

Tuesday, January 14, 1975

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, Raymond C. Dingledine, City Auditor R. William Shifflet, and Chief of Police Richard W. Presgrave. Absent:- Councilman Walter F. Green, III.

The evening's Invocation was led by Rev. Hendershot, pastor of First Assembly of God.

Minutes of the combined public ~~and~~ hearing and regular meeting held on December 10th were read, and approved as corrected.

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 December, 1974.

From the City Treasurer:-

A Trial Balance Report as of close of business on December 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 for the City of Harrisonburg for month of December 1974.

A report of cash discounts saved during month of December 1974 totaling \$ 148.65.

From the Data Processing Manager:-

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

Mayor Erickson recognized Chief of Police Presgrave at this first time in the official capacity of Chief, and stated that he looked forward to his serving the community in the future.

✓ Council was informed by City Manager Milam that the City had received a permit from the U.S. Environmental Protection Agency, to operate the sewer treatment plant, effective January 1, 1975, and expiring June 30, 1976. The permit represents a revision of last year's permit for the same period of time, drawn in same form. Following a report of statistics concerning maximum flow allowance, gallonage, etc. Vice-Mayor Denton moved to accept receipt of the permit, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Councilmen present.

✓ For information, Manager Milam informed Council that the Circuit Court ~~Order~~ had been received, whereby an extension of 90 days had been allowed, as requested, for completion of the 1974 Reassessment of properties in Harrisonburg, originally scheduled for December 31st, and further, that the terms of John H. Byrd, Sr., T. Harry Lowery and Richard L. Suter, were extended accordingly.

✓ Council received the final plat for Section 8 of the Holiday Hills Subdivision, submitted by James C.

Wilkins & Associates. On motion of Councilman Dingledine, seconded by Councilman Cline, and a unanimous vote of Councilmen present, the plat was referred to the City Planning Commission for study and recommendation.

✓ For information, the City Manager read a communication from Mr. J. G. Ripley of the Department of Highways and Transportation, informing that the S. High Street project, requested by the City, would not be programmed at this time due to lack of state funds for same, because of two present commitments, namely:- Cantrell Avenue and South Main Street. Consideration will be given to programming the project at a later date. Council unanimously agreed that the project would be given consideration in the future when the situation of state funds, etc. looks better.

✓ Manager Milam informed Council that an agreement had been received in his office last Friday afternoon from the Virginia Employment Commission, for a grant to the City of Harrisonburg in the amount of \$ 9,268.00, covering the period from January 10, 1975 to January 9, 1976, for temporary employment of persons who have been displaced from some of the manufacturing plants in the area, and who are drawing unemployment. He noted that he would like to use those who may qualify, in the public works division. The contract was signed this morning, and placed in the mail accepting the grant, due to the fact that it had to be executed and returned to Richmond by January 15 (tomorrow). Assistant City Manager Driver reported that an Ad would be run in the local newspaper, and that applicants must have been employed for a period of at least 30 days. Salary would be based on prevailing wage in our area. Following a brief discussion, Vice-Mayor Denton moved to accept the action taken with regard to the Grant, under the Comprehensive Employment & Training Act of 1973, Title VI, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Councilmen present.

✓ Correspondence from Mr. Victor J. Smith, Commissioner of Revenue, was presented and read by the City Manager, with regard to an amendment which is being offered to the General Assembly, and listed as House Bill 1161, to Sec. 58-46, Code of Virginia, pertaining to Secrecy of Information. According to Mr. Smith, the Commissioners of Revenue can live with, and perform under the present provisions of the Section, but that demands have been made throughout the state to get privileged information from local returns by Auditors and others, seeking data for various surveys. It was noted that the position taken by City Council should be communicated to our delegation to the General Assembly, to guide them in their consideration in this proposal. Following a brief discussion, it was agreed that the matter be deferred pending further information.

Dr. Malcolm Tenney, Jr., District Health Director, presented a report of nursing services during the year 1974, with the following statistics re time spent in various areas of work: school time - 27%; clinic time - 29%; field time - 27%; administrative & Training activities - 13%; with 3 nurses working in Harrisonburg. He presented also a summary of children served with all expenditures in the Crippled Children's Program, July 1973 - June 1974, showing 61 children at a total cost of \$ 1,964; hospitalization, \$ 933.00; and amount for other costs, drugs, appliances, etc., \$ 1,031. Mayor Erickson thanked Dr. Tenney for his report.

✓ Manager Milam presented for recordation in city minutes of this meeting, an Executive Order concerning his appointment, by authority granted under Sec. 47 of the City Charter and Sec. 21-11 of the City Code, of Capt. Richard W. Presgrave of the Harrisonburg Police Department, to be Chief of Police for the City of Harrisonburg, effective January 1, 1975, with term of office to be served at the pleasure of the City Manager. The Order set forth various duties, with others which may be requested by proper authority and/or as provided by Chapter 21 of the City Code. Included with the Order, was a resume of Capt. Presgrave's achievements, etc. A reply from Capt. Presgrave was read, expressing appreciation for the opportunity to serve the people of Harrisonburg in this position, and the confidence shown him in the appointment.

A second Executive Order was presented by the City Manager for recordation in City minutes, of his appointment and promotion to Lieutenant, of the following members of the Harrisonburg Police Force, pursuant to Sec. 21-2 of the City Code, and in accordance with request made by Chief Julius F. Ritchie on December 23, 1974:-

- Sgt. John E. Smith - 25 years of service.
- Sgt. Martin L. Stroble - 17 years of service.
- Sgt. Martin D. Lutz - 13 years of service.
- Sgt. Donnie D. Turner - 11 years of service.

Each of the foregoing to act as Chief of Police, on his particular shift, during absence of the Chief (Sec. 21-19 City Code), this rule to apply until further notice by the Chief of Police and City Manager.

✓ Applications were presented from the local taxicab companies operating in the City of Harrisonburg, for certificates of public convenience & necessity for the calendar year 1975, as follows:- City Cab of Harrisonburg, Inc. for 14 vehicles; Yellow Cab of Harrisonburg, Inc. for 6 vehicles and Robinson's Taxi for 1 vehicle. Correspondence was read from Chief Julius Ritchie, noting that the cabs were clean, in good running order, and that services were rendered by friendly qualified drivers. He recommended approval of the applications. Following a brief discussion, the following action was taken:- On motion of Councilman Cline, seconded by Vice-Mayor Denton, and a unanimous vote of Councilmen present, the application of City Cab of Harrisonburg, Inc. for 14 vehicles, was approved. On motion of Councilman Cline, seconded by Councilman Dingledine, and a unanimous vote of Councilmen present, the application of Yellow Cab of Harrisonburg, Inc., for 6 vehicles, was approved. On motion of Vice-Mayor Denton, seconded by Councilman Cline, and a unanimous vote of Councilmen present, the application of Robinson's Taxi for 1 vehicle, was approved. The Clerk was authorized and directed to send each applicant a Certificate of Public Convenience & Necessity for year 1975, with copies of same forwarded to the Commissioner of Revenue and Chief of Police.

✓ Mr. Buddy Showalter, Chairman of the Harrisonburg Parking Authority, appeared before Council to present preliminary plans for the proposed parking deck on the Municipal Parking Lot. Mr. Showalter noted that an additional 242 spaces would be made available by the use of straight parking; or 188 additional spaces by angle parking. He noted that the Authority was awaiting further details of the final plan, prior to any announcement concerning financing of the project. Following a brief discussion,

Vice-Mayor Denton moved to refer the preliminary plan to the Planning Commission and City Staff for study and review, with regard to engineering, etc., and a report back to Council, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Councilmen present.

✓ The City Manager read the following recommendation submitted by the City Planning Commission from a meeting held on December 18, 1974:-

"...Mr. John Zirkle, Chairman of the Rockingham Historical Society's Morrison House Committee, presented a plat illustrating a suggested location in Westover Park for locating the Morrison House. The house, owned by Wetsel Seed Company and situated on the northwest corner of N. Liberty and W. Market Sts. in downtown Harrisonburg, has been offered to the Historical Society if they can relocate it. Mr. Zirkle explained that the Parks & Recreation Commission has no objection to his proposal, subject to: (a) Title for the land will remain with the City; (b) Placement of the house will be approved by Cecil F. Gilkerson; (c) Satisfactory agreement as to use, maintenance and architectural design is concurred in between the City and the Historical Society; (e) Landscaping around the house will blend with the park surroundings. Mr. Zirkle reported that the Society will conduct a drive for funds to pay for the move and renovation. If accomplished, the house will become a museum of local historic interest.

Mr. Williams stated that the Westover Site appears to be satisfactory and compatible with recreational activity. He offered a notion that the Morrison House be allowed to relocate in Westover Park on approximately 1/2 acre facing S. Dogwood Drive, immediately south of Seventh-Day-Adventist Church, assuming the Historical Society's fund drive is successful. Mr. McNiel seconded the motion, and all members voted aye..."

