



# City of Harrisonburg

409 S. Main Street  
Harrisonburg, VA 22801

## Meeting Minutes - Final City Council

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Tuesday, September 27, 2022

7:00 PM

Council Chambers

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### Work Session (5pm) and Regular Meeting (7pm)

#### 1. Work Session Roll Call

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

**Also Present:** 3 - City Attorney Chris Brown, City Clerk Pam Ulmer and Assistant to the City Manager Amy Snider

#### 2. Round Two of ARPA Discussions

##### 2.a. ARPA Funding Work Session 2: Making choices about Funding Pandemic-Related Needs

Lori Britt, ICAD, stated the goals of this session are to identify any pandemic related needs that are priorities to fund ARPA Funds from the last four categories to review. Luke Morgan reviewed ARPA's expenditure buckets and their eligibility guidelines for each.

Council Member Dent asked which bucket of funding the new fire station falls under. Mr. Morgan stated that is coming from the revenue loss funding bucket.

Ms. Britt stated the remaining categories to review are: Getting Around, Neighborhood Livability, Public Spaces, and City Government and Services.

Discussion took place on the needs under the Getting Around category. The topics discussed were as follows:

Ms. Britt reviewed the comments from the public engagement process on this category. The topics discussed were as follows:

Vice Mayor Romero: specifics on transportation regarding routes, times, language barriers, frequency of stops, afterschool transportation.

Council Member Jones: sidewalks in census tracts, afterschool transportation, afterschool care, difficulty of hiring bus drivers, schools' responsibility in transportation, caution of funding for items that will have a continued funding need, need for a commuter system to outside of the city, sidewalks from Harris Gardens to

the light

Mayor Reed: transportation available for working individuals of all shifts.

Council Member Dent: smaller electric public transportation, connecting with the CSPDC and their projects on public transportation, sidewalks near the Community Services Board (CSB), funding the projects for sidewalks that the Public Works Department doesn't receive grants for;

Discussion took place on the needs under the Neighborhood Livability category. The topics discussed were as follows:

Ms. Britt reviewed the comments from the public engagement process on this category.

Mayor Reed: flooding in Newtown Cemetery; northeast neighborhood sidewalks installation and replacement, street paving, gutter and curb replacements on Kelly Street, Sterling Street, Myrtle Street, Johnson Street and Simms Street where Public Works does not have projects planned;

Council Member Jones: all funding possible should be put in the lost revenues bucket fund to slow down the rush to use the funds; kids castle; splash pad in northeast neighborhood; flooding in certain areas of the city.

Council Member Dent: weight priorities first; flooding issues in the area where the Community Services Board (CSB) is located; trees;

Vice Mayor Romero: sidewalks in the Holly Court area

Mr. Morgan clarified that only \$15.7M is in the lost revenues bucket in which \$6M plus has already been allocated. He noted that the northeast neighborhood is not in a qualified census tract therefore not all funding buckets can be used for projects there.

Ms. Britt reviewed what priorities at the last work session were decided by Council: Support for Mental Health, affordable and accessible childcare and affordable housing.

Discussion took place on the needs under the Public Spaces category. The topics discussed were as follows:

Ms. Britt reviewed the comments from the public engagement process on this category.

Mayor Reed: increase and update the amenities we already have; mirror what the Community Activity Center has in Ralph Sampson Park/Lucy Simms Center; Kids Castle;

Council Member Jones: Simms should have the same offerings that Westover Park/Community Activity Center has. Purcell Park mirror Dream Come True Park; all Smithland fields needs lighting and restrooms.

Vice Mayor Romero: equitable amenities at parks throughout the city for better accessibility and usage; all Smithland fields needs lighting and restrooms.

Discussion took place on the needs under the City Government and Services category. The topics discussed were as follows:

Council Member Dent: Sustainability models and implementation of EPSAC's Focus Area One on city owned property and possible sustainability measures in the community as well.

Mayor Reed asked Council if they were ready to provide a list to staff of projects based on the priorities discussed.

Ms. Britt summarized the priorities discussed by Council to be the following:

- Address beautification challenges in neighborhoods in ways that offer multiple benefits such as curbs, sidewalks and trees;
- More equitable distribution of parks and rec services amenities spread across the community.

