

REGULAR MEETING

APRIL 8, 1997

At a regular meeting of Council held this evening at 7:30 p.m., there were present: Mayor Rodney Eagle; City Manager Steven E. Stewart; Assistant City Manager Roger Baker; City Attorney Earl Q. Thumma, Jr.; Vice-Mayor Hugh J. Lantz; Council Members John H. Byrd, Jr., Walter F. Green, III, and Larry M. Rogers; City Clerk Yvonne Bonnie Ryan and Chief of Police Donald Harper.

Vice-Mayor Lantz delivered the invocation and Mayor Eagle led everyone in the Pledge of Allegiance.

Vice-Mayor Lantz offered a motion to approve the consent agenda, including approval of the minutes and the second reading of a supplemental appropriation for the School Division. The motion was seconded by Council Member Byrd, and approved with a unanimous recorded vote of Council.

✓ City Planner Sarkar introduced a request to rezone 1.34 acres located at 1416 South Main Street from R-3 to B-2 General Business District (Conditional). He explained that the applicant had proffered several conditions including permanent land uses, aesthetic controls, landscaping and sound abatement on the property. The Planning Commission held a public hearing on January 8, at which no one spoke in opposition, and forwarded a recommendation of approval to City Council. However, when the application was presented to City Council at a public hearing on February 11, there were several citizens who spoke in opposition to the request. The City Council sent the application back to Planning Commission to reconsider the request after hearing several citizens opposing this request. He noted that a traffic study has been submitted by the applicant and the gist of the study states that there will not be a noticeable impact on the traffic situation currently existing on South Main Street. City traffic engineering has also said that there will not be any significant additional delay because of the rezoning. On March 12, 1997, the Planning Commission conducted another public hearing and several citizens from the Purcell Park neighborhood spoke in opposition noting that it would increase traffic and have negative land use impacts. However, the Planning Commission unanimously recommended approval of the request.

At 7:35 p.m., Mayor Eagle closed the regular session temporarily and called the evening's public hearing to order. The following notice appeared in the Daily News-Record on Monday, March 23, and Monday, March 31, 1997.

NOTICE OF PUBLIC HEARING

The Harrisonburg City Council will hold a public hearing on Tuesday, April 8, 1997, at 7:30 p.m., in the City Council Chambers, 345 South Main Street, to consider the following:

Rezonings:

1. Request by SBL Corporation of Virginia, Inc., to rezone 1.34 acres located at 1416, 1420, 1426, and 1430 South Main Street, from R-3 to B-2 (Conditional). The property is identified on the City of Harrisonburg Block Maps as parcels 11C-48 and 11-C-1, 2, & 3. The Comprehensive Plan recommends the site for professional use.

Maps and other information are available for review in the Community Development Department, 409 South Main Street, Monday through Friday, 8:00 a.m. to 5:00 p.m. All persons interested will have an opportunity to express their views at this Public Hearing.

Any persons requiring auxiliary aids, including signers, in connection with the Public Hearing shall notify the City Manager at least five (5) days prior to the time of the meeting.

CITY OF HARRISONBURG
Steven E. Stewart
City Manager

Mayor Eagle called on anyone present desiring to speak either for or against this request. Roger Williams, attorney for SBL Corporation of Virginia, introduced some of the Rite-Aid personnel who were not present at the earlier public hearings; Dennis Bowen, Marketing Manager for Rite-Aid for the territory of Virginia; Mark Owens, Rite-Aid District Manager for the region; and Mick Cornelius, Professional Engineer who worked on the traffic study. Mr. Williams said that he would confine his remarks to those issues that have surfaced since the last public hearing and hopefully not repeat anything. He commented that no cut-through signs have been installed at the primary entrances into the Purcell Park area. Since at least the late 1960's this whole stretch of South Main Street has been zoned R-3 which includes professional offices. No professional offices have gone there in this 30-year period. Why not? Professional offices frankly don't need to be located on South Main Street or probably don't want to be on South Main Street. They do not depend on the heavy traffic on South Main Street nor do their clients want to deal with it. Another reason why it has probably not been developed as professional offices in the last 30 years -- look across the street, it is very commercially developed. He commented that under the current R-3 district zoning you can have multi-family dwellings and apartment buildings. On this 1.3 acres there could be 18 dwelling units under the density rights or four persons per unit which could equal 72 people or students occupying this land. This rezoning is tailored to be compatible with an adjacent residential district and quite frankly would be a better neighborhood or buffer than the magic of the R-3 district. This rezoning request has been the subject of four public hearings and has been thoroughly studied and scrutinized. The proffers have been carefully thought about and arrived at. It is a good proposal and it will be a good clean development and we strongly ask for your approval tonight.