Councilman Dingleline moved that the recommendation of the Planning Commission be accepted and that the City allow the Morrison House to be relocated on approximately 1/2 acre of City owned land in Westover Park, facing S. Dogwood Drive. Mayor Erickson questioned the word "assuming", with regard to success of the Society's fund drive. Councilman Dingleline replied that he felt the relocation at the requested site should be approved at this time, with the Society then initiating its drive. Following discussion, Councilman Dingleline re-worded his motion as follows: "To authorize the relocation of the Morrison House in keeping with the Planning Commission's recommendation." The motion was seconded by Vice-Mayor Denton, and adopted by a unanimous vote of Councilmen present.

✓ The City Manager read the following recommendation submitted by the Planning Commission from a meeting held on December 18, 1974:-

"...The Director reported that City Council prefers the ten acres M-1 Industrial rezoning request made by Northfield Estates and James F. Sheehan and Others, be 'down-zoned' to B-2 General Business. The Director added that Mr. Sheehan has concurred verbally, and has promised to send a letter documenting this concurrence, plus changing the 9.6 acres fronting N. Main St. from M-1 to B-2. Dr. Shank concluded a discussion with a motion for the Planning Commission to recommend that the City Council down-zone the 10 acre section of land to B-2 General Business, which had been advertised and hearings were held for changing the M-1 Industrial. Mr. Kuykendall seconded the motion and all members voted aye..."

Manager Milam informed Council that he was in receipt of a letter from the developer advising that industrial development on the 10 acre area had never been considered, and stating no objection to the B-2 General Business Zoning. Planning Director Sullivan noted that if approved by Council, the Commission would advertise the front portion to be rezoned B-2, also. Following discussion, Vice-Mayor Denton moved to approve the Planning Commission's recommendation for down-zoning of the 10 acres from M-1 Industrial to B-2 General Business, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Councilmen present.

✓ City Manager Milam read the following recommendation submitted by the Planning Director from a meeting of the Commission held on December 18, 1974:-

"...The Director described the Zoning Map in relation to this request which involves squaring off the west corner of Rockingham Mutual Insurance Company's new office site in the 600 Block of E. Market St. Rockingham Mutual representative Robert Heath presented his company's site plan and stated this rezoning will allow 120' of additional street frontage and a better parking and landscaped arrangement for their proposed building. Mr. Morris J. Cooper, owner of the two lots and house, stated he desires to sell his property to Rockingham Mutual, and therefore favors the rezoning. No one was present to speak in opposition to the request. The Director stated that if rezoned, the existing row of trees along the west boundary of lot 10 should not be disturbed, thus a natural buffer strip will separate the commercial use from residences west of the site. Mr. Heath concurred with this stipulation.

Mr. McNiel moved that the Planning Commission recommend to City Council that lots 9 & 10 be rezoned from R-2 Residential to B-2 General Business.

Mr. Williams seconded the motion and all members voted aye..."

Following a brief discussion, Councilman Cline moved to accept the Planning Commission's recommendation and to schedule a public hearing for Tuesday, February 11, 1975, 7:30 P.M. in the Council Chamber, which motion upon being seconded by Councilman Dingleline, was adopted by a unanimous vote of Councilmen present. The City Manager was instructed to properly advertise the hearing in the Daily News Record newspaper.

A letter from the State Board of Education was read, in which the question was raised as to whether Council desires to establish a Central Absentee Voter Election District, which is felt to be necessary, based on some comments received indirectly. Following a brief discussion, the matter was held for further study.

City Manager Milam presented and read a Memo from the Virginia Municipal League to Key Officials of all Member Localities, advising that the Revenue Sharing Act appears to be in jeopardy in that it was discussed at a December 13th meeting of the League's Legislative Committee. According to the Memo, many Congressmen have received information which points to questionable uses of funds. Each Locality was urged to send a resolution to their Congressman, indicating support for continuation of the Act, as well as a list of programs which would suffer if Revenue Sharing is not continued. Manager Milam suggested that a motion be made to support the Act, and noted that he would send along a report of the latest audit, showing allocations of funds received by the City of Harrisonburg. Following discussion, Vice-Mayor Denton moved that the City request continuation of the Revenue Sharing Act, and that copies of this action be sent to Delegate Clinton Miller, Delegate Nathan Miller, Senator George S. Aldhizer, II, and Congressman Kenneth Robinson, accompanied by a listing of the City's allocations, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Councilmen present.

Rev. John Sayre, Chairman of The Mental Health & Mental Retardation Services Board, appeared before Council with a request for an appropriation of \$ 7,500. from the City of Harrisonburg in support of Huckleberry House located in Timberville. He noted that the Board had reviewed the proposed budget for 1975, and that although suitable quarters have been acquired under a longtime lease, which property could be converted to meet state standards for a Child Care facility, renovations will be impossible and the facility will become inoperative, without assistance from the Governing Bodies. The house is located in Timberville next to the Brethren Church, and is rented from the Church. The Chapter 10 Board supports the project, although not financially. Mr. Carroll Ray, President of the Board of Huckleberry House, Inc., comprised of 15 members, presented each member of Council with an information profile, and pointed out the fact that the project will be delayed, without funds. The alternate budget of \$ 27,117.42 would be supported by \$ 7,500. from each of the two governing bodies (City and County); approximately \$ 7,000. from Foster Care fees; and \$ 5,000. from other local sources. The Governing Bodies would be asked to support the facility annually. Mr. Carroll noted that the organization would probably not seek funds through the United Fund, in order to not damage others they support. According to the Board President, to date, the amount of \$ 7,500. has been committed by the County Board of Supervisors, and \$ 6,000. from other sources. The Home can, at present, accommodate 8 displaced children from broken and unstable homes, with future accommodations for 12, for a maximum period of 90 days, with few exceptions. Miss Brenda Spencer, Administrative Supervisor of the 26th District Juvenile & Domestic Relations Court, pointed out three alternatives for abused, neglected, and rejected children: (1) jail; (2) detention home; (3) foster care. Huckleberry House would be emergency sheltered care for children and would permit several children removed from one family, to remain together for a period of time, until something could be worked out for them. Mrs. Marie Arrington, Director of Harrisonburg's Social Services Department, reported that teenagers create the greater problem in the City, rather than the small child. A number of available foster homes have been established to care for small children. She estimated from 6-10 cases per year which may use the Huckleberry House facilities, but pointed out that her budget would have to be increased if the Department were required to pay the \$ 15.00 per diem cost for use of the Home, should the City not participate in same. Mr. Ray gave assurance that the Home would be operated on a need basis. Manager Milam pointed out that the Grant, if approved, would require two readings, and that on an annual basis, a financial statement would have to be submitted, along with a written request for funds, prior to January 13th each year, for consideration along with other budget requests for the ensuing fiscal year. Mayor Erickson asked members to review the materials provided, and instructed the City Manager to place the matter on Council's agenda for the next regular meeting.

Councilman Cline moved that an appropriation in the amount of \$ 16,609. requested by the School Board in order to purchase equipment for the foreign language classrooms at the Harrisonburg High School, be approved for second and final reading, a first reading having been approved on December 10, 1974, and that:-

\$ 8,305.00 chgd.to: School Fund - Unappropriated Surplus Account.

8,304.00 chgd.to: School Fund (R-24) Anticipated Receipts- Receipts from Federal Funds - National Defense Ed. Act.

16,609.00 approp.to: School Fund (19-403) Capital Outlay- Furniture & Fixtures.

which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous recorded vote of Councilmen present.

A request was presented from the Director of Parks & Recreation for approval of a supplemental appropriation in the amount of \$ 2,298.47, in order to transfer monies for participants' wages incurred during month of November, 1974, as per agreement with the Va. Employment Commission (PEP Program).

Vice-Mayor Denton moved that the appropriation be approved for first reading, and that:-

\$ 2,298.47 chgd.to: General Fund (1005) Non-Revenue Receipts- Recoveries & Rebates.

888.72 approp.to: General Fund (1-11020-11) Parks & Playgrounds- Emergency Employment Act.

1,409.75 approp.to: General Fund (1-11020-12) Wages

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

Manager Milam presented a request from the Parks & Recreation Director for approval of a supplemental appropriation in the amount of \$ 2,747.36 in order to transfer monies for participants' wages incurred during month of October 1974 as per agreement with the Va. Employment Commission (PEP Program).

Vice-Mayor Denton moved that the appropriation be approved for first reading, and that:-

\$ 2,747.36 chgd.to: General Fund (1005) Non-Revenue Receipts- Recoveries & Rebates.

973.36 approp.to: General Fund (1-11020-11-6) Parks & Playgrounds- Emergency Employment Act.

1,774.00 approp.to: General Fund (1-11020-12) Wages

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

A request was presented from the Chief of Police for approval of a supplemental appropriation in the amount of \$ 600. in order to reimburse account of Patrolmen for funds used to pay overtime for games at Harrisonburg High School. Councilman Cline moved that the appropriation be approved, and that:-

\$ 600. chgd.to: General Fund (1005) Recoveries & Rebates.

