

Tuesday, July 23, 1974

At a regular meeting of Council held in the Council Chamber this evening at 7:30 PM there were present:- Mayor Roy H. Erickson, City Attorney Norvell A. Lapsley, Clerk N. Arlene Loker, Vice-Mayor E. Warren Denton, Jr., Councilmen Paul C. Cline, Raymond C. Dingleline, Jr., Walter F. Green, III; and Chief of Police Julius F. Ritchie. Absent: City Manager Marvin B. Milam and City Auditor R. William Shifflet. Mrs. Mary Sue Blosser, Secretary to City Manager, sitting in for City Manager, having been duly authorized under Sec. 49 of the City Charter, and Deputy Auditor Phil Peterman sitting in for the Auditor.

Minutes of the meeting held on July 9th were read, and approved as corrected.

A financial report for the month of June 1974 submitted by the City Auditor was received and ordered filed.

✓ Mrs. Blosser presented and read a letter dated 7/17/74 to the City Manager from Mr. W.D. Grow, Promotion Chairman of the Harrisonburg Retail Merchants Association, requesting permission for some of the merchant members to hold sidewalk sales during Casual Days Promotion, July 18-27. A letter had been sent in reply to the request, by Manager Milam, granting permission for the sales to be held July 18-23 (both dates inclusive) with remainder of request period (July 24-27) to be presented on July 23rd for Council's consideration. Following a brief discussion, Councilman Cline moved that permission be granted for the sidewalk sales for period July 24-27, which motion upon being seconded by Councilman Dingleline, was adopted by a unanimous vote of Council.

✓ A petition for Court Order from U.S. District Judge Ted Dalton for civil action (Clarence Cook vs City of Harrisonburg & Hubert B. Myers), was presented to Council for proper disposition. City Attorney Lapsley informed Council that he had been provided with a copy of the petition, and that necessary entries were being prepared. No further action necessary.