Judy Miller, a resident living at 1429 Valley Street, said that the majority of the Purcell Park neighbors did not agree with the Planning Commission's recommendation for the Rite-Aid proposal, however they did appreciate Council willingness to listen to their concerns and refer the proposal back to the Planning Commission. The issue of cut-through traffic and speed in the neighborhood has been addressed and signs are in place. She commended the coordinating efforts of Jim Baker and Col. Harper and their respective departments in working together with the neighborhood to help alleviate this problem. Hopefully, other neighborhoods will get the message for their neighborhoods as well. She said four-way stop signs has always been our first choice, but hopefully these signs will

help. The City's Postmaster has agreed to relocate the drop-off boxes currently located on Weaver Avenue to the proposed Rite-Aid parking lot. This will alleviate a lot of the cut-through traffic on Weaver Avenue. Appropriate lighting has been addressed and the extremely active neighborhood watch program will encourage Rite-Aid participation. She said that Planning Commission and City staff have worked very hard to see that this commercial project fits in with the neighborhood as best as it can along this commercial route. It's very fair to say that although we object to this project we recognize, appreciate the efforts and the input sought by all parties involved. Thank you for listening to us, truly listening to us, for we know our struggle to maintain a dignified quality of life in our neighborhood continues and will return very soon. There being no others desiring to be heard, the public hearing was declared closed at 7:47 p.m., and the regular session reconvened. Council Member Byrd commented that if the request was granted it will create an envelope of R-3 spot zone to the south of the property in question and suggesting that maybe the plan use pattern is changing. He said that he concurred with the public hearings that cut-through traffic is a separate issue. This particular request for rezoning may well fly in the face of the Comprehensive Plan. He said that he was curious if we are not embarking on another Comprehensive Plan for the City which calls for transitional zoning along this corridor, proffered zoning conditions going against the Comprehensive Plan, or are we going to protect the neighborhoods surrounding this area. Mr. Sarkar said that the conditions proffered would protect the neighborhood. City Planner Sarkar commented that after many discussions it was understood that the Comprehensive Plan did recommend this area for professional offices, but the way the conditions are proffered the existing uses around the area and the proposed use would not be inconsistent, but actually may be better. If it was straight B-2 then there would be some concern because it could have many different type of uses. Council Member Rogers offered a motion to approve this request as presented and commended Mrs. Miller for bringing her concerns to Council. The motion was seconded by Vice-Mayor Lantz, and approved with a four to one vote with Council Member Byrd voting no.

The public hearing to consider Planning Commission's recommendation to a request by Erwin Michael to rezone 16.84 acres entitled "Green Springs Subdivision" from R-1 Single-family Residential District to R-3 Multiple-Dwelling Residential District was withdrawn by Dick Blackwell, agent for the applicant.

City Planner Sarkar introduced a request by Donald L. Riggleman, contract purchaser, to rezone 10.56 acres located on the western side of Pleasant Hill Road, from R-1 Single-Family Residential District to R-3 Multiple Dwelling Residential District. He explained that the applicant intends to construct apartments on this site. Staff's recommendation was to deny the request based on the impact of the rezoning and the school system. The City schools have serious concern for the impact on enrollment of 30 additional students at Keister Elementary School by this rezoning request. The increase in traffic on a narrow two-lane road is an important safety concern. A large number of vehicles entering and exiting the proposed site would cause traffic congestion. Mr. Sarkar said that after several citizens spoke in opposition to the request, the Planning Commission voted unanimously to deny the request.

At 7:54 p.m., Mayor Eagle closed the regular session temporarily and called the evening's public hearing to order. The following notice appeared in the Daily News-Record on Monday, March 24, and Monday, March 31, 1997.

NOTICE OF PUBLIC HEARING

The Harrisonburg City Council will hold a public hearing on Tuesday, April 8, 1997, at 7:30 p.m., in the City Council Chambers, 345 South Main Street, to consider the following:

Rezonings:

1. Request by Donald L. Riddleman, contract purchaser, to rezone 10.56 acres located on the western side of Pleasant Hill Road, from R-1 Single-Family Residential District to R-3 Multiple Dwelling Residential District. The property is identified as parcel 8-B-4 on the City of Harrisonburg Block Maps. The Comprehensive Plan recommends a small portion of the site for commercial use and the remainder for medium density residential use.