She stated now we must take these priorities and relate them to the pandemic. The Parks and Recreation facilities were used during the pandemic, and people were out on foot more, needed to get to places where there were no sidewalks etc. She stated with these two priorities and the three from the previous work session, there are now five big priorities.

Council Member Jones stated the only thing that hasn't been discussed is funding for black and brown businesses. He stated he recommended \$100,000 goes towards those businesses. He shared his reasoning and the impact the pandemic had on these businesses.

Ms. Britt reviewed six criteria categories and asked Council to pick two or three most important so staff can start looking at the priorities and making sure they meet Councils requested key criteria. Discussion took place amongst Council as to which criteria they chose and why. Council chose the following key criteria:

- Makes a direct impact on the priority areas

- Prioritizes the most impacted by the pandemic
- Is unlikely funded through other means
- Addresses past racial, ethnic, and economic inequities

Ms. Britt asked for a list of possible projects under neighborhood beautification.

Council listed the following: improving the northeast neighborhood street paving, sidewalk repair/installation, traffic calming and flooding issues at Newtown Cemetery; sidewalks around Holly Court and North Route 11; Permanent supportive housing; incentives for construction of housing projects; housing for domestic violence victims and other transitional housing that were pandemic related; and flooding on Waterman Drive

Ms. Britt asked for a list of possible projects under parks and recreation.

Council listed the following: Lights and bathrooms at Smithland; Splash Park in the northeast neighborhood; Ralph Sampson Park improvement; Kids Castle; additional amenities at Purcell Park; updates to Westover and Hillandale Parks. Ms. Britt stated Council should try to incorporate language accessibility, accessibilities for those with limitations, and/or sustainability into the projects chosen.

Ms. Britt reviewed a few items that didn't get categorized from conversations and public comment: Supporting non-profit organizations; language instructions for newcomers; language accessibility, bringing people together, and making downtown closed off to traffic.

Mayor Reed stated childcare is one of the top priorities and possible partnership with organizations or create a fund for people to apply for funding may be ideas to think about. Further discussion took place on ARPA regulations and timelines for spending funding.

Mayor Reed asked if Council felt another work session was needed before giving direction to staff to research and bring back numbers to Council for the projects listed with the criteria chosen. Discussion took place about weighing the priorities versus choosing projects. There was a consensus to hopefully having decisions made by November 2022.

### **3. Recess**

The meeting went into recess at 6:56 pm

### **1. Regular Session Roll Call**

Meeting came out of recess and the regular meeting began at 7:00 pm

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

**Also Present:** 3 - City Attorney Chris Brown, City Clerk Pam Ulmer and Assistant to the City Manager Amy Snider

## **2. Invocation**

Vice Mayor Romero led the invocation.

## **3. Pledge of Allegiance**

Mayor Reed led the Pledge of Allegiance

## **4. Special Recognition**

## **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 Jones, to approve the consent agenda as presented. The motion carried with a recorded vote as follows:

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

**No:** 0

### **5.a. Minutes from the September 13, 2022 City Council Meeting**

**These minutes were approved on the consent agenda.**

### **5.b. Consider approving a request from New Venture Partners LLC to rezone portions of two parcels addressed as 745 North Dogwood Drive and 860 Waterman Drive**

**The rezoning request was approved on second reading**

### **5.c. Consider the carryover and reappropriation of unexpended prior year grants and outstanding prior year encumbrances, requested by department heads and by the School Board, in the amount of \$14.6 million.**

**The supplemental appropriation was approved on second reading**

## **6. Public Hearings**

## **7. Regular Items**

### **7.a. Update of housing initiatives and Council consideration of policy direction for four potentially impactful housing activities.**

Liz Webb, housing coordinator, reviewed the following regarding housing initiatives:

1. General objectives
2. Challenges the city faces
3. Assets in the city
4. Efforts currently underway
5. Potential Policies:
  - a. City-Owned Property on Central Avenue and Neff Avenue
  - b. ARPA funds for affordable housing development
  - c. Residential Tax Abatement
  - d. Fee Waivers
6. Policy goals

Mayor Reed asked for clarification of what a Pilot Fund for Housing would involve. Ms. Webb stated it wouldn't be a trust fund, it would be the city setting aside funds for competitive applications that would provide us the experience to possibly set up a housing trust fund that would require a good bit of infrastructure for its perpetuity. Council Member Dent stated this is similar to what we just went through with the Central Shenandoah Planning District Commission (CSPDC). Ms. Webb stated she is researching what was done through the CSPDC and seems like a good model to start with.

