutes - Final City Council

Tuesday, January 8, 2019

7:00 PM

Council Chambers

1. Roll Call

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

Also Present: 4 - City Manager Eric Campbell, City Clerk Pam Ulmer, City Attorney Chris Brown and Police Chief Eric English

2. Invocation

Council Member Jones offered the invocation.

3. Pledge of Allegiance

Mayor Reed led the Pledge of Allegiance

4. Special Recognition

4.a. Consider adopting a resolution in support of ratification by Virginia of the Equal Rights Amendment to the United States Constitution

Mayor Reed presented a resolution asking for city support on the ratification by the Commonwealth of Virginia for the Equal Rights Amendment. She asked all supporters to stand.

Council Member Baugh stated he remembers when this was a hotly debated issue on the public square 30 years ago and this issue has been on a hiatus since then, which doesn't make any sense to him. Mayor Reed stated there are some women present that have been working on this since the 1970's. She thanked the gentlemen that are present for their support as well.

A motion was made by Council Member Jones, seconded by Council Member Baugh, to adopt the resolution as presented. The motion carried with a unanimous voice vote.

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)

Vice Mayor Romero asked that item 5a, 5c, 5d, 5e, 5f and 5g be removed from the consent agenda and voted on as a separate matter, as he was not on city council at that time and will need to abstain.

5.a. Minutes from the December 11, 2018 City Council Meeting

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

5.b. Minutes from January 2, 2019 City Council reorganization meeting

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

5.c. Consider a request from Holtzman Oil Corporation, with representative Todd Rhea, to amend the Interstate 81 Overlay Sign District Section 11-7-8 of the Sign Ordinance. Among other things, Section 11-7-8 currently allows parcels within a boundary surrounding interstate interchanges the ability, based upon specific mean sea level elevations, to install signs that are taller than the maximum permitted sign height of 35 feet.

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

5.d. Consider a request from 1123 South High Street, LLC to rezone property located at 1123 South High Street from M-1, General Industrial District to B-2C, General Business District Conditional.

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

5.e. Consider amending Section 10-3-56.6 within the R-6, Low Density Mixed Residential Planned Community District and Section 10-3-57.6 within the R-7, Medium Density Mixed Residential Planned Community District to allow property owners the ability to meet off-street parking requirements as may be specified within an approved master development plan.

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

5.f. Consider adopting a permit process for Share Mobility Devices

City Attorney Brown stated after speaking with staff, it is suggested the final reading on this item be postponed for at least 30 days, until the February 12, 2019 city council meeting, as staff is still in the process of finalizing the permit process that will be presented to council for scooters.

A motion was made by Council Member Baugh, seconded by Council Member Jones, to postpone the second reading of this ordinance amendment as presented. The motion carried with a recorded roll call vote taken as follows:

- 5.g.** Consider a supplemental appropriation for the purchase of property in the amount of \$215,500

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

6. Public Hearings

6.a. Public Hearing to Consider 2019-2020 CDBG Funding Priorities

Kristin McCombe, grants compliance officer, provided a background of the Community Development Block Grant (CDBG) program. She stated CDBG funds must be used for activities that benefit low- and moderate-income persons and each activity must meet one of the following national objectives for the program: benefit low- and moderate-income persons, prevention or elimination of slums or blight, or address community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community for which other funding is not available. She reviewed the funding provided by this program from 2012 to present and noted she has not heard what the amount will be for this year yet. She stated the city completed a CDBG Five-Year Strategic Plan in 2017, the Strategic Plan identifies the Five-Year Goals, these goals must be met as the City spends CDBG funds and copies of the current Strategic Plan are available in the City Manager's Office or online at the city's website. She reviewed the current Strategic Plan's goals that must be met by 2022. She reviewed the tentative schedule for the 2019-2020 CDBG year and noted a training session will be held on January 10, 2019 for all interested applicants. She stated the application deadline is February 14, 2019 by 12:00 p.m. She provided her contact information for questions or further information.

At 7:17 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 Monday, December 24, 2018.

There being no one desiring to be heard, Mayor Reed closed the public hearing at 7:17 p.m., and the regular session reconvened.

No action is required

This Public Hearing - No Action was received and filed.