Maps and other information are available for review in the Community Development Department, 409 South Main Street, Monday through Friday, 8:00 a.m. to 5:00 p.m. All persons interested will have an opportunity to express their views at this Public Hearing.

Any person requiring auxiliary aids, including signers, in connection with the Public Hearing shall notify the City Manager at least five (5) days prior to the time of meeting.

CITY OF HARRISONBURG
Steven E. Stewart
City Manager

Mayor Eagle called on anyone present desiring to speak either for or against this request. Margaret Sheridan, spoke on behalf of Donald Riddleman. She said that Mr. Riddleman was willing to address the issue of increased enrollment at Keister Elementary School, but noted that enrollment had decreased by ten (10) students during the last year. He is also willing to develop the property over a three to five-year period and forfeit a 30-foot strip along the road frontage of this property to the City for the widening of the road. Since adjoining properties are zoned either R-3 or business we believe the best use for this property is R-3 zoning. She requested some directions concerning the R-3 zoning and what would be the appropriate use for the land if the request was denied.

Reginald Foucar-Szocki stated that he has three points he would like to make, but in general he was opposed to rezoning any R-1 property in the City. He noted that the traffic on Pleasant Hill Road has increased to approximately 6100 vehicles per day and adding additional multi-housing would have a significant impact on the road. Pleasant Hill Road already has a problem with erosion from heavy rainstorms which sometimes has water three to four feet deep. There are four trailers currently in use at Keister Elementary School and more students could possibly add the fifth trailer. He encouraged Council to keep the land at R-1 zoning.

Cathy McClathy, a resident of the Pleasant Hill area noted that traffic would really increase on her street because it would be used as cut-through from Route 42 to Route 11. She also noted that it is a neighborhood with a lot of families. There are couples and children walking on the street because it does not have any sidewalks. Therefore, because of the danger of the added traffic, I am very much against this rezoning.

Gail Bundrick stated that Willow Hills Subdivision is a unique community surrounded by undeveloped land on three sides adjacent to this property. The people of the community are trying hard to preserve the integrity of our neighborhood and surroundings. This has been the third rezoning request in the last five years. The City had a vision for this area which is single-family medium density in the Comprehensive Plan and the residents of the area also share that same vision. She urged Council to deny the request. There being no others desiring to speak, the public hearing was declared closed at 8:08 p.m., and the regular session reconvened. Council Member Rogers offered a motion to support Planning Commission's recommendation in denying this request. The motion was seconded by Council Member Byrd, and approved with a unanimous vote of Council.

City Manager Stewart presented the 1997-98 budget to the City Council. A public hearing will be held on April 22 with final approval on May 13th. There are no tax rates or general fund fees that will increase in the proposed 1997-98 budget. He reminded everyone that although there was no proposed tax rate increase, according to State law a reassessment for real estate did have to be done. The overall real estate reassessment increased by 2.47%. City Manager Stewart explained that in terms of expenditures the budget focuses on three primary functions which includes education, public safety and infrastructure. City Manager Stewart then reviewed the 12 goals from the 1996 Council Planning Session. He went on to point out that schools represent the largest single expenditure in the City budget (the proposed transfer from the General Fund is 43% of the total General Fund expenditures). The City's proposed funding represents a \$900,000 or a 5.5% increase over the current year's funding. The proposed funding for the schools means they will receive 69% of the total estimated increase in General Fund revenues. For the City to grant a 5.5% funding increase for operating costs, again speaks loudly as to the priority placed on schools. It represents the largest percentage increase since fiscal year 1993-94. In addition, the City is committing \$490,000 in a supplemental appropriation for the current year for school renovation projects and will attempt to make a similar appropriation after July 1. The General Fund revenue is somewhat brighter than last year in that revenues are projected to increase by about \$1.3 million. The primary increases occur in additional property taxes to be collected (based on growth and a modest increase due to the state-mandated reassessment, not a rate increase), sales tax collections and a rebound in BPOL tax revenues. The real negative is a \$500,000 reduction in the contribution from HEC. Harrisonburg continues to compare favorably with real estate and personal property tax rates in the state and has the third lowest real estate rate among the 40 independent cities in Virginia. Both tax rates remain among the lowest in the state, while Harrisonburg remains one of the state's fastest growing cities in terms of population. The current amended budget for this year is approximately \$82,644,948. The proposed budget is approximately \$65,250,692 or about 21% decrease in the total budget. The general fund budget which provides many of the services that most citizens are interested in is actually a 1.1% increase over the current budget as amended. The primary reason for the overall budget decrease is that many of the items in the current budget were one-time capital projects. Education is a very significant part of the City and next year the schools will receive approximately \$28.3 million or 42% of the proposed net expenditures in the budget. Schools do represent the single largest expenditure in the City budget. The proposed transfer from the general fund is about 43% of the total general fund expenditures which will out pace any other expenditure in the general fund. The City's proposed funding of the schools for next year is \$900,000 or 5 1/2% increase in local funds. That statement is a little misleading, because the school's debt service for next year will decrease a little over \$265,000 so that money will be available for instructional