600. approp.to: General Fund (9010-11-5) Patrolmen

which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Councilmen present.

✓ A request was presented from the Director of Social Services for approval of a supplemental appropriation in the amount of \$ 152.80 representing reimbursement to foster care for expenditures for children in foster care received from Social Security and parents. Following a brief discussion, Councilman Dingleline moved that the appropriation be approved, and that:-

\$ 152.80 chgd.to: VPA Fund (Rev. a/c 1005-2) Recoveries & Rebates- Unanticipated Revenue - Aid to Dependent Children- Foster Care.

152.80 approp.to: VPA Fund (8-8022-304-B) Bureau of Public Assistance- Aid to Dependent Children - Foster Care.

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

✓ A request was presented from Mrs. Marie Arrington, Director of Social Services, for approval of a supplemental appropriation in the amount of \$ 830.00, in that the Court ordered ADC refunds for child support and reimbursement for ADC funds received. Councilman Dingleline moved that the appropriation be approved, and that:-

\$ 830.00 chgd.to: VPA Fund (Rev. a/c 1005-2) Recoveries & Rebates- Unanticipated Revenue - Aid to Dependent Children.

830.00 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 Councilmen present.

✓ The City Manager presented a request from the Director of Social Services for approval of a supplemental appropriation in the amount of \$ 900.00 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:-

\$ 900.00 chgd.to: VPA Fund (Rev. a/c 1005-2) Recoveries & Rebates- Unanticipated Revenue - Foster Care.

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 Councilmen present.

✓ A letter was presented from the Department of Highway's Engineer re cost estimate and horizontal alignment shift at the intersection of Cantrell Ave. and Ott St. Manager Milam said he preferred that this be discussed in an executive session, in that it involves real estate, costs, etc. Councilman Dingleline moved for an executive session following this meeting, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Councilmen present.

Council was reminded that Dr. C. Robert Showalter had been appointed earlier to fill the unexpired term of Dr. John Eagle on the Chapter 10 (Mental Health & Mental Retardation), and that this term had expired on January 1st of this year. Councilman Dingleline moved that Dr. Showalter be reappointed to the Board for a three year term to expire on January 1, 1978, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Councilmen present. Manager Milam reported for information that according to Council minutes, the term of Phil Stone on the Chapter 10 Board would not expire until January 1976, although notification had been received from the Board that expiration date was January, 1975. The Board was so notified.

✓ Council was informed by the City Manager that Harrisonburg is eligible for a second member on the Central Shenandoah Planning District Commission, in that the City's population now exceeds 15,000. Mayor Erickson suggested that the City Manager be appointed to serve, and the Vice-Mayor concurred in same. Councilman Dingleline moved that Mr. Marvin B. Milam, City Manager, be appointed to serve on The Central Shenandoah Planning District Commission for an unspecified term, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Councilmen present.

✓ Council was reminded by the City Manager that Mr. John E. Driver's term on the Upper Valley Regional Park Authority would expire as of January 24th this year. Mayor Erickson asked member's wishes. Vice-Mayor Denton moved that Mr. John E. Driver be reappointed to the Upper Valley Regional Park Authority for a term of four years to expire on January 24, 1979, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Councilmen present.

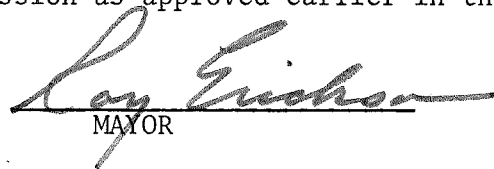
✓ Council was reminded by City Manager Milam that Mr. James R. Sipe's term on the Parks & Recreation Commission had expired on December 31, 1974. Mayor Erickson asked member's wishes concerning an appointment. Councilman Dingleline moved that Mr. Sipe be reappointed to the Commission for a four year term to expire on December 31, 1978, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Councilmen present.

✓ The City Manager reminded Council that an ordinance had been adopted in 1972 representing a Guarantee behind the Harrisonburg-Rockingham Sewer Revenue Bond Issue anticipated to be \$3 million, of which the City of Harrisonburg was responsible for 80% of same, with the towns of Dayton, Mt. Crawford and Bridgewater sharing the remaining 20%. At that time, the purpose behind the guarantee was to assure that the Sewer Authority could sell bonds at the most attractive rates. He noted that a lot of development had taken place along that method, with contracts let and funds borrowed from local banks up to \$3 million. Since the original ordinance, the Sewer Authority has entered a \$12 million enterprise for the regional sewer plant and three major interceptors. They are now at the point to \$8 million for the remaining parts: a line from Dayton along Route 42 to the corporate limits of Harrisonburg; the Belle Meade Interceptor; the line from the City (Purcell Park) under Interstate 81 to Ashby Heights. Phase II of the project \$2.8 million is for paving, preparation of ground, measuring device to measure flow above discharge, landscaping, walkways, maintenance building, etc. Additional funding is needed at this time for the remaining sewer lines and on the treatment plant, bringing the project to about \$5 million, increasing Harrisonburg's guarantee from \$2.4 million to \$4. Manager Milam said he expects the contract to be signed by all participants on January 28th, with Harrisonburg sharing in same at 61.5% and daily allocation of 4,920,000 gallons; Rockingham County at 17.75% and 1,420,000 gallon allo-

cation; Bridgewater at 12.5% and 1,000,000 gallon allocation; and Dayton at 7;75% with 620,000 gallon allocation. Mt. Crawford's very small percentage share would be carried by the Authority. It was noted that Rockingham County will assure only one year, after which time, if not paid, the Sewer Authority would carry this as a deficit until they are financially able to continue on an annual basis. Manager Milam noted further that at a December meeting of the Sewer Authority, the City of Harrisonburg had submitted a plan separating debt service from operational service, setting forth the percentage share, daily allocations, etc., as compiled by Donald D. Litton, attorney for the Authority. He requested a first reading at this time on an "Ordinance Contracting to Provide Certain Payments to the Harrisonburg Rockingham Regional Sewer Authority to Guarantee the Payment of Certain Obligations Thereof", in order that a second reading may be approved at the last meeting this month, which will allow funds to be borrowed from local banks in February. Following discussion, Councilman Cline moved that the ordinance be approved for a first reading, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous recorded vote of Councilmen present.

There being no further business and on motion duly adopted, the regular meeting adjourned at 10:55 P.M., with Council then going into an executive session as approved earlier in this meeting.


CLERK


MAYOR

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. Warrent Denton, Jr., Councilmen Paul C. Cline, Raymond C. Dingledine, Jr., Walter F. Green, III, City Auditor R. William Shifflet. Absent:- Chief of Police Richard W. Presgrave (sitting in, Lt. John E. Smith).

The evening's Invocation was led by The Rev. Sam Janzen, pastor of the Harrisonburg Mennonite Church.

Minutes of the regular meeting held on January 14th were read, and approved as corrected.

Mr. Charles Wampler, Jr. appeared before Council in the interest of Rockingham Memorial Hospital with a request that the week of Feb. 2-8 be observed as RMH Appreciation Week. Mr. Wampler serves on the hospital board of directors and also on the newly formed foundation. He noted that Mr. Don Phibbs, chairman of the steering committee individual and gifts committee, will conduct a low key campaign for funds via mail, contacting former patients, etc. The campaign is not for the sole purpose of raising funds, but also to involve people in the hospital and make them aware of various problems encountered. The hospital has 700 employees and a \$4 1/4 million payroll. Funds received would be used for various capital outlay items including a new x-ray machine, cobalt machine and an explosion proof bassinette. Mr. Wampler read the following resolution for Council's consideration, and said that if adopted, it would add prestige to the hospital's cause:-

The Rockingham Memorial Hospital has operated for the benefit of Harrisonburg residents since 1912 as their community hospital.

The hospital and its employees have served in a dedicated manner to meet the health needs of City residents without regard to race, creed, religious convictions, or financial means.

Such service and performance deserves a formal expression of gratitude on the part of those served:

BE IT RESOLVED, therefore, that the Harrisonburg City Council hereby proclaim the week of February 2, 1975 through February 8, 1975, and the first week of February hereafter as Rockingham Memorial Hospital Appreciation Week.

*Respectfully Submitted,
Charles W. Wampler, Jr. Chmn.
Individual Gifts Committee
Donald E. Phibbs, Chmn
Steering Committee*

Councilman Dingledine praised the hospital for services performed in our community and moved that the resolution be approved, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

A communication was received and presented by the City Manager requesting consideration re approval of the final plan for Reherd Acres, Section III. It was noted that a profile of Meadowlark Street which connects with Blue Ridge Drive, had been submitted to the Planning Director. The City Manager pointed out the area on a map and reminded Council that Sections I & II had already been approved. Following a brief discussion, Councilman Green moved that the plan be referred to the City Planning Commission for study and recommendation, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

City Manager Milam presented and read correspondence dated 1/14/75 from Dr. Ronald E. Carrier, president of Madison College, proposing that Council give consideration to a contractual arrangement with the college to use its astroturf field, track and stadium for events that City departments and agencies would want to sponsor. A desire was expressed to reserve the field for the City for seven Friday nights and several daytime uses during the year under a contract at a cost of \$ 15,000. per year in rental fees. Dr. Carrier pointed out that the use of concession facilities, parking, dressing rooms, and related facilities, would be a matter which would be part of the official contract, but they would be available as a part of the rental of the field. The City Manager suggested that this be referred to the School Superintendent and City School Board for their review, and reaction concerning various activities which may possibly make use of the facilities offered, and report back to Council. Following a brief discussion, the offer was so referred by a unanimous vote of Council, on motion of Vice-Mayor

Denton, seconded by Councilman Cline.

