

Tuesday, August 13, 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 Manager Marvin B. Milam, City Attorney Norvell A. Lapsley, Clerk N. Arlene Loker, Vice-Mayor E. Warren Denton, Jr., Councilmen Paul C. Cline, Walter F. Green, III, City Auditor R. William Shifflet and Chief of Police Julius F. Ritchie. Absent:- Councilman Raymond C. Dingle-dine, Jr.

Minutes of the regular meeting held on July 23rd were read, and approved by members present.

The following regular monthly reports were presented and ordered filed:

From the City Manager:-

A report of activities in the various departments and said office for the month of July, 1974.

From the City Treasurer:

A Trial Balance report as of close of business on July 31, 1974.

From the Police Department:

A report of total number of arrests; parking meter fines collected; cash collected from parking meters; and total cash collected, all sources.

From the City Auditor:

A financial report of the City of Harrisonburg for month of July, 1974.

A report of cash discounts saved during month of July, 1974 totaling \$ 334.09.

From the Data Processing Manager:

A report of water and sewer and refuse accounts, meters read, installations, cut delinquents, complaints, etc. for month of July, 1974.

Council was informed by the City Manager that a public hearing was scheduled by the Virginia State Crime Commission for Thursday, August 22nd, 10 AM in the Harrisonburg Council Chamber, concerning Local Jails. He noted that draft copies of all concerns of cities and towns which will be considered by the Virginia Municipal League were available in his office, if desired for review.

A Notice from the Virginia Municipal League was presented, giving dates of meetings scheduled by The Revenue Resources and Economic Study Commission (Bendheim Commission), on property tax reform, in the cities of Roanoke, Norfolk and Alexandria. He asked members to notify him if interested in attending on any of the dates scheduled in those cities.

✓ A Notice from the Department of Highways was presented, informing of a public hearing which will be held on September 18, 1974, at 7 PM in the Harrisonburg High School Auditorium, concerning location and design of Cantrell Ave. (Mason to Paul Sts.), with a pre-hearing on September 17th at the same location. Manager Milam noted that he had received one set of plans for study, prior to the Hearing, and that the Highway Departments requests the presence of one Harrisonburg elected official, or representative, to speak re the project, in that the City had requested same. Assistant City Manager Driver pointed out the importance of the City having good representation at the Hearing, in that the information goes back to the Highway Department, and a lot of support is needed.

✓ A letter dated 7/31/74 from Charles L. Shank was presented and read by the City Manager, with a request to purchase a City owned lot on the southwest corner of S. Mason St.- Cantrell Ave. intersection, in order to update the Shank apartments on both the west and south sides of this lot remnant, and to provide parking for tenants. Manager Milam pointed out the fact that purchase of the lot in question came up several years ago, and at that time it was decided by Council that the best interest of the City was to maintain the lot until plans for the hospital were finalized. The lot is currently providing temporary parking. Assistant City Manager Driver stated that the deed to the lot has not been cleared, nor the lot conveyed to the City, as yet. Following discussion, it was unanimously agreed by Councilmen present, that the matter be tabled for the present time to allow further investigation and study.

✓ A petition signed by seven property owners, was presented, whose residences are adjacent to and parallel with the City-owned alley which is 10' wide and runs from north to south approximately 225' off Gratlan St. and between and parallel to Mason & Ott Sts. The petition was for the alley to be re-opened and paved as a means of alleviating the parking problem on S.Mason St. by providing access to off-street parking for residences. Assistant City Manager Driver quoted a \$ 3,000. maximum estimated cost if re-opened, for which the City and property owners would equally share, or approximately \$ 1,500. each. He said that the owners had been asked to move some shrubbery from the area for the projected grading and stoning of an 8' driveway, if approved by the Governing Body, which footage should be ample. The area would be used exclusively by property owners, in that through traffic would be impossible. Following discussion, Vice-Mayor Denton moved that the City Manager be authorized and directed to proceed with the project, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Councilmen present.

The City Manager informed members that reservation forms for the Local Government Officials Conference to be held at the University of Va., August 26-28, were available, and that he would be glad to submit same for anyone desiring to attend, upon request.