purposes, operations and maintenance or other needs to meet the needs of educating the children. So the new dollars will be about a \$1,165,000 or 7.1% for those items. Mr. Stewart reviewed debt service for the schools during the last ten years, and noted that in 1988, the City came up with an additional approximately \$3 million from other departments to complete the Thomas Harrison Middle School when it went over budget. He also pointed out that Council had issued \$30,250,000 in general obligation bonds in the last ten years and that \$22,250,000 of that had been issued in the last five years. He also pointed out the rise in debt service in the school fund over the past ten years. The City is committed to public safety and noted that the proposed Police Department budget will include adding six new employees. This budget proposes adding three new dispatchers, one property evidence technician, and two police officers as part of the bike patrol for the downtown area. The Fire Department budget proposes hiring six new firefighters responding to the "Two-In-Two-Out" rule. Adding six new firefighters will not completely solve the problem, but it will be a significant step forward in complying with the rule. A small funding increase has been proposed for the all volunteer Rescue Squad. Also, it is proposed that the Central Garage provide labor for the Squad's vehicles maintenance, if they pay for parts and supplies; and that each Rescue Squad volunteer that is a City resident receive one (1) free auto decal. Maintaining the City's infrastructure includes repair to the Cantrell Avenue bridge, sidewalk replacements, curb and gutter, resurfacing streets, painting the exterior of the Municipal Building, replacing a dump truck, repairing a water storage tank, replacing a significant portion of the Blacks Run Sewer Interceptor, repairing tennis courts, rewiring softball field lights, and replacing some snow removal equipment. This budget will accomplish a great deal for the City next year, it will allow us to live within our means and make a significant contribution to education and public safety, while maintaining our existing infrastructure. The City will have to raise its tipping fee at the landfill. In order for the City to meet its expenses, it must keep the current spread between the City and County tipping fees. The City's fee has not increased since July 1993.

Parks and Recreation Director Logan presented an update on the spring soccer programs. She said that she and other staff members have looked at the Smithland Road property trying to identify potential sites for the soccer program. She reviewed three sites on the property, but noted that anywhere you go on this property due to the natural terrain locating soccer fields is difficult because of the tremendous amount of cut and fill required. Site #3 is the most level although it has a lot of sink holes and is not suitable without a geological study and it is not being recommended. Site #2 is a good location because it does not have close residences and is surrounded by commercial property. However, it has the steepest grades which would require more grading than the other sites, it is not as expandable, but it certainly could be used for other athletic fields but would be more costly. Site #1 is a good location but still will require extensive grading, however, it may be more suitable and can expand more readily. It is located next to a residential area. She reviewed several options on site #1 which includes clearing the area, putting in an entrance and gravel roadway to the property, providing a 100-car gravel parking lot and grading and preparing pads for two soccer fields. She reviewed the options. Option number one would be a fast track involving the contractor doing all the work and sodding the fields. The estimated time table with ideal conditions would be 10 months with playing soccer on the field by the spring of 1998. The total cost would be \$734,500 for two fields. Option number two would be seeding the area rather than sodding for a total of \$706,900 for two fields. Option number three would include using a contractor and City forces. The City would do the clearing and grubbing of the area and sodding the fields. The estimated time with ideal