The City Manager presented for information the following two communications received:- (1) from Delegate Nathan Miller, acknowledging receipt of the excerpt from Council minutes concerning the Revenue Sharing Act; (2) from Representative J. Kenneth Robinson, acknowledging receipt of the same excerpt and assuring his support to the principle of Revenue Sharing, but stating that he sees no reason for concern at this time in that the amount of \$6.2 billion was appropriated in the Act for fiscal year beginning 7/1/75 and that the final appropriation made by existing law in the amount of \$3.325 billion for period beginning 7/1/76 and ending December 31, 1976.

✓ For information, correspondence dated 1/27/75 from Winston O. Weaver, Chairman of the Harrisonburg-Rockingham Civic and Convention Study Committee, was presented by the City Manager. The following action was taken at a meeting of the committee held on January 24, 1975:- "That a recommendation to the three sponsors (City of Harrisonburg, Rockingham County, and Rockingham Development Corp.) that based on the present economic situation, this project as a community project, be temporarily postponed. Further, that this Study Committee be disbanded as such". The correspondence further stated that the City's entire allocation of \$ 2,500. for this study would be held in escrow and that all reports, proposals, Madison College Feasibility Study, etc., would be turned over to Mr. E.F. Abbot, (Secretary-Treasurer), to be held by him until such time as a new committee is appointed.

✓ A letter dated 1/25/75 from George S. Aldhizer, II, president of The Rockingham Library Association, was read by the City Manager, requesting that the City of Harrisonburg increase its appropriation from \$ 40,000. to \$ 45,000. for the coming year, due to inflation and increasing cost of supplies for the Library. The City Manager suggested that the request be referred to him for consideration along with other budget items for the coming fiscal 1975-76, when the budget committee meets. It was so ordered by Council.

The City Treasurer's Annual Audit Report for fiscal year ended 6/30/74 of Commonwealth Revenue, as submitted by Joseph F. James, Auditor of Public Accounts, was presented by the City Manager. A total of \$ 366,795.66 collected in commonwealth monies was reflected therein. Councilman Cline moved that the report be received by Council, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote.

✓ Mayor Erickson reminded members of the presentation of a request at the last meeting of Council for city support in amount of \$ 7,500. for Huckleberry House, noted that sufficient time had been allowed for study of materials provided at that time, and asked if there were further questions. He noted that (1) we are operating in a budget which will end this June 30th, based on projected income, which in all cases does not hold true; (2) there is some thought that perhaps an independent corporation brings a point to mind as to whether funds should be given for an activity of this nature and if so, same should be clearly stated. Councilman Green said that the Welfare Board had raised questions re cost, facilities, use, etc. He offered a personal opinion, although absent at the last meeting when the matter was discussed, that some assistance should be given in order to help them get the project started. Mayor Erickson said that civic clubs could support the House as a project and noted that the City may set a precedent for other such requests, although he was sure that this establishment would do a terrific job. David Penrod, attorney for Huckleberry House, said it had been hoped to begin operation on January 1 of this year, but due to fire regulations necessitating changes, etc., the time had been extended to February 15th. City Manager Milam referred to Sec. 9-9 of the City Code which provides that any outside organization shall submit a budget and appropriation request, to be considered along with other requests, and noted that each year there were a number of other agencies (non-departmental) requests submitted. Judge Beverly Bowers stressed the need for such a facility as Huckleberry House in the City of Harrisonburg, and that although he had contemplated making such a request, he had felt this was possibly not the right time. However, he offered an opinion that the City should support a facility such as this, in that the cost for placing children here would be less than in foster care. Councilman Dingleline said he was cognizant of the need, would favor cooperating with the County, and would prefer that this be considered as a budget item. Attorney Penrod said that the Home would be opened, when licensed by the state, even if not funded, since the need is there and the children are there. He noted further that they would be grateful to the City for any financial support which they may give now, or in the next fiscal year. Vice-Mayor Denton expressed concern over the many requests from outside organizations for taxpayers' money, and offered an opinion that this would be a good project for civic clubs. Following discussion, Councilman Green moved to support the organization now in the amount of \$ 2,500., with an appropriation in this amount to be approved for first reading, and that the City Manager include the remainder of \$ 5,000. with other budget item requests to be considered for the ensuing fiscal year 1975-76, and if approved, the funds be derived from the Social Services budget, and that:-

\$ 2,500. chgd.to: General Fund - Unappropriated Surplus Account.

2,500. approp.to: General Fund (1-1503-394) Non-Departmental- Support of
Community & Civic Organizations- Huckleberry House.

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

✓ Rev. John Sayre, Chairman of the Chapter 10 Board, appeared before Council to express a need for funds for his own office facilities as well as for operation of Rivendale, Inc., Friendship Industries, Community Counseling Center and Pleasant View Home. He noted that although no funding comes from within the City or County for the four organizations, local support is needed for facilities. A request was made for the amount of \$ 2,458.00 from the City for the fiscal year ending 6/30/76, as well as approval of the Board's application for state funds for the various agencies. Mrs. Mary Bradshaw, Secretary of the Chapter 10 Board, explained that the state is requiring more and more of the office through printed forms, etc., which necessitates the employing of a part-time secretary, in order to provide the best possible mental health and mental retardation services. Following a lengthy discussion, Councilman Green made the following two-part motion: (1) to approve the Chapter 10 Board's application for state funding; (2) to approve the Board's Operating Budget at a level of the current City Budget appropriation (\$2,000.) with the increased amount requested to be considered in the City's budget for the ensuing fiscal year 1975-76. The motion was seconded by Vice-Mayor Denton, and adopted by a unanimous vote of Council.

DD0550

✓ Mrs. Ed Button of 86 Grattan St., appeared before Council to determine what progress, if any, had been made concerning parking on residential streets. She had registered a complaint last year re Madison students parking on Grattan St., prohibiting residents from having access to their homes, and noted that the problem still exists. Vice-Mayor Denton noted that the problem had been discussed, in general, many times, following complaints from various streets, with Council unable to handle same in a fair manner. Mrs. Button said she would be willing to pay a reasonable fee to assure being able to park in front of her own home. City Manager Milam reminded Council that an investigation had been made by the police chief and assistant city manager, of parking on Walnut Lane, following a complaint registered and petition submitted by Mr. Frank Suter, on behalf of Madison Terrace and Mauck Apartment residents. The majority of vehicles had Madison College stickers, which prompted taking the matter to the college. The notification resulted in the College placing notices on students' cars found in the area, asking them to report to the office for assistance in securing parking spaces which would not work a hardship on property owners and residents. Vice-Mayor Denton suggested the possibility of appointing a committee to study plans & procedures followed in other cities with a similar problem. Following discussion, it was agreed that the Police Chief contact Madison College Security and request that they place notices on students' cars which are found parked on residential streets in the area of the college.

✓ Fire Chief Humes presented his annual report for 1974 for both Fire Companies as to total number of alarms answered in the City; number with and number without damage; firemen injured in line of duty; false alarms; inspections and drills held; phone calls received at both companies, etc. He noted that the number of fire alarms were up over the previous year, with fire loss down, totaling \$ 33,000. for the year. Two men lost their lives during the year at the Kawneer explosion; and 4,000 public school children visited both companies. Mayor Erickson thanked Mr. Humes for his fine report.

✓ The following recommendation from a meeting of the Planning Commission held on January 15, 1975, was read by the City Manager:-

"...The Director presented a plat of Belmont Estates Subdivision Section 6, dated February 12, 1974. Mr. Sullivan reported that this 20-lot addition to Belmont Estates, located three miles west of the city and south of Route 33, has been approved by the Rockingham County Planning Commission. The developer, Mr. Bernard Martin, is applying for city water connections and Water Superintendent Loker has reviewed and approved the plans for water lines to this addition. The Commissioners accepted the plat regarding street design and noted the temporary turn-around at the west end of proposed 'Hemlock Street'. The Director noted that Mr. Martin will construct curb and gutter and will pave the streets; also, electric lines will be underground as has been the practice throughout the 142-lot Belmont Estates development.

Mr. Williams moved that the Planning Commission recommend approval of the 20-lot Section 6 of Belmont Estates Subdivision. Dr. Shank seconded the motion and all members voted aye.

