

REGULAR MEETING

MARCH 28, 2006

At a regular meeting of Council held this evening at 7:30 p.m., there were present: Mayor Larry Rogers; City Manager Roger Baker; Assistant City Manager Kurt Hodgen; City Attorney Earl Q. Thumma, Jr.; Vice-Mayor Rodney L. Eagle; Council Members Charles R. Chenault; Hugh J. Lantz; and George W. Pace; City Clerk Yvonne "Bonnie" Ryan, CMC/MMCA, and Chief of Police Donald Harper.

Council Member Pace gave the invocation and Mayor Rogers led everyone in the Pledge of Allegiance.

Council Member Lantz offered a motion to approve the consent agenda, including approval of the minutes and the second reading of a supplemental appropriation for the Police Department, Parks and Recreation, and Tourism & Visitor Services. The motion also included a rezoning request by Nadia Webb and enacting Division 2 of Article C, Chapter 1 of title 13 of the Harrisonburg City Code. The motion was seconded by Council Member Chenault, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Chenault
Council Member Lantz
Council Member Pace
Vice-Mayor Eagle
Mayor Rogers

Absent – None

Kim Alexander, Community Development Block Grant Coordinator, presented an overview of the FY 2007 CDBG Action Plan, Amendments to the FY 2005-2007 CDBG Strategic Plan, Amendments to the FY 2005 Action Plan, and Amendments to the FY 2006 Action Plan. A required public hearing has been held and the 30-day public comment period ends April 28, 2006. The funding recommendations for the 2007 program include HRHA-Harrison Heights renovation, Morrison Park Athletic Field/Track project, Gay & Noll intersection traffic light, bicycle and pedestrian paths and administration costs. The 2007 program recommendations also include funding for ARC, Valley Program for Aging Services, Office of Children and Youth dental care, Mercy House, Free Clinic Pharmacy Services, Community Resource Center and City downtown façade improvements. She said that a more detailed report is available on the City's web site. She reviewed the remaining funds in the 2005 and 2006 Action Plan amendments and the projects being recommended. Ms. Alexander reviewed the objectives in the FY 2005-2007 Strategic Plan.

At 7:53 p.m., Mayor Rogers closed the regular session temporarily and called the evening's public hearing to order. The following notice appeared in the Daily News-Record on Saturday, March 18, 2006.

**CITY OF HARRISONBURG
2007 ACTION PLAN & 2005/2006 AMENDMENTS
PUBLIC HEARING & PUBLIC COMMENT NOTICE
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

The City of Harrisonburg will hold a **PUBLIC HEARING** on Tuesday, March 28, 2006, at 7:30 p.m. during the regular City Council Meeting in the Municipal Building, City Council Chambers, 345 South Main Street, in order to receive citizen input regarding the Community Development Block Grant (CDBG) Program, specifically the following items:

- Annual Action Plan for year FY 2007
- Amendments to the FY 2005-2007 Strategic Plan
- Amendments to the FY 2005 Annual Action Plan
- Amendments to the FY 2006 Annual Action Plan

Citizen participation is essential to the City's involvement in the Federal Department of Housing & Urban Development's (HUD) CDBG Program. The Strategic Plan and the Annual Action Plans serve as the planning documents for addressing overall community development and housing needs that will utilize the annual entitlements of CDBG funding available to the City. These entitlement amounts were as follows: \$648,000 in FY 2005, \$613,398 in FY 2006, and \$550,442 in FY 2007. Projects selected to receive this funding will be included in the Action Plans. Amendments to the FY 2005 and FY 2006 Action Plans address the re-allocation of remaining funds (i.e., funds that were not spent by previous subrecipients) from those years.

All citizens and organizations are invited to attend the Public Hearing to comment orally or in writing on the above items. The City of Harrisonburg will make reasonable accommodations and services necessary for sensory-impaired and disabled citizens at the Public Hearing. Additionally, translation services may be offered upon request and availability. Persons requiring such accommodations/services should contact Kim Alexander at (540) 432-8923 at least three working days in advance of the meeting.