conditions would be eight months with playing in the spring of 1998. The cost savings would be \$16,000 for a total cost of \$718,500. Option number four would again use a contractor and City forces to do the clearing and grubbing of the area, but seeding the fields. The estimated time table with ideal conditions would be playing soccer in the spring of 1999. It will take one year for the seed to be established. The cost saving would be \$16,000 for a total of \$690,900. Option number five would be a contractor and City forces with the City clearing the site and building the roadway. The fields would be sodded. The estimated time table with ideal conditions would be seven months playing in the spring of 1998. The cost savings would be \$60,000 for a total cost of \$674,500. Option six would have a contractor and City forces with the City clearing the site and building the roadway. The fields would be seeded instead of sod. The estimated time table would be seven months plus one year for the seed to be established. Soccer play would begin in the spring of 1999. The cost savings would be \$60,000 for a total of \$646,900. Please keep in mind that these figures are as bare cost as we can provide and do not include any amenities. Porta potties will be used and there may not be drinking water available. No handicap access would be available to the fields. She also noted that work being done by City forces would have to be worked around their normal work loads and emergencies. The sodded fields could be played on approximately in one month but would require intensive watering and irrigating. Public Works Director Baker noted that no engineering costs were included in these estimates. It is being assumed that our own Engineering Staff can develop the plans to do the grading work. If a contractor is hired, a fully detailed set of plans along with specifications will be needed. Mr. Baker noted that the Public Works Department would like the challenge to take on this project, however, it would take between 16-18 months of dedication of a complete crew to complete the project. It would affect other operations tremendously and would probably require asking other departments for help. He noted that his department was not outfitted like a complete contractor. Council requested some time to review all this information.

Council Member Green offered a motion to approve the following resolution proclaiming April 11, 1997 as Arbor Day in Harrisonburg. The motion was seconded by Council Member Rogers, and approved with a unanimous vote of Council.

**RESOLUTION PROCLAIMING
APRIL 11 AS ARBOR DAY**

WHEREAS, In 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, Arbor Day is now observed throughout the nation and world; and

WHEREAS, trees can reduce erosion of topsoil, reduce energy consumption, moderate air temperatures, clean air, produce oxygen, utilize carbon dioxide, and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource providing us with countless wood products,

WHEREAS, trees in our City increase property values, enhance economic vitality of business areas, and beautify our community; and

WHEREAS, the City of Harrisonburg has dedicated a park, Heritage Forest & Gardens Park, to the planting of trees to celebrate the heritage of our fair City; and

WHEREAS, trees, wherever they are planted are a source of joy and spiritual renewal,

NOW, THEREFORE, WE, THE HARRISONBURG CITY COUNCIL do hereby proclaim Friday, April 11, 1997 to be

ARBOR DAY

in the City of Harrisonburg, and we urge all citizens to celebrate this day and to support efforts to protect our trees and woodlands; and

FURTHER, we urge all citizens to plant trees to gladden the heart of this and future generations; and

FURTHER, we direct that a ceremony be held on April 11 at 6:00 p.m. at the Heritage Forest and Gardens Park to celebrate Arbor Day and dedicate donations of trees to the Park.

Date

Rodney L. Eagle, Mayor

Attest:

City Clerk

Council Member Green offered a motion to submit these nominations to the Virginia Municipal League Police Committee. Stacy Turner to serve on the Community & Economic Development Committee, Roger Baker to serve on the General Government Committee, Steven Stewart and Lester Seal to serve on the Finance Committee, Larry Rogers to serve on the Human Development and Education Committee, Reggie Smith to serve on the Transportation Committee, Mike Collins to serve on the Environmental Quality Committee, and Larry Shifflett to serve on the Public Safety Committee. The motion was seconded by Vice-Mayor Lantz, and approved with a unanimous vote of Council.

City Manager Stewart presented a request for approval of a supplemental appropriation for the Police Department. These funds which are available from a DMV grant will be used to purchase radar units. Vice-Mayor Lantz offered a motion to approve this request for a first reading, and that:

\$1,500 chge. to: 1000-32520 DMV Grant

\$1,500 approp. to: 1000-310131-46100 Police Supplies

The motion was seconded by Council Member Green, and approved with a unanimous recorded vote of Council.

City Manager Stewart presented a request for approval of a supplemental appropriation for the interest earned on the \$6,000,000 bond issued for the steam plant expansion. He noted that the funds must be used for the CISAT project. Vice-Mayor Lantz offered a motion to approve this request for a first reading, and that:

\$109,000 chge. to: 1324-31513 Investments earnings

\$109,000 approp. to: 1324-910142-48683 Steam Plant for CISAT

The motion was seconded by Council Member Rogers, and approved with a unanimous recorded vote of Council.