Council Member Dent asked if funds placed into an ongoing housing trust fund could be used to pay for tap fees. Ms. Webb stated she believes so but would have to double check.

Ms. Webb stated she is looking for direction on potential policies as to what to prioritize.

Mayor Reed stated Council has shown some interest in a housing trust fund and would like Ms. Webb to research other localities that are similar to our city as to what they are doing with their housing trust funds. Council Member Dent stated she liked the idea of using ARPA funding as a limited term pilot housing fund and would like to see priority given to big projects.

Vice Mayor Romero stated we have had community organizations and non-profit organizations reach out to the city with proposals for city owned property projects. He stated as much as we want to maximize the best use for those properties, we want to make sure we can attract those that can come and build what we need the most. Ms. Webb stated we are really just starting to learn what we need to develop a city owned site.

Mayor Reed stated we have gotten excited about several projects we approved but for some reason they aren't being done which is disappointing. Council Member Jones stated many of the projects we approved were shifted because of the rising

costs and the great resignation. He stated perhaps we should be buying more land that could be used for affordable housing. Council Member Dent stated there are a few factors we do have some control over and that is to extend the permitting process project completion date from 1 year to 3 years and that seems to here that the process needs to be easier to get buildings up and running. Chris Brown, city attorney, stated in extension requests it's usually the private sector developer that needs additional time to do the project. Council Member Dent stated she finds it disturbing that developers are wanting three years when we need the projects now. Further discussion took place on private sector housing developers, timelines, city requirements, processes out of the control of the city, affordability, current rezoning ordinance rewrite, comprehensive plan rewrite, etc.

Council Member Jones stated he would like to see tax abatements researched.

Ms. Webb stated there isn't one policy that will take care of everything we need, but together they are tools that can be used to make an impact on the future development of housing.

Council Member Baugh thanked Ms. Webb for working on this, it was a great presentation and one of the end points he hopes this will lead to is that the Council's vision of what housing should be will be relayed to developers through the Planning Commission and the Community Development Department and incentives be given to those developers.

Council Member Jones discussed what he had learned at the National League of Cities Conference in Nashville and the connections he made that may be instrumental in examples of what has been done there that could be done here. He thanked Ms. Webb for her efforts thus far.

**This Report was received and filed.**

- 7.b.** Consider a refund for a portion of the 2022 Business, Professional and Occupational License (BPOL) tax for a business' two locations.

Chris Brown, city attorney, presented a request for a refund of business license tax for 2022. He stated the taxpayer had two locations in the city, one ceased operation on May 31, 2022, and is requesting a prorated refund of \$6,930.14, the second location ceased operations on July 22, 2022, and is requesting a prorated refund of \$3,568.80. He stated these businesses were sold and the new owners will be paying similar taxes.

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

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

**No:** 0

## 8. Special Event Application Requests

- 8.a.** Consider the special event application request for HDR's Skeleton Festival on October 15, 2022 from 2-5pm.

Matt Little, recreation and special events manager, Parks and Recreation, presented a special event application request for the annual Skeleton Fest event, hosted by Harrisonburg Downtown Renaissance (HDR) event on Saturday, October 15, 2022, from 2 - 5 p.m. He stated the assistance of Public Works and Harrisonburg Police Department are requested, the estimated cost will be approximately less than \$3,700, and the event organizer is responsible for payment of applicable charges.

**A motion was made by Council Member Jones, seconded by Council Member Dent, to approve the request as presented. The motion carried with a unanimous voice vote:**

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

**No:** 0

- 8.b.** Consider the special event application request for the Harrisonburg Half Marathon on Saturday, October 15, 2022.

Matt Little, recreation and special events manager, Parks and Recreation, presented a special event application request for the Virginia Momentum Harrisonburg's Half Marathon event, on Saturday, October 15, 2022. He stated the assistance of Public Works, Harrisonburg Police Department, Harrisonburg Fire Department and Harrisonburg Parks and Recreation Department are requested, the estimated cost will be approximately less than \$1,500, and the event organizer is responsible for payment of applicable charges.