- 6.b.** Consider a request to amend Section 10-3-84 (5) of the Zoning Ordinance. Currently, “[r]eligious, educational, charitable and benevolent institutional uses, which do not provide housing facilities” are allowed as a by right use. The words, “which do not provide housing facilities” are proposed to be removed to allow religious, educational, and benevolent institutional uses to have housing facilities on the same property or within the same structure.

Adam Fletcher, director of Planning and Community Development, presented a zoning ordinance amendment request to subsection 10-3-84(5), to remove language from the by-right uses that prohibit religious, educational and benevolent institutional uses within the B-1 central business district from providing housing facilities in the same building or on the same property.

He reviewed the requested amendments, noting they could not find a reason why the ordinance had the language in it regarding the restrictions and stated staff and Planning Commission (4-0) recommended approval.

At 7:23 p.m., Mayor Reed closed the regular session and called the second public hearing to order. A notice appeared in the Daily News-Record on Monday, December 24, 2018 and Monday December 31, 2018.

Emily Wicht, 442 E. Market St., stated she supports this request, anything we can do to make it easier on religious institutions who want to provide housing facilities should be allowed to.

At 7:24 p.m., Mayor Reed closed the public hearing and the regular session reconvened.

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

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

No: 0

- 6.c.** Consider a request from Community Mennonite Church to rezone from R-3, Medium Density Residential District and M-1, General Industrial District to B-1C, Central Business District Conditional the properties addressed as 110 Old South High Street, 70 South High Street and 163 and 166 West Water Street.

Adam Fletcher, director of Planning and Community Development, presented a request to rezone three separate parcels, one of which is a stand-alone parcel, located at 110 Old South High St., 70 South High St., and 163/166 West Water St., commonly referred to as Community Mennonite Church. He stated the request is to

rezone the properties from R-3 and M-1 to B-1C Central Business district and the applicant has submitted one proffer. He reviewed the surrounding properties, the history of the property, and the possible uses if rezoning was approved. He stated staff and Planning Commission (4-0) recommended approval.

At 7:32 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 Monday, December 24, 2018 and Monday December 31, 2018.

Jason Gerlach, associate pastor for the Community Mennonite church, stated the church has used one of the properties for congregational use and they would like to begin a voluntary service unit, in which three or four young adults who would volunteer their time to non-profit organizations in and around downtown. He stated this is modeled after an organization, called Mennonite Mission Network, who has voluntary service units across the United States. He stated this would be an ideal location to begin such a program and hopes council will approve the request.

Sherry Good, Campbell Street, asked if the applicant can maintain the integrity of the property with upkeep of landscaping and keep it looking more residential.

At 7:35 p.m., Mayor Reed closed the public hearing and the regular session reconvened.

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

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

No: 0

- 6.d.** Consider a request from Harrisonburg Port Road Station, LLC for a special use permit to allow warehousing and other storage facilities within the B-2, General Business District on property located at 701 Port Republic Road.

Adam Fletcher, director of Planning and Community Development, presented a special use permit request per Section 10-3-91(2) of the city code, from Harrisonburg Port Road Station, LLC, to allow warehousing and other storage facilities within the B-2 general business district. He stated in March 2018 a comprehensive site plan was approved for the redevelopment of the subject property, building plans were approved in April 2018, and demolition permit was issued October 2018. He reviewed the original redevelopment plans of the site, surrounding properties, and noted only 500 square feet of the basement area of the newly constructed building would be used for storage.

He stated this has very little impact on the site design given the way the zoning ordinance regulates minimum off-street parking spaces. He reviewed the property and stated staff did not have any issues regarding this use.

He stated staff and Planning Commission (4-0) recommended approval of this special use permit request with one condition: storage and warehousing operations for a tenant not operating on site shall only occur within the existing structure's basement and shall be limited to 520 square feet or less.

At 7:42 p.m., Mayor Reed closed the regular session and called the fourth public hearing to order. A notice appeared in the Daily News-Record on Monday, December 24, 2018 and Monday December 31, 2018.

Ed Blackwell, representative of owner, stated the request for a basement was after normal building permits were obtained, but they did go back through the process for this basement and it's uses. He stated the applicant already has a tenant already for the basement, and requests council's approval

Council Member Hirschmann asked if he could elaborate on the tenant. Mr. Blackwell stated it is a local business that is up and down the interstate often and has things they want to store and will only be at the property once or twice a month.

At 7:36 p.m., Mayor Reed closed the public hearing and the regular session reconvened.