Colin Owens, representing the City schools, presented a report on roof repairs for Keister, Spotswood, and Waterman Elementary Schools. He advised that the key differences were represented by perspective and not numbers that are represented by error in judgement. These figures were provided by consultants that were paid to provide the information based on approach to solving the problem. Each of the three perspectives are represented by their solutionary approaches. In April 1996, the School Board contracted The Moseley McClintock Group to provide a condition report on the three elementary schools in order for the school division to define a scope of work with regard to potential renovations. Their solution approach included a patch and repair and limited replacement of roofs for addressing immediate problems and implementation of a contracted roof evaluation management program on an annual basis. The scope of work that is spelled out on the summary sheet is the actual scope of work identified in their conditional report provided to the schools. The estimate of costs includes their engineers and architects estimates and they are broad based estimates provided upon square footage and experience based approach. The total cost that Moseley McClintock Group submitted was \$99,800. This estimate included patch and repair, and limited replacement approach to solving the problem. In January 1997, the School Board contracted with Motley and Associates to take another look at this total renovation scope of work and try to come up with a fresh approach for solving all of the problems. Their perspective was a total renovation perspective. Their solution approach included roof replacement of nearly all areas of roofs at the three elementary schools with the exception of any newly replaced roofs. Their estimate for doing this was \$563,000. The third method used was trying to come up with real numbers in trying to provide the public, City Council and the School Board some useful information. The School Board contacted a local contractor, Don Largent Roofing, in March 1997 to utilize the contractor's perspective. This solution approach included patch/repair and replacement for immediate problems and implementation of an annual roof survey and maintenance program and broad estimates for work required to weatherproof the buildings above-ground which would be performed by other building contractors. That number is \$297,000 which includes patch/repair and limited replacement. It is not a wholesale replacement of roofs, it is taking off installations, but it is only dealing with the problem to get these schools dry and allowing us to move forward. Mr. Owens thanked the City Council in approving the supplemental appropriation in the amount of \$490,000 to allow the School Board to move forward on these projects. He noted that all three consultants pointed out that the primary approach to improving these roofs would be to delay any roof replacement until mechanical work is completed. Mr. Owens stated that after examination and re-examination of these numbers and trying to communicate them accurately, one of the things that has borne out through this process is that whether it is roofs or HVHC contracted services or some

other types of procurement related services or activities such as these it is clear that the possibility exists for us to work more closely with the City and City Council in trying to achieve some economy of scales in a total effort. Council Member Rogers questioned why the School Board had not presented a request to City Council to appropriate the approximately \$350,000 in unappropriated funds for some of these repairs. If that approximately \$350,000 was added to the \$490,000 appropriated money tonight and an additional \$490,000 after July 1, the schools should have enough money for these maintenance purposes. Council Member Green reiterated that the school officials have not made any effort to use the approximately \$350,000 for repairs to the elementary schools nor acknowledged that you have the money, and he said that he tried to spell that out at the last Council meeting, however, he did not get a response from school officials. He emphasized the newspaper still has not printed this information. Mr. Owens replied that he could not speak for the School Board and they would have to make that decision regarding the \$350,000. Again, Council Member Rogers pointed out that Council will be providing more than what was requested from the School Board. Council Member Green also noted that at the last Council meeting, it was pointed out that the School Board has \$350,000 and that City Council has appropriated \$490,000 plus an additional \$490,000 after July 1, which will exceed the \$1.2 million that the School Board requested. The money is there and if the administration would just initiate the request then the repairs could have already been made. Council Member Green further stated that it was confusing for Council to understand when we hear figures going from zero to ninety and then ranging from \$537,000 to \$297,000. He also noted that this is the first time he had ever seen or heard anything that all consultants agreed or indicated that repairs are necessary on all three elementary schools roofs before the mechanical work and other repairs were done. "I have attended all the meetings and I have never heard that statement." Council Member Green also stated that the Schools had an extra \$30,000 which was saved when Mike Collins put in the sewer. What are the plans for that money? He said that he received a telephone call from a citizen concerned about the roof at Harrisonburg High School. But, Council Member Green stated that the Schools have not used the approximately \$70,000 in the budget for the roof repair. Mr. Owens noted that money for the repair of the roof at Harrisonburg High School was included in the upcoming budget, not in the current budget. Council Member Rogers again questioned why didn't they appropriate and use the \$350,000 for lights at Keister or a leaking roof instead of accusing City Council of not supporting children. Council Member Rogers said that you say that you want to work with the City, but it does not seem like everything has been up front. He questioned how many of the teachers and administrators know that the School Board has \$350,000 in the current budget which could have been used for some of these repairs, maintenance or instructional material. Council Member Rogers stated that he seriously doubted if any of these people are even aware of this money. Vice-Mayor Lantz commented that Council gets blamed for a lot of things and while he had not said a lot of things about the schools, but when you look at the 22 million dollars Council has borrowed during the last five years, how can anyone say that City Council does not support the schools. That borrowed money could have built about four elementary schools which is the total of the elementary schools in the City. Vice-Mayor Lantz stated that he had read many letters to the editor and articles in the newspaper that insinuate the schools are crumbling, but architects tell me that is not true. These buildings are in excellent structural condition. Mr. Owens then commented that there is no question at all that these buildings are structurally sound. He went on to say that they desperately need some love and attention and he agreed completely with Vice-Mayor Lantz that they are structurally sound. However, Vice-Mayor Lantz noted if you read the newspaper you get the impression that they were crumbling and City