Mr. W. Raymond Showalter, Jr., Chairman of the Harrisonburg Parking Authority, informed Council that at the July meeting it was proposed and unanimously passed by the Authority that the following recommendations be made for decking of the Civic Center Parking Lot:- (1) change all meter rates to 10¢ per hour; (2) have all revenue from the meters turned over to the Authority by the City; (3) raise merchant's license by 5¢ per \$100. sales, applying only to those merchants in the core area of the district. This would be used to maintain parking lot; (4) some type of charge be proposed for the lot in rear of the Municipal Building (meter or monthly basis, or both). Mr. Showalter noted that the estimated cost of the project would be \$ 750,000. and that the total indebtedness would cost the Authority \$ 65,000. annually over a 20-year period. The aforesaid recommendations should, according to the Chairman, produce the necessary revenue for financing the project. He asked Council's cooperation in carrying out the proposed policy. Mayor Erickson offered an opinion that the matter should be referred to the Planning Commission. Vice-Mayor Denton, speaking on behalf of the Planning Commission, stated that as far back as 10-15 years, many plans have come in for the downtown area, including a suggested Mall. He offered an opinion that a project such as the parking lot decking would not bring all facets together and that Council should appoint a committee to report back. Mayor Erickson said this appears to be only a projected mental plan at this time. Mr. Showalter said that there were 100 signatures of merchants favoring the decking. The Vice-Mayor said he felt that adjustments would have to be made on the proposal, as presented, prior to taking any action. The Mayor noted that the project, if approved, would be handled by adopting an ordinance, but that at the present time, the Authority was looking for some direction, only. Upon being questioned concerning the core area, Mr. Showalter pointed out that the area had been determined in a survey by Wilbur Smith & Associates. City Attorney Lapsley said that this term "core area" has been of concern to him, in that he foresaw a problem in defining the term so that merchants would not challenge the boundary it might place their business in the area where they would be charged a higher license fee, than others. Vice-Mayor Denton suggested the possibility of a "park & shop" system rather than increasing license of merchants, and offered an opinion that the Downtown Development Committee should be heard on the matter. Mr. Charles Smith, Chairman of the Downtown Development Committee, stated that his committee was waiting for a plan from D.P. Davis, architect, and that endorsement could not be given the decking project at the present time. Councilman Green said he felt that Council should support the Parking Authority in its endeavor. Mr. Frank Harris, President of the Retail Merchants Association, stated that a petition had been passed around to 105 business men in the core area, with all favoring the decking, with the exception of a few. Financing was not taken into consideration in the petition. He informed Council that the Association was behind the project, in that the City was 300 parking spaces deficient in the downtown area as of this month, which does not include development anticipated in the next 4-5 years. The City could stand to lose business revenue, in that businesses could move out to the shopping centers because of the City not having available facilities. Mr. Zane Showker said that the Parking Authority has tremendous responsibility in that the downtown area has come alive and ample parking is needed desperately. He would like to see, as a citizen, the Council pay attention to these groups involved: Jaycees, Retail Merchants, and Parking Authority, and get involved immediately without appointment of a lot of committees. Mr. Showker, former member of the Parking Authority, noted that the Authority has spent a lot of money for this purpose, and said that he does not want the downtown to die. Mr. William Wilson said that over the past 8 years, very little capital of the Parking Authority has been accumulated, which is the primary purpose for being here tonight. He stated that without the Blessing of Council, there is no way the project can be financed. He asked that the Blessing be given by the Governing Body, by stating a need for the deck. The financing can be worked out when the cost is determined. Mr. Harvey Ashby, II, informed Council that, as a merchant, he had taken a petition around Court Square, primarily to office areas. The 100 names on the petition were not all retail merchants, but business men as well, who desperately need parking. Mayor Erickson said that Council needs to determine how it can offer support on a contingency basis, to be assured of it being a financial success, and asked Council's wishes. Following discussion, Councilman Dingedine moved that the Parking Authority proceed in securing specific plans for decking of the Municipal Lot; that those plans then be submitted to the Planning Commission for study and recommendation; and that the City Manager be instructed to study the matter of City support and financing, and report back, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council. Vice-Mayor Denton made an observation that the Downtown Development Committee should be made fully aware of the matter.

Mr. Charles Smith, Chairman of the Downtown Development Committee, informed Council that the Committee had met in a detailed, though informal meeting, at which time members learned to know each other. Time was spent in digging for facts and figures. He noted, however, that the Committee could not project as much as needed until the parking issue has been settled, since this is the key factor. The matter of malling the downtown area was discussed, as well as condemnation of properties to make room for more businesses. The Committee plans to meet with a group from Winchester & Charlottesville, to discuss the situation and prevent pitfalls they may have encountered in downtown development. Mr. Smith said that he hoped to have facts and figures by the next meeting, as to where parking should be, and what position the Downtown Development Committee would be taking. D.P. Davis, architect, is in the process of working out plans. Mayor Erickson said that Council would be looking forward to the report, and accomplishments of the Committee.

Mrs. Blosser read the following recommendation submitted by the Planning Commission from a meeting held on July 17, 1974:-

"...The Commissioners reviewed a map illustrating a re-subdivision of lots on the northwest corner of S. High St. and South Ave. owned by Mr. Bill V. Neff, Mr. Henry C. Clark, attorney for Mr. Neff, explained that several small lots at the intersection of S. High St. and South Ave. were to be consolidated in order to re-subdivide into two large lots.

Mr. Sullivan asked if any dedication is needed for widening of South High St. Mr. Neff replied that he doesn't think dedicating for S. High St. is a 'fair question.' Mr. Driver stated that no detailed plans are in existence for S. High St., therefore the City does not know how much land will be required for the widening, which will be done hopefully in the next 7 to 8 years. Under M-1 Industrial Zone, only a 20' building setback is required on S. High St.

Mr. Neff wants to sell the proposed lot facing South Ave. to a 'quick food' store. Mr. Driver questioned the sight distance on South Avenue.