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

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

No: 0

7. Regular Items

7.a. Update from the Rockingham-Harrisonburg SPCA

Anne Anderson, officially retired executive director for the Rockingham Harrisonburg SPCA, stated the SPCA remains an open admission animal shelter that does not turn away any animals from the jurisdictions of the city of Harrisonburg or Rockingham County. She stated as a result, the intake volume varies greatly throughout the year, spiking in both spring and summer, and many animals are gravely ill or surrendered for behavior or aggression problems. She stated in order to achieve a 90% or greater live release rate (LRR) they would have to turn away animals if they are beyond the means to rehabilitate for adoption. She stated 2018 was a good year for the SPCA, they accepted 199 more dogs than in 2017, cat population was down a bit, adoptions were up, reclaims were up and rescue group transfers were up for dogs. She introduced Lauren Watson, the humane educator and volunteer coordinator and Umeir "Huck" Nawaz, the new executive director for the SPCA. Ms. Watson reviewed past data showing an overall decrease in euthanasia from 2003

through 2016, due to efforts of increasing stray reclaims, greater volunteer engagement, reduction in barriers to adoption and ongoing work with rescue organizations. She reviewed live release rates from 2013 through November 2018, noting cats have a lower chance of reclaim because owners don't always notice if a cat is missing until later than they do with dogs.

Ms. Anderson stated in 2018 there were several heartworm positive dogs, testing for this was implemented approximately six years ago due to the increase in heartworm disease being more prevalent. She stated adopters want healthy animals, and after treatment these dogs were adopted. She reviewed other special cases of animals that needed additional care and/or surgeries noting funding comes from their Nova Medical Fund. She stated updates from the SPCA are available in their quarterly newsletter, website, Facebook, Twitter and many other social media sites.

Mr. Nawaz thanked council for supporting the SPCA and stated he looks forward to meeting with constituents that have questions, concerns or ideas on how to better manage their process. He stated there will be an open house on Wednesday, January 16 and January 30, 2018 from 1:00 pm - 5:00 pm. He stated the SPCA is open to the public from 10:00 am - 4:00 pm Monday through Saturday and open later Wednesdays. He stated any feedback is welcome.

Mayor Reed stated she visited the SPCA twice and noticed on the last visit the facility was much cleaner, more organized and looked good, she was pleased. She asked how the SPCA's relationship is with the local veterinarians. Ms. Anderson stated we do not have a veterinarian onsite and are very blessed to have the support of the area veterinarians who do the work needed at very reduced prices, which are all paid through the donations into the Nova Medical Fund.

Council Member Jones asked the city manager if he has been satisfied with the quarterly reports received to date. Mr. Campbell stated staff has met on two different occasions with the SPCA and other animal service groups in the community, with very productive dialogue, and feels the new executive director is committed to continuing the communication moving forward.

No action required

This Report was received and filed.

7.b. Consider adopting a VDOT Land Use Permit resolution

Chris Brown, city attorney, presented a VDOT Land Use Permit resolution and stated there are times when our Public Utilities Department must work in the VDOT right-of-way, which usually happens outside city limits, and with the Eastern Raw Waterline Project there will be several times where our Public Utilities Department will work in those right-of-way's. He noted this resolution states that after work is completed the city will put everything back to the way it was found and VDOT will not make the city post a bond.

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

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

No: 0

7.c. Report on parking space modifications at the Water Street and Elizabeth Street Parking Decks

Tom Hartman, director of Public Works, presented modifications planned to Elizabeth Street and Water Street parking decks. He stated the city offers parking permits for those parking structures, which are currently located on the topside of each deck. He stated after communication with the traffic enforcement division it was noticed that numerous permit holding vehicles were parking in the free ten-hour spaces located in the lower level of these decks, as these spots are more desirable. He stated this creates less availability of parking, therefore, staff suggested switching the permit parking to the lower level of the decks. This was discussed with the Urban Land Institute when that panel evaluated strategies to free up additional parking in October 2018.

Mr. Hartman explained that staff is wanting to move forward with this change and reviewed the changes proposed to each deck, noting some permit parking will still be on the upper level for longer term fleet parking. He stated this creates 73 lower level permit parking spaces, 58 upper level permit parking spaces and an additional 79 upper level ten-hour spaces at the Water Street deck. He stated at the Elizabeth Street deck all the permit parking will be moved to the lower level and all ten-hour spaces will be moved to the top level. He stated the timeline for these modifications include public outreach, press release, work with Harrisonburg Downtown Renaissance (HDR) for outreach to business owners and property owners, and signage to be done in January 2019, with implementation in February 2019.