Manager Milam asked that a time be set aside for the School Board's 5-year Capitol Improvement Program to be presented to Council. It was agreed that the matter be placed on Council's agenda for the next regular meeting on August 27th.

✓ Mayor Erickson, a representative of the City of Harrisonburg on the Joint Shenandoah Valley Airport Commission, reported that the annual audit report as of 6/30/74, prepared by the firm of Keeler & Phibbs, had been completed and that same reflects a good year. Funds from the political subdivisions of \$ 25,000. annually, are used only for Capitol Improvements to the airfield. The report will be on file in the office of City Manager for review.

✓ Dr. Malcolm Tenney, Jr., District Health Director, was present in the meeting to present a report concerning Medicaid Program for fiscal year 7/1/73 - 6/30/74. He noted that 383 Harrisonburg residents qualified for, and used the service as of 7/1/73, and 402 as of 7/1/74. A cost of \$ 16.91 per capita based on 15,000 residents, was paid on each average enrollment, or a total of \$ 253,643. for the fiscal year, an increase of \$ 55,205. above the prior year. Dr. Tenney also pointed out the danger of botulism resulting from home canning, and cautioned that pressure canners should be used, with cook book instructions followed closely in order that the product would be heated to the proper temperature. Another area touched upon by Dr. Tenney was rabies and the fact that there were 3,000 cases in the United States last year, primarily in skunks, although in other animals as well, and one case in a human resulting from a bat bite.

Council deferred action on an appointment to the Redevelopment & Housing Authority for the unexpired term of Mr. Alfred Howard (Nov. 29, 1976.)

✓ City Manager Milam presented his monthly progress report for July 1974, and reported on a few projects which are underway. With regard to the Skidmore Dam, he mentioned that the contracts are still underway between the Soil Conservation Service, City of Harrisonburg, and English Construction Co., but

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that the SCS will not terminate theirs, in that the land rights had not been secured. Two appraisals on the Liskey property are in the hands of the City Attorney, with very little difference on total amount of money. Application has been made to the Forestry Service for a special use permit for land on the south slope of the mountain. A meeting is scheduled for all concerned, on next Tuesday, August 20. He called attention to the report of progress on the new No. 4 Fire Station.

✓ Council was informed by the City Manager that the contract and financial report of the SPCA had been received, showing that the amount of \$ 1,400. had been paid out to date. The report listed names of contractors on various segments of the project, animal shelter. The report was for Council's information.

✓ A letter was read from Police Chief Julius Ritchie, tendering his resignation as of December 31, 1974. It was reported by Manager Milam that the Chief started work with the City Police Department on July 1, 1937 and had served in the capacity of Chief since 1947. Manager Milam said that he would advertise the vacancy in the Virginia Municipal League publication in September and October of this year, with a hope that replacement would be made in early December. Mayor Erickson said that the City of Harrisonburg has been grateful for his long term of service, both as police officer and Police Chief, and wished for him a happy retirement.

For Council information, Assistant City Manager Driver reported that the final field inspection had been held today, and that the segment of Cantrell Ave. from Paul to Reservoir Sts. will be open to the public, next Monday.

✓ City Manager Milam presented a proposed resolution for Council's consideration, whereby he would be authorized, on behalf of the City, to execute all Deferred Compensation Employment agreements with certain administrative, professional, and technical personnel in the City's employ, desiring to participate in the Deferred Compensation Plan made available by the International City Management Association Retirement Corp., in cooperation with a number of other National organizations. The City Manager pointed out that under this Plan, only a couple in the City's employment could qualify, and no portion paid into the Plan could be withdrawn until age 60. He called on Mr. William Bedall to explain a Plan offered by Investors Diversified Services, in order that a comparison may be made. Mr. Bedall said that a minimum of five participating employees was necessary in order to form a group; that each employee could determine the amount to be paid out of his annual salary into the Plan; that this amount would be exempt from both Federal & State taxation until the year in which money was received back by the employee; and that the amount paid into the Plan could be withdrawn after a period of years upon request, and further that the amount deducted from a salary could be increased, decreased, or terminated at any time, by request of the employee. Manager Milam said that his primary reason for having Mr. Bedall present this evening was to enable a comparison to be made between the Plan offered by a non-profit organization, namely The International City Management Assoc. Retirement Corp. and a profit making organization, namely: Investor's Diversified Services. Following a question and answer session, Councilman Cline suggested that the City Manager and City Auditor look into the matter further and make a recommendation to Council, which suggestion met with approval of members present.