Copies of the above items are available at the City Manager's Office, 345 South Main Street, Harrisonburg between 8:00 AM and 5:00 PM, Monday through Friday, and at the reference desk at the Massanutten Regional Library for a 30-day public comment and review period, which begins March 28, 2006. The above items will also be posted on the City website at www.ci.harrisonburg.va.us on or before this date. Written comments may be mailed to Kimberly L. Alexander, Block Grant Coordinator, Office of City Manager, 345 South Main Street, Harrisonburg, VA 22801. Comments may also be submitted by calling (540) 432-8923 or emailing CDBG@ci.harrisonburg.va.us. Comments are welcomed prior to the start of the review period, but all comments should be received no later than 10:00 a.m. on Friday, April 28, 2006, to be considered.

Mayor Rogers called on anyone desiring to speak for or against the 2007 CDBG Action Plan or Amendments. There being no one desiring to be heard, the public hearing was declared closed at 7:54 p.m., and the regular session reconvened. Mayor Rogers announced there will be an

opportunity for citizens to comment at each City Council meeting between now and final approval during the public comment period.

Dr. James Perkins, President of Blue Ridge Community College, presented an overview of the progress Blue Ridge Community College is making in serving the needs of the City of Harrisonburg. Board members, Kathy Whitten and Denise Dawson, were also present. BRCC has been growing at the rate of 5%-6% each year for the past five years. There are many facility projects under way including a new humanities and fine arts building, science building addition, new maintenance building, and a new bookstore. BRCC began a distance learning-nursing curriculum this year and is one of three community colleges in Virginia participating in the pilot project. The college also received a \$1.9 million Department of Labor grant allowing BRCC to develop a high performance manufacturing and distribution curriculum. Highlights of the college include record enrollment at the Harrisonburg Center. BRCC students ranked fifth on measures of academic skills and technical skills, third on graduation rates, and second on placement, employment and further study. BRCC is ranked first among community colleges in the retention rate. He thanked Council for the City's financial support to the college, which has been an excellent investment in the future of Harrisonburg.

Dr. Donald Ford, Superintendent of Harrisonburg City Schools, presented the School Board's proposed 2006-2007 budget. He said challenges facing our school division remain significant. "I take pride, though, in the quality of our staff and the commitment they demonstrate to educating all of our students. But, I believe strongly the "No Child Left Behind" and SOL requirements can be met only by investing time and resources into remedial programs and small classes." We have excellent schools and our board's goal is to continue this tradition of excellence. We appreciate as well the support that has come from Council and the commitment Council has provided in the past to the goals of the School Board to maintain that quality education. The City's student enrollment includes 1,591 students in the ESL program. Also, student enrollment represents 59 countries speaking 45 different languages. He said that 631 students are enrolled in special education, 68 students enrolled in the head start program, and an additional 16 students in the Virginia pre-school program. He reviewed projected revenues from state funding, Federal funding, and local funds. The overall budget is \$51,553,393 or 9.95% increase. Dr. Ford reviewed the significant budget increases, which included instructional operation at \$37,457,984, administrative/attendance & health services \$2,353,354, bus transportation \$1,549,620, maintenance and operations, \$4,676,010, food services, \$2,809,292, facilities, \$2,000, debt service transfer, \$389,520, and technology, \$2,315,613. The revenue estimates for the school division to support the expenditures are divided into state, federal, other, local and un-appropriated. The budget includes a projected average 6% increase for current salaries. The number of new positions included in the budget is determined by the board based on administrative recommendations and public input.

Council Member Chenault asked if the availability of state funds could be predicted in future years?

Dr. Ford said that the calculation of composite index is one of the more complicated calculations for anything in the state. "I don't know if the figures could be projected."

Council Member Lantz said, "How does the 9% increase compare to last year budget projection?" He also said that approximately 72% of the total budget is going into instruction, which indicates the importance the City places on children.

Dr. Ford said he did not have an exact dollar figure, but would be willing to provide the information.

Vice-Mayor Eagle said, "How does Harrisonburg rank in salaries compared to other school districts in the state? Are we in the top 25% percentile?"

Dr. Ford said Harrisonburg is not in the top 25% percentile.

Council Member Pace said, "During the last fiscal year Harrisonburg ranked 10th out of 137 school districts in terms of instructional expenditures per student. Will the majority of the new positions be teachers or teacher assistants?" He said that the fringe benefit package has increased from 29% of salaries to 32%, which is an extraordinarily rich package. That figure is not sustainable without significant property tax increases. Based on past budget increases, in two years Harrisonburg could be looking at a \$60 million school budget.

