

REGULAR MEETING

January 11, 2011

At a regular meeting held this evening at 7:00 p.m., there were present: Mayor Richard A. Baugh; City Manager Kurt Hodgen; Assistant City Manager Anne C. Lewis; City Attorney Earl Q. Thumma, Jr.; Vice-Mayor Ted Byrd; Council Members David Wiens and Charlie Chenault; City Clerk Erica Kann; and Chief of Police Donald Harper. Absent: Council Member Kai Degner.

Council Member Chenault gave the invocation, and Mayor Baugh led everyone in the Pledge of Allegiance.

James “Bucky” Berry stated that roughly \$20,000 worth of food was raised with the efforts of “Brent Berry Food Drive”. Mr. Berry also stated that he would like Council to eliminate City decals.

Diane Spresser read a letter from her and some of her neighbors, voicing their concern about the lack of regulations for communication facilities. Ms. Spresser stated that one location included the City owned property that holds the water tower in the northeast. Ms. Spresser and her neighbors would like Council to take the necessary steps to put in place a comprehensive set of regulations for communication facilities to include the following: towers, antenna, and supporting structures.

Vice-Mayor Byrd offered a motion to approve the consent agenda, including approval of the minutes of the previous meeting and reorganization meeting, the second reading to consider supplemental appropriation to the Public Utilities Department in the amount of \$500.00, second reading to consider supplemental appropriation to the Fire Department in the amount of \$265,038.39, amending and re-enacting Section 3-3-1 and Section 3-3-10 of the Harrisonburg City Code. The motion was seconded by Council Member Wiens and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Wiens
Council Member Chenault
Vice-Mayor Byrd
Mayor Baugh

Absent – Council Member Degner

Vice-Mayor Byrd offered a motion to approve the remainder of the consent agenda, including approval of the request from Mountain View Apartments to rezone 3.1 +/- acres from R-3C to B-2C for property located along Port Republic Road and the request from Mountain View for the special use permit to reduce required parking on property located along Port Republic Road. The motion was seconded by Council Member Wiens and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Wiens
Vice-Mayor Byrd
Mayor Baugh

Abstain – Council Member Chenault

Absent – Council Member Degner

Ande Banks, Director of Special Projects and Grants, presented to Council a mandatory public hearing and corresponding comment period associated with the beginning of a new program year for Community Development Block Grant (CDBG). Mr. Banks stated that the CDBG provides direct grants that can be used to revitalize neighborhoods, expand affordable housing, improve community facilities and services, and/or for economic opportunities. Mr. Banks also noted that there are US Department of Housing and Urban Development (HUD) regulations and organizations should contact him so he can help mold organization's ideas and projects to meet those HUD regulations. Mr. Banks stated that every three to five years the City develops and updates the CDBG Strategic Plan, which helps the City identify needs within our City and prioritizes them into low, medium, or high categories.

At 7:08 p.m., Mayor Baugh closed the regular session temporarily and called the evening's first public hearing to order. The following notice appeared in the Daily News-Record Wednesday, December 22, 2011.

**PUBLIC HEARING NOTICE & REQUEST FOR PROPOSALS
CITY OF HARRISONBURG
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

PUBLIC HEARING - The City of Harrisonburg will hold a public hearing on Tuesday, January 11, 2011 at 7:00 p.m. in the City Council Chambers, 409 South Main Street, in order to receive citizen input regarding funding priorities for the Community Development Block Grant (CDBG) Program. Citizen participation is essential to the City's involvement in the Federal Department of Housing & Urban Development's (HUD) CDBG Program. Citizen participation and comments on funding needs and priorities will assist the City in the development of the City's 2011-2012 Action Plan. The Action Plan serves as the City's guide for addressing overall community development and housing needs that will utilize the City's annual entitlement of CDBG funding available from HUD to meet those needs.

All citizens and organizations are invited to attend the public hearing to comment orally or in writing on funding needs and priorities. Questions regarding the grant program are also encouraged. The City of Harrisonburg will make reasonable accommodations and services necessary for sensory-impaired and disabled citizens at the public meeting. Additionally, translation services may be offered upon request and availability. Persons requiring such accommodations/services should contact the City at least three working days in advance of the meeting.

REQUEST FOR PROPOSALS – The City of Harrisonburg is requesting proposals from non-profit organizations, for-profit businesses and organizations, and government agencies for the 2011-2012 CDBG Program. The City’s CDBG Program is funded by an annual entitlement from HUD. The entitlement amount for FY 11-12 has not yet been announced by HUD, but will likely be approximately \$583,140. Projects must meet all local and federal eligibility requirements, and eligible projects must meet one of HUD’s three national objectives: 1) Low and Moderate Income Benefit, 2) Elimination of Slum and Blight, or 3) Urgent Need. Furthermore, eligible projects must address at least one of the objectives identified in the City’s Consolidated Plan. City objectives include funding projects related to health care and dental services, housing, child care, transportation, sidewalks and pedestrian infrastructure, employment services and job creation/retention, homeless services, recreational services, services for the disabled, parks & playgrounds, and more! Specific objectives, eligibility requirements, and the Consolidated Plan (including a listing of projects funded in previous years) are available on the City website or in the City Manager’s Office.