Mr. Williams stated that the sight distance question should be settled when

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the owner applies for a building permit and not be based on the re-subdivision of the land. Mr. Driver stated that he felt sight distance should be settled before a person buys the land and then comes in for a building permit and is denied a permit due to sight distance.

Mr. John H. Byrd, Jr., Building and Zoning Official, stated that he will soon receive a 'site plan' from the fast food chain, which staff will review.

Mr. Williams made a motion that the re-subdivision requested by Mr. Bill V. Neff be approved subject to the City Engineer's approval of the sight distance coming from the proposed re-subdivided lot onto South Ave. Mr. McNiel seconded the motion and all members present voted in favor of the motion..."

City Engineer Devier informed Council that the sight distance was checked today and found to be sufficient in that from anywhere along the lot in question, one can see the intersection of S.High St., as well as 300' from the entrance, westward. The City retains a 60' right-of-way at the present time. Mr. John Byrd, Building Official, said that he had talked with the Developer today, and it is hoped that plans for this particular lot will be ready with a period of days. Councilman Dingleline expressed concern of business in relation to residences, as to beautification of the area. He then moved that the Planning Commission's recommendation be approved, to include a recommendation that the developer provide suitable beautification screen along west side of the lot, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

✓ A request was presented from the Director of Social Services for approval of a supplemental appropriation in the amount of \$ 210.00 in that the Court ordered ADC refunds for child support and reimbursement for ADC funds received. Following a brief discussion, Vice-Mayor Denton moved that the appropriation be approved, and that:-

- \$ 210.00 chgd.to: VPA Fund (Rev. a/c 1005-2) Recoveries & Rebates-
Unanticipated Revenue - ADC
- 210.00 approp.to: VPA Fund (8-8022-394-A) Bureau of Public Assistance-
Aid to Dependent Children

which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

✓ A request from the Director of Social Services was presented for approval of a supplemental appropriation in the amount of \$ 322.00 in that the Court ordered ADC refunds for child support and reimbursement for ADC funds received. Councilman Green moved that the appropriation be approved, and that:-

- \$ 322.00 chgd.to: VPA Fund (Rev. a/c 1005-2) Recoveries & Rebates-
Unanticipated Revenue - ADC
- 322.00 approp. to: VPA Fund (8-8022-394-A) Bureau of Public Assistance-
Aid to Dependent Children

which motion upon being seconded by Councilman Dingleline, was adopted by a unanimous vote of Council.

✓ A request was presented from the Director of Social Services for approval of a supplemental appropriation in the amount of \$ 348.80, representing reimbursement to foster care for expenditures for children in foster care received from Social Security and parents. Councilman Dingleline moved that the appropriation be approved, and that:-

- \$ 348.80 chgd.to: VPA Fund (Rev. a/c 1005-2) Recoveries & Rebates-
Unanticipated Revenue - ADC-FC
- 348.80 approp.to: VPA Fund (8-8022-394-B) Bureau of Public Assistance-
Aid to Dependent Children - Foster Care

which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

✓ A request from the Director of Social Services was presented for approval of a supplemental appropriation in the amount of \$ 900. representing reimbursement to foster care for expenditures for children in foster care received from Social Security and parents. Vice-Mayor Denton moved that the appropriation be approved, and that:-

- \$ 900.00 chgd.to: VPA Fund (Rev. a/c 1005-2) Recoveries & Rebates-
Unanticipated Revenue - FC
- 900.00 approp.to: VPA Fund (8-8022-395) Bureau of Public Assistance- Foster Care

which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

✓ A letter dated 7/11/74 from City Treasurer M.A.Firebaugh was read, requesting authority to charge off the following delinquent taxes (balances including penalties), three years old, and in his opinion, uncollectable: 1968, \$ 470.96; 1969, \$ 526.36; 1970, \$ 517.46. Following a brief discussion, Councilman Dingleline moved that the City Treasurer be so authorized and directed, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

There being no further business and on motion duly adopted, the meeting adjourned at 8:40 P.M.

N. Arlene Lopez
CLERK

Ray Eubank
MAYOR

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