The next item of business was a presentation by Harrisonburg Downtown Renaissance. Eddie Bumbaugh, Executive Director of the organization, presented a brief summary of HDR's downtown revitalization progress and accomplishments during the last quarter. He said that Virginia Main Street celebrated its 20th anniversary and at a banquet held March 24th Harrisonburg received several awards. The award for all-star volunteer went to Karen Lee, all-star board member award went to Steve Knickrehm, all-star business award went to Fairfield Language Technologies, all-star public improvement project went to the Hardesty Higgins House, and an all-star private-investment award went to Dave's Downtown Taverna. The City and HDR have been working together to generate over \$1 million in private investment in the downtown area. Also, an award was received for 15,000 hours of volunteer hours from August 2004 to December 2005.

Mr. Bumbaugh presented an overview of the progress of the four standing committees. The Organization Committee focused on increasing revenue from the private sector and will hold a funding raising event, "Renaissance Night", on May 13th at Dave's Downtown Taverna. He handed out copies of the newsletter and an insert in the Daily News-Record, through which the Organization Committee and the Promotion Committee keep the public informed of the revitalization progress. The Economic Development Committee received input from the HDR advisory board breakfast on March 1st, which recommended recruiting a specialty grocery store, boutique hotel, increasing the number of restaurants in the downtown area, and suggesting additional incentives. HDR held a series of three workshops to promote the creation of upscale apartments in the downtown area. The Design Committee is working on the Blacks Run Bridge project between the Water Street deck and Main Street, which should be completed in a month. The Promotion Committee is focusing on retail promotion as well as special events downtown. HDR will again be working with the Farmers' Market, arranging for entertainment on Saturdays during the summer. The Court Days Festival is scheduled for June 3rd. HDR is working with Citizens for Downtown on the "Fridays on the Square" event with concerts and movies.

Lisa Ha, Harrisonburg Interim Parking Services Coordinator, said that all downtown public parking is free, because all of the parking meters have been removed. Work is being done to clarify signage and make the general public aware of the parking changes. “We are listening to feedback from people and will be using the information before enforcement.” She said that she has been researching other communities’ parking policies to gain information regarding enforcement. Parking downtown is enforced from 7:00 a.m. to 7:00 p.m. six days per week. She said that people are optimistic, but they do have questions about where they can park and how enforcement will take place.

Vice-Mayor Eagle offered a motion to authorize the City Manager and the Finance Department to close out the Parking Authority fund and transfer the funds into the General Fund. The motion also included moving the Parking Authority Capital Fund into the General Capital Projects Fund. The motion was seconded by Council Member Chenault, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Chenault
Council Member Lantz
Council Member Pace
Vice-Mayor Eagle
Mayor Rogers

Absent – None

Council Member Chenault offered a motion to approve a request from Harrisonburg Tourism and Visitors Services to close Main Street from the World War I memorial to Elizabeth Street, Elizabeth Street between Main and Liberty, and Liberty Street from Elizabeth Street to the World War I memorial for the Tour of Shenandoah Bike race on April 25, 2006. Closings will occur between 5:15 p.m. and 7:00 p.m. The motion was seconded by Vice-Mayor Eagle, and approved with a unanimous vote of Council.

Economic Development Director Shull announced that the Valley Conservation Council presented the City with a Better Model for Development Award under the category of Outstanding Public Reuse of a Historic Building. The award was presented to Harrisonburg for its beautiful restoration of the Hardesty-Higgins House. The Valley Conservation Council recognized the City of Harrisonburg for preserving one of the most significant historic buildings in Harrisonburg and using the space for programs that help keep local heritage alive.

City Manager Baker presented the following resolution for Council’s consideration of approval:

Resolution Designating April as Clean-up/Fix-up Month

WHEREAS, the mission statement of the City of Harrisonburg expresses the intent to preserve and enhance the quality of life that is unique to the community; through promoting a partnership between citizens, elected officials and City employees; and

WHEREAS, it is also the City's desire to project an image of community pride, friendliness and livability; and

WHEREAS, the City Council seeks to encourage all citizens, businesses, schools, universities, civic groups, City employees and others to participate in a mutual effort to further enhance and beautify the City through fixing up and cleaning up public and private properties; and

WHEREAS, April 22, 2006 will be the 9th Annual Blacks Run/Downtown Clean-up Day in Harrisonburg

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Harrisonburg, Virginia does hereby designate the month of April as "Clean-up/Fix-up Month" in the City of Harrisonburg.