All parties interested in applying for funding through this Program are *strongly* encouraged to attend the Public Hearing outlined above AND to contact Ande Banks prior to submitting an application, to ensure that the proposed project is eligible. The 2011-2012 CDBG Application package is available on the City website at www.harrisonburgva.gov. Applications are due no later than 5:00 pm on Thursday, February 10, 2011. Late applications will not be accepted.

Please contact Ande Banks at ande.banks@harrisonburgva.gov, or 540-432-8923 with questions. Written comments may also be mailed to Ande Banks, Director of Special Projects and Grants Management, 345 South Main Street, Harrisonburg, VA 22801.

Mayor Baugh called on anyone desiring to speak for or against the funding priorities for the CDBG Program.

Catherine Galvin, Valley Program for Aging Services (VPAS), stated that the VPAS receives funding from CDBG for Meals on Wheels. Ms. Galvin wanted to come and thank Council and staff for their support over the years, and she shared a card from one of the receiving parties for this program. Ms. Galvin stated that she wanted to present this card to Council and staff to let them know that their efforts are being appreciated.

Mayor Baugh declared the public hearing closed at 7:10 p.m., and the regular session reconvened.

Greg Campbell, Executive Director of Shenandoah Valley Regional Airport, presented to Council an annual update of the airport and spoke on the following topics: Overview of the Airport, General Aviation, Commercial Air Service, and Capital Improvement Program for previous and current years.

Police Chief Harper presented a request for a supplemental appropriation for the Police Department’s budget in the amount of \$480.56. Police Chief Harper stated that these funds were

received from Rockingham Memorial Hospital for overtime worked by officers through a reimbursement Alcohol/Drug Enforcement Grant.

\$480.56 chge. to: 1000-33563 Drug Free Community Grant

\$480.56 approp. to: 1000-310231-41020 Salaries/Wages Overtime

Police Chief Harper presented a request for a supplemental appropriation for the Police Department's budget in the amount of \$414.06. Police Chief Harper stated that these funds were received through the US Marshall's Services for an assistance grant for overtime worked by investigators to assist the Marshall's Services.

\$414.06 chge. to: 1000-33546 Justice Assistance Grant

\$414.06 approp. to: 1000-310531-41020 Salaries/Wages Overtime

Vice-Mayor Byrd offered a motion to approve both supplemental appropriations for the Police Department in the amount of \$480.56 and \$414.06. The motion was seconded by Council Member Chenault and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Wiens
Council Member Chenault
Vice-Mayor Byrd
Mayor Baugh

Absent – Council Member Degner

Vice-Mayor Byrd stated that he was approached by a citizen with a concern about the change in pickup schedule of yard waste. Public Works changed the pickup schedule from once a week to twice a month and he was wondering if they would increase the number of bins citizens would be able to put out. City Manager Hodgen stated that he would work with the Public Works Department to increase the number of bins to be set out for the yard waste pickup dates.

City Manager Hodgen presented Council with some updates concerning different departments in the City. City Manager Hodgen stated that on January 21, 2011 bids will be opened for One Court Square for the possible renovation for the School Board offices, and Council might have to take action to move the project forward at the January 25, 2011 meeting. He also brought to Council's attention that Ande Banks received news that the Tiger II Grant which we applied for was not funded. City Manager Hodgen stated on January 10, 2011, Public Works placed the traffic signal at Warsaw & Harrison (in front of the new parking deck at James Madison University) into flash mode to start a 30-day study. He also stated that the signal doesn't seem to be warranted, and at the end of the 30-day study Public Works might be looking at removal of the signal. City Manager Hodgen reminded Council that the Virginia Municipal League (VML) is holding its Legislative Day in Richmond on Thursday, February 3, 2011.

Council Member Wiens offered a motion that Joseph Riley, 221 Divot Drive, be appointed to a first term to the Parks and Recreation Commission to expire on December 31, 2014. The motion was approved with a unanimous voice vote.

Council Member Chenault offered a motion that Henry Way, 288 Franklin Street, be appointed to the Planning Commission to fill an unexpired term to expire on December 31, 2011. The motion was approved with a unanimous voice vote.

At 7:40 p.m., Council Member Byrd offered a motion that Council enter into a closed session for discussion and/or consider a prospective business and an existing business where no previous announcement has been made of the business' interest in expanding its facilities within the city, exempt from public meeting requirements pursuant to Section 2.2-3711(A)(5) of the Code of Virginia and for consultation with legal counsel requiring the provision of legal advice by such legal counsel, exempt from public meeting requirements pursuant to Section 2.2-3711(A)(7) of the Code of Virginia. The motion was seconded by Council Member Wiens and approved with a recorded roll call vote taken as follows:

Vote: Yes - Council Member Wiens
Council Member Chenault
Vice-Mayor Byrd
Mayor Baugh

Absent – Council Member Degner

At 8:25 p.m., the closed session ended and the regular session reconvened. City Attorney Thumma read the following statement, which 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 requirement 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.

Following brief discussion concerning economic activity in the Harrisonburg/Rockingham metropolitan area, the meeting was adjourned at 8:30 p.m., there being no further business and on motion adopted.

CITY CLERK

MAYOR