Mr. Milam reported that a new state law now requires the City to give notice to the County Board of Supervisors when the City plans to extend its utility lines in County territory..."

During a discussion, a question was raised and clarified, that the recommendation does include water connections. Councilman Dingledine moved that the recommendation be approved, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

✓ The City Manager called members' attention to their copies of the proposed amendments to the City's Zoning Ordinance to permit condominiums in R-2, R-3, R-4 and B-2 zones, and also to permit individually owned townhouses in R-2 Residential Districts, as submitted and recommended by the City Planning Commission. He suggested that members study the proposal and if desired to amend the ordinance, that a public hearing be scheduled. Councilman Cline moved to accept the recommendation and to defer same for study before any action is taken re scheduling a hearing, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

✓ City Manager Milam reminded Council of an executive session which had been held following the last regular meeting for the purpose of discussing correspondence from the Department of Highways dated 1/3/75, containing cost estimate for a 5' shift as well as for a 10' shift in horizontal alignment at the intersection of Cantrell Ave. and Ott St., requested by the Assistant City Manager. The request had been made due to the fact that Mr. Bob Gordon of 742 Ott St. had appeared before Council on Sept. 10th of last year, following a revision of the original plan, and expressed concern over the fact that at one point in the southward shift, his property would be intercepted on the northwest side. A request was made by Mr. Gordon that the shift be moved to the north again, according to the original plan. Mayor Erickson asked members if a decision had been reached concerning the matter, although he had received indication from Attorney Thomas Wilson that neither he nor his clients (the Gordons) would be present in this meeting. Assistant City Manager Driver noted that the Highway Department was awaiting further word from Council before proceeding with this phase of the project. Vice-Mayor Denton moved that Council comply with the Highway Department's recommendation with regard to the alignment. The motion was lost for lack of a second. Mr. Denton said this was the first time the City had been placed in a position such as this, which could very well set a precedent for other requests, and offered an opinion that a look at the intersection may possibly prove the original alignment course to be the better one. Councilman Dingledine then moved that Council reiterate its concern and request the Highway Department to consider the 5' shift. City Attorney Lapsley offered an opinion that the City should remain neutral, and that the matter should be settled between the Highway Department and property owners. Councilman Dingledine withdrew his motion. After further discussion, Vice-Mayor Denton moved to comply with the Highway Department's recommendation, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

✓ Councilman Dingledine moved that an appropriation in the amount of \$ 2,747.36 requested by the Recreation Director in order to transfer monies for participants' wages incurred during the month of October 1974 as per agreement with the Va. Employment Commission, be approved for second and final reading, a first reading having been approved on January 14th, and that:-

\$ 2,747.36 chgd.to: General Fund (1005) Non-Revenue Receipts- Recoveries & Rebates,

\$ 973.36 approp.to: General Fund (1-11020-11-6) Parks & Playgrounds- Emergency Employment

1,774.00 approp.to: General Fund (1-11020-12) Wages

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

✓ Councilman Green moved that an appropriation in the amount of \$ 2,298.47 requested by the Recreation Director in order to transfer monies for participants' wages incurred during month of November 1974 as per agreement with the Va. Employment Commission, be approved for second and final reading, a first reading having been approved on January 14th, and that:-

\$ 2,298.47 chgd.to: General Fund (1005) Non-Revenue Receipts- Recoveries & Rebates.

888.72 approp.to: General Fund (1-11020-11) Parks & Playgrounds- Emergency Employment Act.

1,409.75 approp.to: General Fund (1-11020-12) Wages

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

✓ The City Manager presented a request from Mr. Cecil Gilkerson, Recreation Director, for approval of an appropriation in the amount of \$ 2,198.13, in order to transfer monies for participants' wages incurred during the month of December 1974 as per agreement with the Virginia Employment Commission for PEP Summer Jobs Program. Vice-Mayor Denton moved that the appropriation be approved for first reading, and that:-

\$ 2,198.13 chgd.to: General Fund (1005) Non-Revenue Receipts- Recoveries & Rebates.

2,198.13 approp.to: General Fund (1-11020-12) Parks & Playgrounds- Wages

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

✓ A request from Mr. Ralph Smith, Superintendent of Streets, for approval of an appropriation in the amount of \$ 5,690.52 from the Account of Recoveries & Rebates, due to insufficient funds to pay cost of snow and ice removal. The amount of appropriation represents one-half cost of paint machine purchased from the Public Works Department budget, and refunded by the state. Following a brief discussion, Vice-Mayor Denton moved that the appropriation be approved for first reading, and that:-

\$ 5,690.52 chgd.to: General Fund (1005) Recoveries & Rebates.

5,690.52 approp.to: General Fund (10330-350) Bureau of Street Cleaning- Snow & Ice Removal.

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

✓ A request was presented from the Director of Social Services for approval of a supplemental appropriation in the amount of \$ 152.80, representing reimbursement to foster care for expenditures for children in foster care, received from Social Security and parents. Councilman Cline moved that the appropriation be approved, and that:-

\$ 152.80 chgd.to: VPA Fund (Rev. a/c 1005-2) Recoveries & Rebates- Unanticipated Revenue - ADC - FC

152.80 approp.to: VPA Fund (8-8022-394-B) Bureau of Public Assistance- Aid to Dependent Children - F.C.

which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

✓ The City Manager presented a request from the Director of Social Services, for approval of a supplemental appropriation in the amount of \$ 900.00, representing reimbursement to foster care for expenditures for children in foster care received from Social Security and parents. Councilman Cline moved that the appropriation be approved, and that:-

\$ 900.00 chgd.to: VPA Fund (Rev. a/c 1005-2) Recoveries & Rebates- Unanticipated Revenue - Foster Care.

900.00 approp.to: VPA Fund (8-8022-395) Bureau of Public Assistance- Foster Care.

which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

✓ City Manager Milam presented a request from Mrs. Marie Arrington, Director of the Social Services Department, for approval of a supplemental appropriation in the amount of \$ 2,607.67, in that the Court ordered ADC refunds for child support and reimbursement for ADC funds received. Councilman Cline moved that the appropriation be approved for first reading, and that:-

\$ 2,607.67 chgd.to: VPA Fund (Rev. a/c 1005-2) Recoveries & Rebates- Unanticipated Revenue - Aid to Dependent Children.

2,607.67 approp.to: VPA Fund (8-8022-394-A) Bureau of Public Assistance- Aid to Dependent Children (Case No. 660-003168)

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

✓ A request was presented from the Director of Social Services for approval of a supplemental appropriation in the amount of \$ 312.50 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:-

\$ 312.50 chgd.to: VPA Fund (Rev. a/c 1005-2) Recoveries & Rebates- Unanticipated Revenue - Aid to Dependent Children.

312.50 approp.to: VPA Fund (8-8022-394-A) Bureau of Public Assistance- Aid to Dependent Children.

which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

✓ City Manager Milam presented for second and final reading an "Ordinance Contracting To Provide Certain Payments to The Harrisonburg-Rockingham Regional Sewer Authority To Guarantee the Payment of Certain Obligations Thereof." which ordinance had been approved for a first reading at the January 14th meeting. He pointed out that the Authority had borrowed \$3 million from local banks at slightly over 4% interest, with loans backed by the full faith and credit of the City and participating towns. The

DD0550

ordinance, if finally approved at this time, would allow the Authority to borrow up to \$ 300,000. tomorrow, and remain in business for at least another month. Under the amended ordinance increasing the loan from \$3 million to \$3.3 million, the City of Harrisonburg guarantees 80.20%, Bridgewater, 14.35%, Dayton, 4.45% and Mt. Crawford, 1%, with interest rate increased from 4% to 7%. Manager Milam recommended that the ordinance be approved, although Rockingham County is not involved in same. The County Board of Supervisors had rejected the sewer contract, in that a long term arrangement was requested. Attorney Larry Hoover, speaking on behalf of Rockingham County, made mention of the fact that the County had transferred the sum of \$ 75,000. to the Authority last summer, and offered to answer any questions which Council may have. He explained that the County cannot obligate itself more than one year, without a referendum, under its present Constitution. If a Service Contract, the County could enter on a long-term basis. Manager Milam offered a number of alternatives for consideration, whereby the Authority could complete the project without County support. He pointed out on a map, the lines which have been completed under Phase I of the project, and suggested that the lines in the County be turned over to Harrisonburg, Bridgewater and Dayton, who hold the largest financial interest in the plant, in order to enable them to earn more income by adding more customers. He added that although this plan would eliminate Rockingham County from the facility's operation, members should get what they pay for. Since the County has put only \$ 75,000. into the facility, they should realize a \$ 75,000. share in same. Attorney Hoover said that the County would consider an interim financial arrangement to keep the operation going for an additional time, for the purpose of helping out, pending a long time arrangement with the Sewer Authority. Manager Milam said that the loan guarantees are for long term financing and Atty. Donald Litten described the guarantees as contingent liabilities, and said the four municipalities would have to repay the debt only if the Authority ceases to operate, which is most unlikely, in that the state and federal funding to the Authority is 80%. Mayor Erickson said that the issue at hand is to support Phase I of the Project with local share of \$ 3,038,749.02, but suggested that a meeting time be set for all participants to bring the entire picture into focus. Following discussion, Councilman Dingledine moved that the ordinance be approved for second and final reading, with authorization for the Mayor to sign the ordinance and the Clerk to attest same and spread upon the pages of the City's Ordinance Book, which motion upon being seconded by Councilman Green, was adopted by a majority recorded vote of Council. Voting aye:- Councilmen Denton, Dingledine, Green and Erickson. Voting no:- Councilman Cline, prompted primarily by the uncertainty as to increase in sewer charge which would be necessitated from the citizens. (Refer to Ord. Book K, pages 57,58,59).