Mayor Reed asked if more ten-hour spaces are being created. Mr. Hartman stated in a sense we are, as permit parking vehicles will not be using the lower level 10-hour spaces. He stated he feels this will create more available parking even if the number of spaces remains the same. Mr. Hartman stated after meeting with the Urban Land Institute it was made apparent that a parking study needed to be done and this is one of the first changes to possibly open parking capacity recommended.

Council Member Jones stated that before this is implemented he would like to get more feedback if this will be helpful to our retailers and the transactional business that happens to keep downtown thriving. He stated, ultimately while we want it to be convenient for people that work downtown we need to also be mindful of those people that eat and play downtown.

City manager Campbell stated this has been discussed with HDR, executive

directors are aware, there have not been any issues with the discussion of these modifications. Mr. Hartman stated staff will also be meeting this week to talk about outreach.

Council Member Jones stated if more parking spaces become available on the upper levels it would be less convenient for anyone as there are more tourists and visitors that visit downtown that are used to parking in the lower level deck rather than going to the top side of the deck. He stated he doesn't feel this is business friendly.

Corporal Westfall stated he handles the complaints when ticketed and it is typically out of the area individuals that are parking on the top level of the deck because they don't have a permit. He stated on an average 10-12 tickets are issued daily for no permit. He stated he also noticed an average of 14 vehicles daily that have permits but are parking in the 10-hour spaces. He stated these individuals cannot be ticketed as there are no provisions in the code. Council Member Jones stated something should be done to allow ticketing permit holders for parking in 10-hour spaces.

Vice Mayor Romero stated he uses the Elizabeth Street deck and parks on the upper level and finds the upper level is under-utilized. He stated he feels it would be good for employers to encourage the use of the second level deck. He stated he received several e-mails of concerns and asked what types of outreach have been done so far.

Mr. Hartman stated discussions began with HDR in December, however, outreach to business's directly will begin this month. Council Member Jones stated conversations should take place prior to implementation. Mr. Hartman stated implementation isn't scheduled until February 2019. Council Member Jones stated he feels before council makes the decision to move forward, conversations should be had with all downtown entities and hopes any changes proposed will continue to make downtown the most attractive and most lucrative. He stated he feels some conversation should take place regarding how to penalize permit holders for parking in free spaces.

City manager Campbell stated if the ordinance doesn't provide the ability to ticket then the officers can't ticket.

City attorney Brown stated it would be awkward to say we will charge for a permit, but you can't park where any other person parks.

Further discussion took place regarding the convenience and additional spaces being made available.

City manager Campbell stated he needs clarity and direction, as this could have been done administratively and plans had been made to move forward with an education process beginning this month. He stated if council is asking staff to wait and obtain more feedback he needs to know.

Mayor Reed stated she is in support of it. Council Member Hirschmann stated he is assuming that in the process the business owners have been involved in conversations. Cpl. Westfall stated the complaints came from business owners regarding no place for customers to park and no place for employees to park, something needs to be changed.

Mr. Hartman stated once the parking study is done everyone will be brought in to the discussion and feels this modification is actually increasing capacity and making more parking available.

City Manager Campbell stated if during the outreach phase, if any problems or concerns arise, the implementation date can be pushed.

Council Member Jones stated the easier it is for people the better. Cpl. Westfall stated the short-term parking spaces will remain in the lower level, it is only the 10-hour spaces that will be moved to the upper level.

Further discussion took place.

No action required

This Report was received and filed.

7.d. Consider approval of the revised Environmental Performance Standards Advisory Committee Bylaws

City Attorney Brown stated in December 2018 council requested changes be made to the By-laws of the Environmental Performance Standard Advisory Committee and with the information provided he has made those changes. He reviewed the changes and noted the change from 11 members to up to 17 members was included. He stated he added for potential representatives on the committee to include community groups and community leaders, and as to the special interest groups he added social causes. He stated he also included a statement at the end which reads "council shall strive to appoint committee members with substantive knowledge, technical expertise, or skill sets relative to the committee's responsibilities as well as committee members who reflect the diversity of the city's population".

