



City of Harrisonburg

409 S. Main Street
Harrisonburg, VA 22801

Meeting Minutes - Final City Council

Tuesday, January 22, 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, Deputy City Manager Ande Banks, City Attorney Chris Brown and Police Chief Eric English

2. Invocation

Council Member Hirschmann offered the invocation.

3. Pledge of Allegiance

Mayor Reed led the Pledge of Allegiance

4. Special Recognition

7.a. Consider appointing Ande Banks, deputy city manager, as deputy city clerk

Mayor Reed stated council needs to appoint Ande Banks as Deputy Clerk to perform in the absence of the City Clerk.

A motion was made by Council Member Baugh, seconded by Council Member Jones, to the appointment 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)

A motion was made by Council Member Baugh, seconded by Council Member Hirschman, to approve the consent agenda 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

5.a. January 8, 2019 City Council meeting minutes

These minutes were approved on the Consent Agenda.

- 5.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.

This Ordinance Amendment was approved on second reading

- 5.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.

This rezoning request was approved on second reading

6. Public Hearings

- 6.a.** Consider a supplemental appropriation for the General Capital Projects Fund with funding from various sources in the amount of \$4,611,348.27

Larry Propst, director of Finance, presented a supplemental appropriation request for funding from the Virginia Department of Transportation (VDOT) as well as James Madison University (JMU) and Eastern Mennonite University (EMU) for projects that have been approved by council previously in the amount of \$4.6M. He noted since this amount exceeds 1% of the city budget a public hearing is required.

At 7:03 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 Tuesday, January 15, 2019.

There being no one desiring to be heard, Mayor Reed closed the public hearing at 7:03 p.m., and the regular session reconvened.

A motion was made by Council Member Baugh, seconded by Council Member Hirschmann, to approve the supplemental appropriation 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.b. Consider approving two ordinances to vacate a 20' Sanitary Sewer Easement

Chris Brown, city attorney, presented two ordinances to vacate a sewer easement that is no longer used or needed by the city. He stated this easement crosses Virginia Mennonite Missions property and Eastern Mennonite School property which was originally granted in 1980 to the old Park View Service Authority. He stated this easement has been unused by the city and the property owners requested these easements be vacated.

A motion was made by Council Member Baugh, seconded by Council Member Hirschmann, to approve the ordinances to vacate 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

8. Special Event Application Requests**9. Reallocations****9.a. Consider a reallocation of funds in the General Capital Projects Fund in the amount of \$1,093,951.45**

Larry Propst, presented a reallocation of Capital Projects Funds which goes hand in hand with the previous supplemental appropriation request. He stated some projects are wrapping up and/or finished and the funds need to be transferred accordingly. He stated the existing projects are the Garbers Church Road Shared Use Path and the Mount Clinton Pike project. He stated staff recommends approval.

A motion was made by Council Member Baugh, seconded by Council Member Hirschmann to approve the reallocation 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

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)

James "Bucky" Berry, 30 W. Washington Street, stated a bus at Walmart was recently filled with food donations during a four day food drive and Chief English, of the Harrisonburg Police Department, helped. He stated a second bus was needed, there was a can challenge between first responders and Bridgewater Police Department beat out Harrisonburg Police Department with 78 bags of food. He stated they will be at Walmart again on March 7, 2019 and there will be another challenge then. He stated the Salvation Army's food pantry may have had to shut down if it wasn't for the

donations received by his food drive. He stated one donor gifted nine grocery carts of food and \$6,000 worth of gift cards to give out to those in need. He stated he would like to see city departments challenge each other to see who can contribute the largest amount of food with the winner receiving a plaque. He stated 90% of school kids in the city are going home not eating, the government shut down is not going to end, and crime will increase if something isn't done. He stated we need more affordable housing to get our homeless off the streets and out of the cold.