The City Manager reminded Council that Mr. Earl Wetsel's term on the Harrisonburg Redevelopment & Housing Authority had expired on November 29, 1974. Mayor Erickson asked members' wishes. Councilman Green moved that Mr. Wetsel be reappointed for a term of four years to expire on November 29, 1978, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

Council was informed that the Valley National Bank does not desire for the City Department to handle food stamps longer than the month of February, through said bank, due to increased number of users, amount of time and work required, etc. City Auditor Shifflet said he would rather not assume the responsibility due to the number of stamps and amount of money involved. No further action taken at this time. Members agreed to meet informally next Tuesday evening, February 4th, to discuss this, and other matters.

Mr. Victor J. Smith, Commissioner of Revenue, was present to elaborate further on Section 58-46 "Secrecy of Information", with regard to tax data, personal property returns, licenses, etc. which are all considered confidential at the present time. The matter had been touched on at Council's last meeting, with more information desired. Mr. Smith informed Council that one Commissioner of Revenue was ordered by his Council to release information, which has ultimately resulted in House Bill 1161 and Senate Bill 558, to amend above mentioned Sec. 58-46 of the City's Code, by making certain information available to the general public. He noted that he approved this matter going before the General Assembly with the hope that it would be defeated, and settled once and for all. Following discussion, Vice-Mayor Denton moved that the City's representatives be requested to oppose the two Bills, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

The Commissioner of Revenue informed Council that House Bill 1457 would amend three sections under the License Tax Ordinance, whereby license tax would be based on net income rather than gross income, presently used. He offered an opinion that the Bill must be defeated in the interest of good business, and suggested that Council take a stand on this matter. No action taken at this time.

There being no further business and on motion of Councilman Cline, seconded by Councilman Dingledine, and a unanimous vote of Council, the regular session adjourned at 12:17 A.M., with Council then going into a brief executive session on request of the City Attorney.

N. Arlene Locke
CLERK

Ray Erickson
MAYOR

DD1550

Tuesday, February 11, 1975

At a combined public hearing and 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, Councilmen Paul C. Clîne, Raymond C. Dingledine, Jr., Walter F. Green, III, City Auditor R. William Shifflet and Chief of Police Richard W. Presgrave. Absent:- Vice-Mayor E. Warren Denton, Jr.

The evening's Invocation was led by Rev. Robert Kettering, associate pastor of the Harrisonburg Brethren Church.

Minutes of the regular meeting of January 28th were read, and approved as corrected.

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 January, 1975.

From the City Treasurer:-

A Trial Balance report as of close of business on January 31, 1975.

From the Police Department:-

A report of the 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 for the City of Harrisonburg, Va. for month of January, 1975.

A report of cash discounts saved during month of January, 1975 totaling \$ 150.33.

From the Data Processing Manager:-

A report of water, sewer and refuse accounts, meters read, installations, cut delinquents, complaints, etc. for month of January, 1975.

For information, City Manager Milam presented correspondence from the Community Mental Health and Mental Retardation Services Board, dated 2/7/75, acknowledging receipt of the revised "Statement of Grant" submitted by the Harrisonburg-Rockingham Community Mental Health & Mental Retardation Services Board, and approving Grant in total amount of \$ 223,427. as follows:- For Administration, \$ 7,766.; Pleasant View Home, \$ 52,311.; Friendship Industries, \$ 71,305.; Rivendale School, \$ 52,930.; and Community Counseling Center, \$ 39,115. The amount for Rivendale School had been revised to adjust local funds and fees.

For information, the City Manager reported that he was in receipt of correspondence from the Board of Administration of the Local Health Department, requesting an appropriation from the City of Harrisonburg for the 1975-76 fiscal year, in the amount of \$ 23,461., representing 24.121% local share. He noted that this request would be considered by the Budget Committee, along with other requests for the ensuing fiscal year.

On motion of Councilman Dingledine, seconded by Councilman Cline and a unanimous vote of Councilmen present, the following resolution was adopted, after which time same was signed by each member of the Governing Body:-

WHEREAS, Julius F. Ritchie in recognition of his untiring services rendered to the City of Harrisonburg, the members of the City Council, wish to express their sense of personal appreciation, and

WHEREAS, Julius F. Ritchie has demonstrated great patience, unending courtesies and inspiration to many Harrisonburg Area Residents,

THEREFORE, BE IT RESOLVED, with the sense of community pride is mingled great appreciation and gratitude for your very generous and loyal service to the City of Harrisonburg in your capacity as Police Officer July 1, 1937 - February 15, 1947 and Police Chief February 15, 1947 - December 31, 1974.

Adopted by the members of Harrisonburg City Council this 11th day of February, 1975.

The following resolution was read by the City Manager and on motion of Councilman Green, seconded by Councilman Dingledine and a unanimous vote of Councilmen present, adopted, and signed by all members of the Governing Body:-

WHEREAS, Albert S. Cassidy in recognition of his untiring services rendered to the City of Harrisonburg, the members of the City Council wish to express their sense of personal appreciation, and

WHEREAS, Albert S. Cassidy has demonstrated great patience, unending courtesies and inspiration to many Harrisonburg Area Residents,

THEREFORE, BE IT RESOLVED, with the sense of community pride is mingled great appreciation and gratitude for your very generous and loyal service to the City of Harrisonburg in your capacity as Police Officer 1950 - 1974.

Adopted by the members of Harrisonburg City Council, this 11th day of February, 1975.

Dr. Malcolm Tenney, Jr., District Health Director, presented another portion of his annual report, covering amount of money expended on Harrisonburg:- City indigent patients who required hospitalization for babies under one year, as well as mothers and premature babies, with state and federal funds; vital statistics re Therapeutic Abortions in Virginia 1973; work of the City's Sanatarian as to inspections of local establishments, etc.

Mayor Erickson temporarily closed the regular session and called the public hearing to order: Manager Milam read the following Notice of Hearing as advertised in the Daily News Record Newspaper:-

The Harrisonburg City Council will hold a Public Hearing on Tuesday, February 11th, 1975, at 7:30 P.M. in the City Council Chamber, Municipal Building, 345 S. Main St., to consider the following rezoning request:

Rockingham Mutual Insurance Company's request to rezone Lots 9 & 10, at 631 E. Market St. from R-2 Residential to B-2 General Business, to allow 120 feet of additional street frontage and a better parking and landscaped arrangement for their proposed building.

All persons interested will have an opportunity to express their views at this Public Hearing.

*City of Harrisonburg
Marvin B. Milam, City Manager*

Planning Director Sullivan pointed out the area on a map, noting that B-2 (Gen. Business) zoning extends from Marvilla Court southward to the Clover Leaf Shopping Center, and the Rockingham Mutual property is at the end of this territory. The B-2 zoning is necessary in order to construct an office building. The company has an option to purchase the lots, if rezoned. He told Council that a desire had been expressed

DD1550

at previous public hearings, to maintain the trees along the western boundary, since it is a perfect barrier between business and residential areas. No others desiring to be heard, the Hearing was declared closed at 8:15 P.M. and the regular session reconvened.

Manager Milam read the following recommendation submitted by the City Planning Commission from its meeting on December 18, 1974:-

"...The Director described the Zoning Map in relation to this request which involves squaring off the west corner of Rockingham Mutual Insurance Company's new office site in the 600 block of E. Market St. Rockingham Mutual representative Robert Heath presented his company's site plan and stated this rezoning will allow 120' of additional street frontage and a better parking and landscaped arrangement for their proposed building. Mr. Morris J. Cooper, owner of the two lots and house, stated he desires to sell his property to Rockingham Mutual, and therefore favors the rezoning. No one was present to speak in opposition to the request. The Director stated that if rezoned, the existing row of trees along the west boundary of lot 10 should not be disturbed, thus a natural buffer strip will separate the commercial use from residences west of the site. Mr. Heath concurred with this stipulation.

Mr. McNiel moved that the Planning Commission recommend to City Council that lots 9 and 10 be rezoned from R-2 Residential to B-2 General Business.

Mr. Williams seconded the motion and all members voted aye..."

The Mayor asked if Council was ready to act on the rezoning request, based on tonight's public hearing and the Planning Commission's recommendation. Councilman Green moved that the recommendation of the Planning Commission be approved, which motion upon being seconded by Councilman Dingleline, was adopted by a unanimous vote of Councilmen present.