Date

Larry M. Rogers, Mayor

Attest:

Yvonne Ryan, CMC, City Clerk

Council Member Pace offered a motion to approve the resolution as presented. The motion was seconded by Vice-Mayor Eagle, and approved with a unanimous vote of Council.

City Attorney Thumma presented an ordinance amending and re-enacting Section 4-2-66.1 of the Harrisonburg City Code. He said that this ordinance amends and re-enacts the mobile telecommunications tax collected by the City. It incorporates changes to the state statute into our ordinance. Council Member Chenault offered a motion to approve the ordinance for a first reading. The motion was seconded by Council Member Lantz, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Chenault
Council Member Lantz
Council Member Pace
Vice-Mayor Eagle
Mayor Rogers

Absent – None

Parks and Recreation Director Foerster presented a request to transfer funds within the Parks and Recreation Department. He said that these funds will be transferred from the Westover Pool Filter Room Renovation to Capital Projects Fund. Council Member Chenault offered a motion to approve transferring these funds, and that:

\$208,496.88 chge. to: 1000-710771-48211 Machinery & Equipment

\$208,496.88 approp. to: 1000-990111-49216 Transfer to Capital Projects

\$208,496.88 chge. to: 1310-34210 Transfer from General Fund

\$208,496.88 approp. to: 1310-910141-48702 Swimming Pool Renovations

The motion was seconded by Council Member Lantz, approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Chenault
Council Member Lantz
Council Member Pace
Vice-Mayor Eagle
Mayor Rogers

Absent – None

Fire Chief Shifflett presented a request for a supplemental appropriation for the Fire Department. He said that these funds were received from FEMA to cover expenses for a two-firefighter 30-day deployment to Mississippi, in response to Hurricane Katrina. Council Member Pace offered a motion to approve this request for a first reading, and that:

\$17,537.00 chge. to: 1000-33534 Homeland Security Funds

1,159.65 chge. to: 1000-33534 Homeland Security Funds

\$18,696.65 approp. to: 1000-320232-41020 Salaries & Wages - overtime

The motion was seconded by Council Member Chenault, approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Chenault
Council Member Lantz
Council Member Pace
Vice-Mayor Eagle
Mayor Rogers

Absent – None

Mayor Rogers reminded everyone of the “Steppin Out” event during the week of April 24-30, 2006.

Council Member Pace said that Planning Commission met in a work session during the past week to continue working on the R-3, R-5 and mixing zoning district wording. Directions

were taken from City Council as it relates to R-3 and the Planning Commission has made the modifications. A report will be presented to City Council about the mixed development and R-4 in the future.

At 8:35 p.m., Council Member Chenault offered a motion that Council enter a closed session for discussion and consideration of personnel, a city department and prospective candidates to be appointed to the Harrisonburg Parking Authority, Harrisonburg Transportation Safety Commission and Tree Advisory Board, exempt from the public meeting requirements pursuant to Section 2.2-3711(A)(1) of the Code of Virginia. Discussion concerning a prospective business where no previous announcement has been made of the business' interest in locating within the City, exempt from public meeting requirements pursuant to Section 2.2-3711(A)(5) of the Code of Virginia. Discussion and consideration of the acquisition of real estate to be used for public purposes, exempt from public meeting requirements pursuant to Section 2.2-3711(A)(3) of the Code of Virginia, 1950, as amended. The motion was seconded by Vice-Mayor Eagle Council Member Lantz, and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Chenault
Council Member Lantz
Council Member Pace
Vice-Mayor Eagle
Mayor Rogers

Absent – None

At 10:30 p.m., the closed session ended and the regular session reconvened. The following statement was agreed to with a unanimous recorded vote of 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 closed session was convened, were heard, discussed or considered in the closed session by the City Council.

At 10:31 p.m., there being no further business and on motion adopted the meeting was adjourned.

CITY CLERK

MAYOR