**A motion was made by Council Member Jones, seconded by Council Member Dent, to approve the request as presented. The motion carried with a unanimous voice vote:**

- 8.c.** Consider the special event application request for the annual Race to Beat Breast Cancer 5k Run/Walk on Saturday, October 29, 2022.

Matt Little, recreation and special events manager, Parks and Recreation, presented a special event application request for the 20th Annual Race to Beat Breast Cancer 5K Run and Walk event, on Saturday, October 29, 2022, at Westover Park. He stated the assistance of Public Works and Harrisonburg Police Department are requested, the estimated cost will be approximately less than \$1,500, and the event organizer is responsible for payment of applicable charges.

**A motion was made by Council Member Jones, seconded by Council Member Dent, to approve the request as presented. The motion carried with a unanimous voice vote:**

## 9. Other Matters

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

Panayotis "Poti" Giannakouros, stated he was inspired to watch the work session



earlier, he felt like he could trust his elected representatives and staff. He stated we now know where the increase in mental health issues and substance abuse came from, our social fabric was run asunder by a virus, the answer long term is reweaving our social fabric better than it was based on what we learned. He spoke on housing, exclusionary practices, ordinance rewrite, public transportation, parks.

**9.b. City Council and Staff**

Council Member Jones stated he liked everyone's ideas at the work session and he thinks that Council should be able to make some changes to the city for the next 5-30 years if not longer and make history with some of the projects.

Council Member Dent stated she enjoyed the discussion as well and she feels we are converging on a list of priorities, funding strategies and possibly even specific projects, it's good to have a path to get there. She stated she participated in the JMU Climate Strike for more renewable energy and sustainable transportation. She went to the E-Bike meetup and its good sustainable downtown transportation; it makes her appreciate the smart scale grants that the director of Public Works has applied for and been granted in many cases. She stated several Council Members are attending the upcoming Virginia Municipal League Conference next week, it's always good to connect with fellow elected officials around the state.

Council Member Baugh stated he is now on the Library Board and at the last meeting he participated in the need for additional funding was discussed. He stated most likely will be a request coming to Council for the next budget as the state funding may be reduced next year.

Vice Mayor Romero stated there has been a presence of a Mexican community in the city since the early 1980's. He stated on September 11, 2022, the Mexican community, for the first time, gathered at the Ralph Sampson Park to celebrate how thankful they are to be in this country and not forget the struggles that Mexico is going through. He stated there were a couple thousand people in attendance with music, food, and a traditional call to action for independence and he was so happy to be a part of it and have his children involved. He stated they all met again on September 15th at the fairgrounds and had a parade of over 100 vehicles travel to Elizabeth Street to where they gathered once again. He thanked Officer Deeds and Sgt. Westfall for their help in making that happen safely.

Mayor Reed stated she thoroughly enjoyed the EMU Royals Go to Town event, it was a great collaboration between EMU, and the EMU/City Liaison Committee, business owners that graduated from EMU were highlighted, with over 200 students in attendance, and they were really appreciative. She stated she felt good about the discussions during the work session, she thanked staff for everything they do.

New Item: Request Council certify the land fill is operated in compliance with city ordinances

Chris Brown, city attorney, stated Rockingham County is requesting a certification from City Council stating that the land fill is being operated in compliance with the city ordinances. He stated they want to modify their Boundary Compliance Landfill Gas Monitoring Probe Network they need the certification. He stated no changes are being made to the landfill.

Council Member Dent asked if this was just to monitor the gasses emitted from the landfill and are there any plans to flare. Mr. Brown stated yes, this is just to monitor the gasses and he will check on plans of flaring.

**A motion was made by Council Member Baugh, seconded by Council Member Jones, to approve the request as presented. The motion carried with a unanimous voice vote:**

## **10. Boards and Commissions**

### **10.a. Board of Zoning Appeals**

**A motion was made by Council Member Jones, seconded by Council Member Dent, to appoint Jeffrey Holsinger and William Holland to the Board of Zoning Appeals for a first term to expire on September 27, 2027. The motion carried with a unanimous vote.**

## **11. Adjournment**

At 8:07 p.m., there being no further business and on motion adopted, the meeting was adjourned.

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CITY CLERK

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MAYOR