Franklin R. Blatt, attorney for Hickory Pit Restaurant located on Waterman Drive, appeared before Council to request a dance permit for the establishment. He explained the two restaurant facilities as follows: (1) front portion to serve 24 hour plate lunches, sandwiches, etc.; (2) back portion (48' x 48'), supper club type facility with capacity for 140 people. The dance floor measures 12' x 10'. Atty Blatt noted that a restriction under the ABC license that all people must be seated, would be closely followed. 100% off-street parking is available, and no residences are near enough to the restaurant to cause problems due to noise, etc. The proper City Officials had been contacted concerning City requirements, which have been complied with. Following discussion, Councilman Green moved that Council approve the request for a dance permit based on facts revealed this evening, as well as favorable comments in writing from the Building Official and Chief of Police, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Councilmen present.

Chief Richard W. Presgrave presented his annual report for the Harrisonburg Police Department. The report covered traffic accident investigations, criminal and non-criminal investigations, assisting the Rescue Squad on calls, as well as all other facets of police work. He noted that there were no fatalities in 1974 from traffic accidents, but an estimated property damage of \$ 332,193., or a decrease of approximately \$ 29,000. compared with the prior year. Mayor Erickson thanked Chief Presgrave for his fine report and asked members to study copies which had been provided them.

With regard to a recommendation received prior to this meeting from the Planning Commission for certain amendments to the City's Zoning Ordinance in order to allow condominiums in R-2, R-3, R-4, and B-2 zones, and to permit individually owned townhouses in R-2, Council instructed the City Manager to properly advertise a public hearing for this matter in the Daily News Record newspaper, for Tuesday, March 11, 1975, 7:30 P.M.

City Manager Milam read the following resolution for Council's consideration and approval:-

WHEREAS, Federal financial assistance is available to units of local government through the United States Department of Housing and Urban Development; and

WHEREAS, in order to avail itself of such Federal financial assistance it is necessary to file with said Dept. of Housing and Urban Development a Pre-application for Federal Assistance,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Harrisonburg, Va. that:-

(1) The City Manager is hereby authorized to undertake the preparation of a pre-application for Federal assistance, for filing with the United States Department of Housing and Community Development.

(2) The City Manager is hereby authorized to file such pre-application with the said Department of Housing and Urban Development.

Manager Milam explained that this Grant would be under the Community Development Block Grant Program, and that Harrisonburg is one of the few cities eligible for federal funding. The only program of the City, presently in the making, which could qualify for the Grant, is the Recreation Center, and that based on this project, he had a letter ready to go out tomorrow to Planning District VI, with Council's information concerning the application. Accompanying the application for a \$ 492,000. Grant (\$662,000. local and matching funds), would be the Master plan and other information concerning the Recreation Center, which application must be in by the end of this week in order to be considered. Following discussion, Councilman Dingleline moved that the resolution be approved, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Councilmen present. Planning Director Sullivan informed Council that he would be submitting a priority list of projects to the City Manager by the end of February, and expressed concern as to whether this application would commit the City to this specified project. He was given assurance that it would not.

Council deferred making appointments to various Boards and Commissions until the next regular meeting.

DD550

✓ Councilman Dingledine moved that an appropriation in the amount of \$ 2,198.13 requested by the Recreation Director in order to transfer monies for participants' wages incurred during month of December 1974 as per agreement with the Virginia Employment Commission (PEP Program), be approved for second and final reading, a first reading having been approved on January 28th, and that:-

\$ 2,198.13 chgd.to: General Fund (1005) Non-Revenue Receipts- Recoveries & Rebates.

2,198.13 approp.to: General Fund (1-1020-12) Parks & Playgrounds- Wages
which motion upon being seconded by Councilman Cline, was adopted by a unanimous recorded vote of Councilmen present.

✓ Councilman Cline moved that an appropriation in the amount of \$ 2,500. for support of Huckleberry House be approved for second and final reading, a first reading having been approved on January 28th, and that:-

\$ 2,500. chgd.to: General Fund - Unappropriated Surplus Account.

2,500. approp.to: General Fund (1-1503-394) Non-Departmental- Support of Community & Civic Organizations - Huckleberry House.

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

✓ Councilman Green moved that an appropriation in the amount of \$ 5,690.52 requested by the Street Superintendent for snow and ice removal, and representing reimbursement by the state for one-half the cost of a paint machine purchased from the Public Works Department budget, be approved for second and final reading, a first reading having been approved on January 28th, and that:-

\$ 5,690.52 chgd.to: General Fund (1005) Recoveries & Rebates.

5,690.52 approp.to: General Fund (10330-350) Bureau of Street Cleaning- Snow and Ice Removal.

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

✓ Councilman Cline moved that an appropriation in the amount of \$ 2,607.67 requested by the Director of Social Services in that the Court ordered ADC refunds for child support and reimbursement for ADC funds received, be approved for second and final reading, a first reading having been approved on January 28th, and that:-

\$ 2,607.67 chgd.to: VPA Fund (Rev. a/c 1005-2) Recoveries & Rebates- Unanticipated Revenue- Aid to Dependent Children.

2,607.67 approp.to: VPA Fund (8-8022-394-A) Bureau of Public Assistance- Aid to Dependent Children (Case No. 660-003168)

which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous recorded vote of Councilmen present.

✓ A request from Assistant City Manager Driver was presented for approval of an appropriation from the Unappropriated Surplus Account in the amount of \$ 9,268., which amount will be reimbursed by the state as a Grant under the Comprehensive Employment & Training Act of 1973, Title VI. Manager Milam reminded members that notification of the Grant had been presented to Council on January 14th, with contract having been signed that morning, accepting same. He explained that with this appropriation it was hoped that 4-6 persons sent by the Va. Employment Commission who could qualify for temporary employment, could be used in the Street Department until the funds were depleted, rather than dragging the project out over a long period of time. Following discussion, Councilman Green moved that the appropriation be approved for a first reading, and that:-

\$ 9,268.00 chgd.to: General Fund - Unappropriated Surplus Account.

9,268.00 approp.to: General Fund (1-10110-1201) Street Inspection, Repairs & Maintenance - Wages, State Grant.

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

A request from the Assistant City Manager was presented for approval of an appropriation in the amount of \$ 4,693.00 from the Unappropriated Surplus Account, prior to reimbursement by the Harrisonburg Rescue Squad and Highway Safety Commission, in the event funds are needed for Civil Defense. Following a brief discussion, Councilman Cline moved that the appropriation be approved for a first reading, and that:-

\$ 4,693.00 chgd.to: General Fund - Unappropriated Surplus Account.

4,693.00 approp.to: General Fund (1-9041-272) Civil Defense- Maint. & Repairs Machinery & Equipment.

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

There being no further business and on motion by Councilman Cline, seconded by Councilman Dingledine, and a unanimous vote of Councilmen present, the meeting adjourned at 9:17 P.M.

N. Renee Loken
CLERK

Ray E. Eischen
MAYOR

DD0550

Tuesday, February 25, 1975

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, Raymond C. Dingle, Jr., Walter F. Green, III, City Auditor R. William Shifflet and Chief of Police Richard W. Presgrave. Absent:- none.

The evening's Invocation was led by Rev. Craig Jakowsky of Blessed Sacrament Church.

Minutes of the combined public hearing and regular meeting held on February 11th were read, and approved by Council.

✓ The following resolution was read by the City Manager for Council's approval and signature of the mayor.

"To Citizens of the City of Harrisonburg:

WHEREAS, the nation for the first time in its history will observe a day related to public school music,

BE IT RESOLVED that March 13, 1975, be declared as 'Music in the Schools Day' for the Harrisonburg City Public Schools.

Given under my hand this 25th day of February, 1975

Roy Erickson, Mayor

Manager Milam noted that the resolution had been forthcoming from the Harrisonburg School Board office. Councilman Dingleline moved that the resolution be approved and the Mayor authorized to sign the same, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

For information, City Manager Milam read a letter dated 2/21/75 from Chester L. Bradfield, President of the Harrisonburg-Rockingham Chamber of Commerce, expressing his appreciation to the Mayor and other city officials responsible for expediting improvement projects planned for our city. It was further stated that the interest in immediately bolstering our local economy is appreciated by local industry and businesses.

The City Manager presented correspondence from the Cooperative Extension Service VPI and State University, concerning participation in City-County Government Day March 11, 1975. Council was advised that on March 11th, Senior Government students from 6 area high schools would be participating in the second City-County Government Day Project sponsored by Rockingham County's Extension Office and Community Resource Department. Council members were requested to allow students from HHS and EMC to interview them, as well as permission for the students to attend Council's meeting on March 11th. Mayor Erickson noted that the Governing Body would be on the alert and cooperate in the project, as requested.