A motion was made by Council Member Jones, seconded by Council Member Hirschmann, to approve the amended By-laws as presented. The motion carried with a recorded roll call vote taken as follows:

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

No: 0

7.e. Consider joining the Virginia First Cities organization

City Manager Campbell is recommending the city re-establish its membership in the

Virginia First Cities Coalition (VFCC). He stated this organization is an advocacy organization that works on specific issues geared toward Virginia's older and independent cities. He stated it is very similar to the Virginia Municipal League (VML), but it covers different issues, as many of the older, urban cities in the state have unique issues that need to be advocated for, and in addition, VFCC can provide analytical research on how Harrisonburg is performing statewide with other cities throughout the state. He stated this will show us where we are vulnerable and things that should be focused on. He stated the city was a member from 2010-2013 and is not sure as to why the membership lapsed, however, he feels this is an opportune time for the city to re-engage membership. He stated as a member the city would get two seats on the board of directors: the city manager and one member of city council. He stated he is asking council to appoint a representative to VFCC if they desire to reinstate membership.

Council Member Jones asked if there is a conference or workshop that can be attended prior to deciding to join. City manager Campbell stated VFCC meets regularly, which usually coincides with VML meetings and one annual meeting of the board of directors. He stated he met with the executive director along with Vice Mayor Romero and talked specifically about how the city can benefit.

Vice Mayor Romero stated the level of advocacy and flexibility VFCC would be able to provide is what caught his attention. He stated he was impressed on the level of commitment they would be able to provide to Harrisonburg. City Manager Campbell reviewed the list of cities already members and noted the next opportunity to attend a meeting with VFCC will be in Richmond during VML's Legislative Day on January 24, 2019.

Council Member Baugh stated he was on council when the city was a member previously and always thought it was worthwhile. He stated VML includes all the towns in Virginia and most of the members are jurisdictions smaller than Harrisonburg and he provided an example of how it sometimes does not represent our size city. He stated he supports the city manager's recommendation as it will provide a form to get with jurisdictions closer to our size.

Vice Mayor Romero stated his understanding is there will be opportunities for grants in significant amounts, which could very well cover the cost of the membership and offered to be on the board if council wishes.

Further discussion took place as to how the VFCC differs but is similar in many ways to VML.

A motion was made by Council Member Baugh, seconded by Vice Mayor Romero, to join Virginia First Cities and designate Vice Mayor Romero as the council representative. The motion carried with a recorded roll call vote taken as follows:

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

No: 0

8. Other Matters

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

Bruce Lundeen, 279 Newman Ave., stated on August 23, 2018 the Mayor held a forum on homelessness in the city with goals of education and action, developing community support and next steps. He stated he heard good ideas, reports, existing programs, a ten-year plan, dispelling myths, street outreach program and next steps. He thanked the Mayor for attending a listening session on December 4, 2018 at the Court Square gazebo about issues of concern to the homeless. He stated the invitation made to the Mayor and community members stated the Mayor and others were attending to listen to issues such as the need for public restrooms and shelter in the city and was facilitated by Occupy Harrisonburg, a group that believes every person has the right to be heard and shape the community they live in. He thanked Vice Mayor Romero for attending a listening session prior to the election during which he committed to focus on critical issues impacting the homeless. He stated there is a proposed deadline of April 1, 2019 for council action on the lack of public restrooms. He stated churches rotate and take in the homeless during the winter cold period until April with food, showers and shelter through the Open Doors program. He stated April 1st can still have snowstorms and cold weather and the city streets will be flooded with homeless sleeping out in the open without restrooms. He stated police often give citations to the homeless for relieving themselves in public with fines and court costs equal to \$170.00. He stated the challenge presented to Council is to open bathrooms 24/7 in the city for the community, for everyone. He invited Council to respond in any way they could as to what has happened to date and if this challenge will be accepted. Mayor Reed asked Mr. Lundeen to list the meeting dates and times. Mr. Lundeen stated the meetings are held at the Court Square gazebo at 5:00 pm on Tuesdays. Council Member Jones asked if there was a plan as to where public restrooms are to be placed. Mayor Reed stated not yet. Council Member Jones stated he cannot respond until a plan is created. Mayor Reed suggested to Council that they attend the meetings when feasible.