Pamayotis "Poti" Giannakaouros, stated Mr. Berry raised a very important point, in Minneapolis recently rewrote their zoning ordinance and eliminated the R-1 zoning category, Charlottesville is very seriously looking at the role of their zoning ordinance in the implementation of segregation and he feels it would be good if we follow Mr. Berry's suggestion and follow the lead of other municipalities that are showing the way, even as our zoning ordinances are up for rewrite. He stated we have a very special council now which was apparent when, during the recent Martin Luther King, Jr. holiday, there was an unprecedented attendance at the Alpha Kappa Alpha breakfast, where there was a bulk of the power structure of our city in attendance. He stated Vice Mayor Romero was there early and excused himself because there would have been more than three council members in attendance at one time. He stated this shows integrity which will be a very important thing for this council going forward. He stated we are not in a position where we are expressing the will of the people in a new era without opposition, and for that we are going to have to be on our own and look to an internal guide. He thanked everyone for their attendance at the breakfast, those that participated in the walk, those that warmly greeted everyone during the walk and Harrisonburg Police Department (HPD) for their support. He stated he has new incarceration data and he was wrong in previous predictions. He stated the predicted plummet of incarcerations did not happen, initial indications show our incarceration rate has stayed steady in the city with some rise at Middle River Regional Jail. He stated this should remind us to not get comfortable and be critical of ourselves. He stated he will have more detailed information later. He looks forward to the new assistant to the city manager coming on board.

10.b. City Council and Staff

Mayor Reed reminded everyone of the City Council Retreat on February 1, 2019 through February 3, 2019.

City Manager Campbell stated that Matt Miller, chief of staff for Congressman Ben Cline, met with staff to ask if there were any issues that they would be able to assist with. He stated several staff and council members will be attending the upcoming Virginia Municipal League (VML) Legislative Day in Richmond at the Virginia General Assembly.

11. Boards and Commissions

11.a. Harrisonburg Transportation Safety and Advisory Commission

A motion was made by Council Member Baugh, seconded by Council Member Hirschmann, to appoint Marian Lebhertz and Chance Ebersold to the Harrisonburg Transportation Safety Advisory Commission and to appoint Erin Yancey as city designee in place of Tom Hartman. The motion carried with a unanimous voice vote.

11.b. Parks and Recreation Commission (PRAC)

Vice Mayor Romero state he knows Mr. DaMes and is familiar with his commitment to the city and integrity. He stated it is important to him, as he becomes more familiar with the process, there will be a process to ensure applications are complete in order to compare applicants fully. He stated if applications are not completed thoroughly he feels they should be disqualified.

A motion was made by Council Member Baugh, seconded by Council Member Hirschmann, to appoint MuAwai DaMes for the East and Donna Armstrong for the West to the Parks and Recreation Commission (PRAC). The motion carried with a unanimous voice vote.

11.c. Community Services Board

A motion was made by Council Member Baugh, seconded by Council Member Romero, to appoint Cheryl Mast to the Community Services Board. The motion carried with a unanimous voice vote.

11.d. Harrisonburg Redevelopment Housing Authority

Mayor Reed recommended Benjamin Fuller to fill one of the vacancies as he resides in the neighborhood. She recommends opening the pool back up until other applications are received. Council Member Baugh asked the city manager if he sees any issues with delaying filling the second vacancy. City manager Campbell stated he is not aware of any issues. City Attorney Brown recommends when council appoints a member, they also chose which former members spot is to be filled.

A motion was made by Council Member Jones, seconded by Council Member Baugh, to appoint Benjamin Fuller to the Harrisonburg Redevelopment Housing Authority to fill Mr. Dawson's seat. The motion carried with a unanimous voice vote.

11.e. Board of Equalization

A motion was made by Council Member Hirschmann, seconded by Council Member Baugh, to reappoint Rodney Eagle to the Board of Equalization. The motion carried with a unanimous voice vote.

12. Adjournment

ADJOURNMENT:

At 7:29 p.m., there being no further business and on motion adopted, the meeting was adjourned.

CITY CLERK

MAYOR