✓ For Council's consideration, the City Manager presented a proposed application for the National Flood Insurance Program, as well as a map of the City of Harrisonburg designating problem drainage areas, primarily along Blacks Run. In answer to a question, the City Manager explained that should the application be submitted and approved for coverage, anyone electing to build in the flood area would not be eligible for any type of funding or relief, unless covered by flood insurance. Council was reminded that the Shomo & Lineweaver Insurance Agency is presently handling most of the City's insurance. Manager Milam expressed a desire for Council to submit the application and noted that all necessary documents to accompany same, are in readiness. Following discussion, it was agreed that the City Manager finalize the application by the next regular meeting of Council, for proper action.

✓ Manager Milam reminded Council that during past months, several complaints had been registered re student (and other) parking in front of residences, and that some months ago a 2-hour restriction had been placed on vehicles in the R-1 Zoning District, with a proviso that calls must be made to the police station, reporting violations. He recommended that Sec. 17-42.1 under Motor Vehicle Section of the City Code be amended to include also R-2 and R-3 Districts in the City, and that certain problem streets be named in the ordinance. He pointed out the importance of such action prior to school openings next month. Vice-Mayor Denton said he was in sympathy with the problem, but expressed concern over the large number of workers in the City who reside outside the City, in that this may necessitate great walking distance to their jobs. Members present agreed generally, that the listing or designating of certain streets would set a precedent for many others to be requested for restricted parking. Following discussion, Mayor Erickson suggested that a list of streets representing those to be designated, be compiled, and brought in for further study, before any action is taken re an amendment to the ordinance. The City Manager was so instructed.

✓ The City Manager read the following portion of Sec. 31-83 of the City Code "Powers of Council generally; schedule of public hearings."

"The schedule for public hearings to consider amendments or rezoning applications shall be limited to four times per year as follows:

The Planning Commission will have its public hearings during its regular monthly meetings, in the months of March, June, September and December, if applications are pending. The City Council will have its public hearings during its first regular meetings in the months of January, April, July and October, if applications are pending."

Manager Milam noted that in view of a recent ruling by the Attorney General for a 19 day period between the first advertisement of a public hearing by Council, and the holding of same, Council may be in violation of the present ordinance. He then recommended that the section be amended by omitting the entire paragraph concerning meeting months, as read. Councilman Cline suggested that only the sentence pertaining to months for the Council hearings be omitted, in order to leave the control in that particular section. He moved that the ordinance amending Sec. 31-83, deleting the last sentence, only, be approved for a first reading and referred to the City Attorney to be drawn in proper ordinance form, which motion upon being seconded by Councilman Green, was adopted by a unanimous recorded vote of Councilmen present.

The City Manager informed Council that Mr. Bill Neff is owner of the Miller property situated on S. Main Street, wouth of Blacks Run, which is a short cul-de-sac off Main St., presently two pieces of land, and that a permit has been issued on one tract in rear for construction of a skating ring. Under the City ordinance, the City runs water & sewer lines to subdivisions inside the City. Mains are located on the west side of Main St., from the area in question. He explained that a small portion of the land, thought to be owned by the Recreation Department, is actually owned by Mr. Neff, who had agreed to deed same over to the City in exchange for certain work, namely:- sewer, water and curbing. He said he felt that should this be done, the City Sewer & Water Departments would be buying Recreation land, and furthermore the approximate cost of \$ 20,000. for the work would make the small portion of land too expensive. He asked Council's wishes or the direction in which he should proceed. Council discussed the matter and agreed that the City doing work in exchange for the land would draw the City into bargaining with other developers, and further that if needed as an addition to Purcell Park, the purchase of the small portion should be purchased outright, with the City then doing the required improvements into the subdivision, as set forth in the City Code.

There being no further business and on motion duly adopted, the meeting adjourned at 10:15 P.M.

  
CLERK OF COUNCIL

  
MAYOR