Diane Orndoff, 22 East Market St., thanked council for their service. She stated five years ago she remembers learning about a place called Middle River Regional Jail (MRRJ) and since then has attended the board meetings and learned a lot. She stated the superintendent is no longer in the position and she has been, and still is, gravely concerned about the city's buy-in to MRRJ all these years. She asked that all tax payers should be made aware of the information that should be public since it is supported by those tax payors. She asked that a quarterly report can be created with all updates related to MRRJ.

Pamela Cook, Smith Avenue, stated she works for Pleasant View Inc. and thanked council for the Community Block Grant for FY2017, with which they were able to

purchase a CRV vehicle which they love. She stated it is used in public engagement with the people they support, they have 35 people working in supportive employment and 40 people doing volunteer work in the community with 15 sites such as Meals on Wheels. She stated they appreciate how much it has helped them to help the community.

Cathy Beery, Northfield Court, stated she is an employee of Harrisonburg City Public Schools and wanted to inform Council about a group they may be very interested in. She stated every year council must come up with an education budget while being dependent upon what the state and federal government will fund. She stated there is an organization created this past year called Virginia Educators United (VEU), it is a grass-roots coalition that includes parents, teachers, bus drivers, and anyone that is supportive of the public schools in the state. She stated she is sure that Council is aware as to how much less funding the state gives, and it is a travesty. She stated one of the things that has happened is Virginia has recovered from the recession, being the eight richest state in the nation but being ninth from the bottom in funding education. She stated VEU has created this group in order to demand that our legislators fix this by paying \$721M to bring the state up to national average teacher salaries and grants for infrastructure. She stated VEU will be holding a march in Richmond on January 28, 2019 and many of the school districts and communities in the state are allowing their teachers to go and participate in the march as well as participate in professional development days. She stated she is not sure what Harrisonburg will do or wants to do about letting teachers go, regardless, the students are our future, they need to be able to go to school to be the workers that these corporations that aren't paying taxes get at the end of their education. She asked council to look at VEU's website, they are a force to be reckoned with and working hard to support the community and the kids.

Jennifer Davis Sensenig, 70 South High Street, pastor of Community Mennonite Church and president of Faith in Action, thanked Council for their unanimous vote in the rezoning for the church and noted the young adults that will be serving as volunteers will bless the city and they are grateful to be able to house them in the Dean's house. She stated Faith in Action is a coalition of 26 local congregations in the city and Rockingham County that focus on local justice concerns. She stated their current campaign is for criminal justice reform locally. She stated the city, Rockingham County and JMU have already invested \$3.1M in the new CAD/Data Management system that will integrate statistics from law enforcement and local criminal justice systems and this new data system is to be online in the fall of 2019. She stated the data collection system has the aim of increasing public safety, health and effective use of tax dollars and the coalition has a few questions for council: What is the process and timeline for the city and county collaboration of a Community Justice Planner who would be able to analyze the data; and will the city be willing to widen the collaboration to include JMU since 25% of the funding for the data management system is funded by JMU. - re timeline for justice planner.

Hadley Jenner, member of Faith in Action, stated this coalition has been in contact with most members of council and appreciates their willingness to keep an open dialogue. He stated Mr. Kyger will no longer be chairing the Community Criminal Justice Board (CCJB) and asked council if the city prepared to appoint someone to take up the Chair. He stated in regard to the current campaign of removing the \$1 per day jail fee, given the fact that the ALICE report identifies nearly 60% of households in the city are considered "working poor" and given the disproportionate number of people in our jails of lower income status and people of color, he would like to know if council is planning on taking action on an advisory vote to eliminate the \$1 per day fee. He stated he would also ask council to make a provision in the 2019 budget for including a provision for this.

Kent Davis Sensenig, Switchboard Road, representative for Faith in Action, stated Police Chief English shared at a community forum that crime rates in Harrisonburg continue to go down, however statistics provided by the Sherriff's office as of September 2018 reflect a yearly increase of 10% in the number of persons incarcerated in the past year. He stated those statistics show that 90% of those in jail have been repeat offenders. He stated the 90% rate of recidivism and 10% increase is troubling. He stated the Sherriff is doing his job, keeping the people locked up safely in a well-managed jail, however, at this rate, before too many years, we will be running out of space. He stated he feels it is incumbent to hire a Community Justice Planner to analyze these trends and propose constructive remedies.