Council gets all the blame. Vice-Mayor Lantz stated that the taxpayers in this City have been very tolerant of the money that has gone toward the schools. He went on to say that he doubted that you can show me a school system anywhere that in the last five years has put as much capital money into schools as this Council and past Councils have done. That does not include the increases in the operating budget. This year we are talking about putting an additional 7% into the operating budget. That is a huge increase. Vice-Mayor Lantz stated that he is in the stock brokers business and any company would be delighted to receive a 7% increase in its operating budget. He stated that it really bothered him that people blame it all on the City Council. Because there has been a lack of maintenance, repairs are now needed in the elementary schools. However, he said he did not question that maintenance things must be done. Vice-Mayor Lantz stated that he has two children in the schools and he has been in all the schools. When Larry Rogers and he came onto Council they took a personal tour with the superintendent. Not once did the superintendent or any of the principals say that there were any maintenance or repair problems in the elementary schools. The only thing that Vice-Mayor Lantz heard during the last six months is that air-conditioning is needed in Waterman Elementary School especially in the second story level. It has only been in the last six months that all of a sudden our schools are crumbling. Vice-Mayor Lantz said he did not believe that it is true. He believes there is maintenance that needs to be done and technology needs to be improved. Basically within the next three months, this Council will provide \$1 million dollars for those repairs, hopefully we can do as much in the future and continue to meet some of the repair needs. Vice-Mayor Lantz said it really bothered him that all the blame has been put on City Council according to what he reads in the newspaper, because Council has been very tolerant of the money being put into the schools. All of us on Council support the schools. He said that we all have either children or grandchildren. We also realize that the school system is the City's number one asset. He said that the schools need to give this Council a chance to come forward with some repair money. The schools did not get in such a bad shape all at once and it cannot be repaired all at once. Council Member Rogers noted that a workshop held in October 1995 the community agreed that the schools were the strong point of the City and now in 1997, it is worst thing we have in the City. Council Member Rogers said there needs to be accountability from someone and he was raised that when you make a mistake you admit it and move on. Council Member Green said that he has never been able to receive a straight answer from Mr. Owens or Dr. Good on the way the budget is set up. He stated that the schools should have \$2.5 million in operations and maintenance. How much money do you have left? Mr. Owens said that there is approximately \$2.4 million that is in the function of operation and maintenance. But, he could not answer Council Member Green's question. He reviewed what is included in operations and maintenance and the budget for the School Board is approved on the basis of function. It is the budget category applied to all School Board facilities which covers salaries and fringe benefits of custodians and maintenance workers, utilities including water and sewer, natural gas, oil and electricity, capital outlay for all school and facility equipment including desks, typewriters, light bulbs, etc. He noted that within this fund is another fund where the School Board actually spend dollars in terms of maintaining the schools. Council Member Green stated that the Liaison Committee was promised a update on the study report before this Council meeting regarding how you intended to spend the other \$200,000 that will be left after the roof repairs are made. We specially asked for a local estimate on electricity for the Keister Elementary School and the improvement to plumbing. He asked if this report was coming forth? Mr. Owens responded that the School Board has contracted with two local firms. Council Member Green suggested that the School Board could save a lot of money by getting these local firms involved in

recommendations and suggestions and if HEC could help then they should be allowed to help. Mr. Owens said that there is no question that the local contractor seeing the buildings on a daily basis has a different perspective than an architect or engineer. Council Member Byrd questioned now that the School Board has the green light to proceed on these repairs when will the work be contracted. Mr. Owens said that the roofing work should begin within the next 30 days he hoped. Council Member Byrd then commented that going into the fall of the year, can the citizens of this community reasonably expect that a lot of the necessary work has been completed. Council Member Byrd said that he expected an answer since Mr. Owens cannot answer Council Member Green's question and he shared the same concerns, because Council has provided some big dollar amounts. Council Member Byrd said there needs to be some accountability for the funds that the City has appropriated now and in the future. Mr. Owens wanted to know if the question was, when will we have a plan? Council Member Byrd really did not receive an answer, but he replied that he would like to see come September, when the children are back in school, exactly what has been done and what has been spent. Is that an unreasonable request? Mr. Owens said it was not an unreasonable request, but did not acknowledge if the request would be honored. Council Member Rogers stated that if there are 135 school divisions in Virginia and Harrisonburg is ranked #16, than that means there are 119 other school divisions that have spent less per pupil than we have spent. He said that is a very good commitment from the City and it does not include debt service or buildings. That money is spent on instructions. Council Member Green stated that "I doubt if any other school divisions in the state have taken on the bonded indebtedness per pupil ratio that Harrisonburg has."