Jim Orndoff, 22 East Market Street, stated several speakers have referenced the need for criminal justice reform, and out of the discussion that lead to the decision not to build a new jail in the city and to buy into MRRJ, emerged a community group called Valley Justice Coalition. He stated one of his responsibilities is to attend their board meetings and one of the things that has recently been discussed is the overcrowding situation due to the failure to modify the criminal justice system and cut down on the rate of incarceration. He stated in the past when the jail needed to expand they had to have a consultant create a facility plan, and the process has remained the same. He stated MRRJ has retained Mosely Architects to come up with a facility plan for an expansion at MRRJ. If funded by the Department of Correction, it will be at 25% leaving the remaining 75% to be the responsibility of the five jurisdictions which own MRRJ. He stated council should be aware that this may come up during the upcoming budget sessions.

Doug Hendren, member of the Environmental Performance Standards Advisory Committee (EPSAC), stated in October 2018 council accepted the general recommendations of EPSAC and in the renewable energy section, of which he served, included the goal to support a timely, orderly and economically fair transition to sustainable energy sources. He stated this unavoidably involved learning more about our public utility and in the process of trying to learn what a public utility is and what ours is we also made numerous site visits to other utilities in this part of Virginia to see how they are incorporating renewable energy. He stated it involved looking at

14 municipal utilities in the state, all of which except ours, are under the control of either the city council or the city manager and ours is the only one that sets its own rates. He stated this brought up other questions, Harrisonburg Electric company (HEC) belongs to an organization call American Public Power Association which predominately characterizes a public utility as like a public library or public school system with a lot of public input. He stated he doesn't feel this is how HEC is set up. He stated the pertinent city code Section 8.1.8 deserves consideration for reforming it and clarifying what the proper relationship is between HEC and the city. He stated we are in a critical time for planet earth, the numbers are finally working in our favor, we clear the air, improve our health, improve our economy and get more local jobs. He stated we should go forward and use our own assets to develop a smart grid with distributed energy and an extensive electric vehicle infrastructure and get together as a community to make this happen.

Cathy Copeland, 1153 Nelson Drive, 4HHS2, stated she wanted to encourage city council to place the discussion of building the second high school to open in 2022, to as soon as possible. She encourages council to work with the school board and encourage them to actively move forward with community involvement in the discussion of the plans, etc. She stated she is aware the price has gone up due to shortage of skilled labor and price of steel and hopes this can be pushed to an earlier open date in order for the council to be fiscally responsible and to make sure the well-being of our students is taken care of.

Pamayotis "Poti" Giannakaouros, stated he would like to correct a factual error that was stated earlier. He stated regarding the Faith in Action comment that our incarceration rate has been increasing, that is false. He stated it has not, as when data is disaggregated between Harrisonburg and Rockingham County, the city's incarceration rate has been steadily plummeting. He stated he predicted before that the next batch of data will show that plummet continuing and the information from Chief English is consistent with his prediction. He stated we need to understand that what we have been doing is working and we need to share that with surrounding localities. He stated our city manager has a sense of what may be going on, he applauds the announcement of a new hire of a communications director that will report directly to the city manager and will have a two-way connection with the community, however, he suggests this would be an ideal data appointment. He stated this position could also address some of the needs we have within the environmental sustainability quarter, the best economists in the country are behind the Green New Deal at the heart of which is a federally funded locally administered job guarantee. He stated we need a locally administered job guarantee because in order to fix human instituted institutions that are driving our climate crises we need to deal with our human and social issues first. He stated when we deal with those issues a side effect is that we are going to have fewer people desperately in the informal economy and being marginalized into incarceration. He stated the city has been leading the way in that spirit since 2013 and he has predicted all along this will show

beneficial effects. He stated we should celebrate our great successes and great new city council on Dr. Martin Luther King, Jr. holiday, January 21, 2019. He stated there will be free parking at the Mason Street parking deck, there will be a historic tour, weather providing, and then disburse to the student success center or the Emanuel Episcopal Church.