Carolyn Frank, a City resident and President of the Soccer League, stated that they thought there would be playing fields on the Willi property or the Hillandale Park area. Now we are looking at Smithland Road property. She commented that the petition having 100 signatures to revisit the issue of a golf course at Hillandale Park. She said the study of a golf course at Hillandale Park was good results and accurate. She said that she has a petition of 238 signatures requesting that the City take immediate action on soccer fields within the City. This petition represents all areas of the City and she said that she would be presenting it to City Council. The field at Spotswood Elementary is already one-third in dirt because of the use of the kids playing on the field. She said "I want someone to care about the youth in these programs in the City besides me. I have put in hundred of hours of volunteer work trying to develop this program. I want some action and accountability on this issue. I am tired of seeing children with bloody knees." Vice-Mayor Lantz commented that he could understand her frustration with the soccer issue and that he believed that Council was at a point where we realize there is an urgency and you will see this Council act on it very quickly. He also emphasized that this Council has never revisited the issue of a golf course. The only people that have revisited the golf course issue is the Daily News Record and residents that live around Hillandale Park. They presented the petition that they wanted a golf course and we have not acted on it nor discussed it. Residents are asking to revisit the golf course, not City Council. Council Member Rogers noted that we will get some soccer fields.

City Manager Stewart said that he and Council Member Rogers attended the City/County Criminal Justice Board meeting on April 7. The Commonwealth Attorney has requested that the City and County endorse the grant application for state funds for a Victim Witness Grant in the amount of \$45,605.31 to be used to keep victims of crimes notified when there is any action involved in their case, whether somebody is being released from jail or if a trial is coming up. It is state

mandated. Council Member Green offered a motion to approve this application. The motion was seconded by Council Member Byrd, and approved with a unanimous vote of Council.

✓ City Manager Stewart announced that demolishing the Schewel's furniture building on South Main Street has been scheduled for April 18 at 6:00 p.m. The front part of the building should be demolished by April 21 at 6:00 a.m. It should take approximately six weeks to complete the project. The Gay Street bridge should be re-opened on Monday, April 14. If Council wants to have a work session on the budget between now and the public hearing on April 22, please let him know.

Mayor Eagle requested help on the Clean-up Day on April 21. He encouraged good attendance for this event, because we need to have a battle plan.

Assistant City Manager Baker handed out a pamphlet that the Deer Population Task Force has developed as part of the educational process. It contains information on things the deer like and do not like and how to live with the deer. It also explains the Kill Permit Program. These pamphlets will be distributed to the local nurseries.

At 9:32 p.m., Council Member Green offered a motion that Council enter an executive session for discussion and consideration of personnel and prospective candidates to be appointed to the Blue Ridge Community College Board of Trustees, Private Industry Council, Shenandoah Valley Battlefields National Historic District Commission and Social Services Advisory Board and the evaluation of a City department, exempt from the public meeting requirements pursuant to Section 2.1-344(A)(1) of the Code of Virginia. Discussion and consideration of the acquisition of real estate to be used for public purposes, exempt from public meeting requirement pursuant to Section 2.1-344(A)(3) of the Code of Virginia, 1950, as amended. The motion was seconded by Vice-Mayor Lantz, and approved with a unanimous vote of Council.

At 11:34 p.m., the executive session was declared closed and the regular session reconvened. City Manager Stewart read the following statement which was agreed to with a unanimous recorded vote of the Council: I hereby certify to the best of my knowledge and belief that (1) only public matters lawfully exempt from open meeting requirements pursuant to Chapter 21 of title 2.1 of the Code of Virginia, 1950, as amended, and (2) only such public business matters as were identified in the motion by which the executive or closed meeting were convened were heard, discussed or considered in the executive session by the City Council.

Council directed that Council Member Byrd contact Cullen Sherwood about serving on the Shenandoah Valley Battlefields National Historic District Commission. If he was unavailable, try to get another nominee.

At 11:35 p.m., there being no further business and on motion adopted the meeting was adjourned.

Yvonne Ryan
CLERK

Rodney L. Eagle
MAYOR