8.b. City Council and Staff

Council Member Jones thanked Police Chief English for the town hall meeting, he has received great feedback for being so transparent and available and is looking forward to more community conversations. He asked the city manager to consider adopting a Community Justice Planner in the FY19/20 budget and consider a Sustainability Coordinator in the FY20/21 budget. He stated he would like to see tobacco free parks and has been working with an organization regarding this and would like to speak with Parks and Recreation further. He stated he hopes, after the school liaison committee meeting, a design team can be formed so the new high school discussion can be started in small pieces at a time. He stated in regard to the homeless bathroom issue, there are a lot of things to consider such as maintenance, security, locations. He wanted to know if any of the non-profits are opening their doors for restroom use and would love to have that conversation more. He stated he will talk to Rick Chandler in the county in regard to the Community Criminal Justice Board Chair position. He stated if there are 26 congregations involved in Faith in Action, instead of creating another tax burden to the residents of the city, why can't the organization raise money to help the families pay for the \$1 a day instead.

Council Member Hirschmann stated he feels Harrisonburg should be a no smoking city. He stated regarding the restrooms for the homeless, it is a great idea and worth a conversation on the logistics of it.

Vice Mayor Romero, stated he has a concern of language barriers for anyone attending city council meetings. He stated he has not seen the representation that our city deserves and feels it is partly because of the language barriers. He stated we should consider looking into having interpreters available during these meetings to encourage attendance and participation. He stated it would require additional outreach to the community in which he would be happy to assist with, and perhaps partnering with JMU and other non-profits for assistance would be a great resource.

City Manager Campbell reminded council that the consultant for the retreat scheduled in February 2019 will be holding interviews with council on Friday, January 11, 2019.

City Attorney Brown stated a draft of a permit application and Memorandum of Understanding (MOU) between the city and various scooter companies has been forwarded to council for review. He stated this will be set up as a pilot program for nine months to make sure they can be a viable part of the community.

Mayor Reed stated she is working on another forum regarding the homeless but recommends everyone attends the meetings put on by Occupy Harrisonburg; the city offices will be closed on January 18th and January 21st in observance of Lee Jackson Day and Dr. Martin Luther King Jr. Day. Trash collection will be as normally scheduled on the 18th and for January 21st pick up will be collected on Tuesday, January 22; The Recycling Convenience Center will be closed Friday, January 18th and Monday, January 21st; The City of Harrisonburg is accepting sealed bids for the Main Street Streetscape Phase III invitation to Bid up until January 11, 2019 at 3:00 pm; City staff will host a panel discussion regarding the new proposed sign ordinance on January 17, 2019 from 4:00 pm to 6:00 pm in Room 011 at City Hall. For more information please visit the city's website; and the Harrisonburg Parks and Recreation Department will be holding a job fair on January 26th at the Cecil F. Gilkerson Community Activities Center from 10:00 am to 2:00 pm.

9. Boards and Commissions

9.a. Harrisonburg Electric Commission

Council Member Jones asked for this item to be tabled and HEC be asked to provide at least six nominations with additional background information to cover the two vacancies on the board.

Vice Mayor Romero stated he found it odd to appoint with just a name without any other reference or detail. He stated it is detrimental to not to have a better understanding of who those individuals are and why they have an interest to serve. He stated additionally, as he is learning how the boards and commissions work, it seems there needs to be greater alignment in the process that allow for people to be recommended for appointment, it seems that it should be a common practice and fairly uniform and it doesn't seem like it is clear and would like to figure out how to uniform the process. Council Member Baugh stated most appointments are done under general authority, however there are a few, such as HEC, where there is an ordinance or others that are governed by statute. He agrees with Vice Mayor Romero that it wouldn't hurt to look at the procedure to make more uniform, but there are a few that will not fit the mold.

This Boards and Commissions was tabled.

9.b. Planning Commission

A motion was made by Council Member Jones, seconded by Council Member Baugh to appoint Zanetta Ford-Byrd to the Planning Commission. The motion carried with a unanimous voice vote.

A motion was made by Council Member Jones, seconded by Council Member Baugh to re-appoint Brent Finnigan to the Planning Commission. The motion carried with a unanimous voice vote.

9.c. Metropolitan Planning Organization

A motion was made by Council Member Baugh, seconded by Council Member Jones to appoint Ande Banks as alternate to Eric Campbell, and appoint Reggie Smith to the board with Gerald Gatobu as his alternate to the Metropolitan Planning Organization. The motion carried with a unanimous voice vote.

10. Adjournment

ADJOURNMENT:

At 9:30 p.m., there being no further business and on motion adopted, the meeting was adjourned.

CITY CLERK

MAYOR