✓ Mrs. Bonnie Paul, representative on the Shenandoah Valley Soil & Water Conservation Service, informed Council that the District had voted to realign itself and create two districts for more effective operation, on which matter, a public hearing had been held. The following resolution was read for Council's endorsement:

*"The _____ does hereby concur with the petition of the
(City/County)
Shenandoah Valley Soil and Water Conservation District to divide and redefine its boundaries, thus creating a new Headwaters District composed of Augusta County and the Cities of Staunton and Waynesboro and the Shenandoah Valley District composed of the Counties of Rockingham and Page and the City of Harrisonburg."*

Following a brief discussion and some questions for Mrs. Paul, Councilman Green moved that the resolution be approved, and the Mayor authorized to sign the same on behalf of the City of Harrisonburg, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council. Mr. Randy Maupin then presented copies of a report "Flood Hazard Analysis," prepared by the U.S. Dept. of Agriculture and Soil Conservation Service, in cooperation with the Water Control Board and Water Control Management, which report represented approximately \$ 30,000. worth of work. He pointed out the fact that the City had signed an agreement in 1973, offering its support along with the Water Control Board, in planning the project. He presented a map showing flood areas (including 100 year frequency area and 500 year frequency areas. Mr. Maupin said that the map was not totally accurate, and would need to be checked with regard to the areas designated. Mayor Erickson expressed appreciation for the presentation.

✓ Mrs. Dawn Smith, Chairman of the Harrisonburg School Board, informed Council that the Board was aware of the present economy while drawing up a very realistic budget, which had been presented to the City Manager. She noted that this year, things were different. An increase of 11.71% or \$ 383,000. is reflected in the overall budget with the majority from local funds. A breakdown of the local support of \$ 379,093 or 17.04% was reflected in the report presented, as well as come of the capital outlay projects. Mrs. Smith stated that 5% increase was requested in the teachers' salary scale. Council members had few questions, in that sufficient time had not been allowed to study the proposed school budget. Superintendent Wayne King called Council's attention to correspondence dated 2/19/75 which he had forwarded to the City Manager, with two motions adopted by the School Board at its meeting held on Tuesday, February 18th, as follows:- "To request Harrisonburg City Council to authorize the School Board to borrow from the Literary Fund Loan Fund, State Dept. of Education, a sum not to exceed \$ 750,000. for construction of a library and multipurpose room (gym) at the Spotswood Elementary School, and to request authorization for the Board to borrow a sum not to exceed \$ 750,000. from the same source for construction of a library and multipurpose room (gym) at Keister Elementary School. During discussion, Councilman Dingleline raised the question whether the School Board felt it was feasible to have recreational facilities for use after school hours, and in the evenings, by various groups, in the multipurpose rooms (gymn), to which Supt. King replied in the affirmative. Preliminary plans for the new additions were presented. Following discussion, Councilman Dingleline moved that Council authorize the School Board to apply for a loan not to exceed \$ 750,000. for the facilities at Spotswood Elementary School, which motion upon being seconded by Councilman Cline, was adopted by a unanimous recorded vote of Council. Councilman Green then moved that the School Board be authorized to apply for a loan not to exceed \$ 750,000. for the facilities at Keister Elementary School, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous recorded vote of Council.

✓ The following report and recommendation approved by the City Planning Commission at its meeting on February 12, 1975, was presented:-

"...The Planning Director presented and outlined the following locally proposed system of major arterial streets and highways. Mr. Sullivan reminded the Commissioners that the State Highway Department is waiting for the City's proposed additions and changes for a 'Harrisonburg Area Transportation Plan' which has been under study since 1962,

DD550

1. Outer loop around the west side of Harrisonburg, using Interstate 81 connections north of the city and south of the city, and following Route 910 from Va. Rt. 42 near Dayton to Va. Rt. 42 north of Park View.
2. Inner Loop around the north side of Harrisonburg, beginning at the East Market-Country Club intersection, moving north of Old Furnace Rd. near Vine St., to N. Main St. at Harris Gardens, to N. Liberty St. (Linville Rd.), to Va. Rt. 42 near Eastern Mennonite High School, to Mt. Clinton Pike in Park View. At this point, the inner loop would follow Mt. Clinton Pike southward to Waterman Drive, and continue southward along Waterman Drive to W. Market St. (U.S. Route 33.)
3. Improve Pleasant Hill Rd. and connect it directly to Va. Rt. 42 at the Royster-Hess Co. near Pear St. and the southwest city limits; extend Pleasant Hill Rd. west from Va. Rt. 42 to Rt. 910 (the outer loop).
4. Establish a new connecting street from Port Republic Rd. near the Interstate 81-Port Road ramp, to the Stone Spring Road-Valley Blox area and the South Main-Pleasant Hill Rd. intersection.
5. Improve Port Republic Road from Interstate 81 to S. Main St.
6. In the Central Business District, establish an east-west one way system for U.S. Rt. 33, designating Bruce St. from High to Mason for one-way east traffic, and Wolfe St. from Mason to High as one-way west traffic.

Assistant City Manager John Driver stated that he concurs with the list of proposals outlined by the Director, with the exception of linking the inner loop to Mt. Clinton Pike in the center of Park View. He asked the Commission to consider tying the inner loop to Waterman Drive near Va. Route 42. Waterman Drive is already an 80' street between Mt. Clinton Pike (Chicago Ave.) and Taliaferro Drive which is near Va. Rt. 42 at the northwest edge of the city. He emphasized that this more direct connection would establish a continuous East Market-to-West Market Loop around the north side of Harrisonburg, and based on the many other priority projects, this loop will not likely become a reality until the 21st century.

The Commissioners discussed the overall proposal with specific questions re Pleasant Hill Rd., Waterman Drive, Mt. Clinton Pike, and the Bruce St.-Wolfe St. concept. City Manager Milan urged the Commissioners to recommend the 'long range' routes as new additions to the Major Arterial Street Plan, and to establish the downtown east-west one-way suggestions as a first priority for implementation. Mr. Kuykendall offered a motion that the Planning Commission recommend to City Council all proposed arterial routes presented by the Planning Director, with the exception that Waterman Drive be shown as extending from Chicago Ave. to Va. Rt. 42, in accordance with the Highway Department's proposal, which was received by the City in May 1974. Dr. Shank seconded the motion. Voting in favor: Messrs. Kuykendall, Shank, Williams, Milan and Gilkeson. Voting against: none (Director cannot vote).

Planning Director Sullivan pointed out all the recommended areas on a map, explaining each in detail. He noted that considerable opposition had been raised by residents in the Holiday Hills Subdivision concerning a proposed extension of Waterman Drive to connect with Rt. 42, in that it would cause heavy traffic through a residential area of the City. He then traced a route representing an inner loop using a portion of Waterman Drive with right turn at the Steele property, through the EMC Campus and on to connect with Rt. 42. He noted that in 1974 the Highway Department held a public hearing at E.M.C. to present an upside down Y Plan, or improvements to main road through Park View by slight widening of same, which had raised no opposition by citizens. Curb and gutter would be installed on one side and bicycle path on the other. Eastern Mennonite College has agreed to turn over right-of-way for this extension which will go a distance after topping the hill in Park View. The short extension of Waterman Drive would make a smoother connection or loop. Mr. Sullivan said that he wants to represent all opinions and judgements, but confessed that he is a conservative person which prompts him to feel that the shorter extension would be an economic asset on taxpayers' money. He pointed out that the ultimate is a public hearing by the Highway Department, and asked that the City get their thoughts together for Richmond concerning the proposed street plan. Attorney William Julias, representing the citizens of Holiday Hills Subdivision, presented a petition signed by over 100 residents in the area, opposing the Waterman Drive extension through the residential area, and noting reasons for same. Following discussion Vice-Mayor Denton moved that Council accept the Planning Commission's street plan with a change to eliminate the Waterman Drive extension, which motion upon being seconded by Councilman Dingleline, was adopted by a unanimous vote of Council.

✓ Professor Larry Roller appeared before Council to express the following two concerns:-

- (1) that Social Security payments for teachers was becoming the responsibility of the cities, rather than the state. He questioned why, if the state sets certain standards for schools, it would not come up with the money.
 - (2) that the proposed new recreation building would not be nearer the high school in order that it may be used during and after school hours. Expressed hope that the project would be delayed in view of the present financial situation, and the money used for a different purpose, possibly including salary increases in accordance with the increased cost of living.
- Mayor Erickson stated that both the City and the Va. Municipal League were very much aware of the first concern, and that it was agreed that the state support should be continued. With regard to the second concern, he pointed out that the Community Center would be far reaching and not confined to school groups, in that there is a tremendous amount of interest in arts, crafts, handball, etc.

✓ The City Manager read the following recommendation submitted by the Planning Director from a meeting of the Commission held on February 12, 1975:-

"...The Commissioners reviewed the Final Plan for 12 single family lots in Holiday Hills Subdivision, section 8. The Director referred to the Subdivision Review Sheet dated Feb. 5, 1975 which explained the proposed 'Woodleigh Court', a 500' cul-de-sac street to be constructed with utilities, curb, gutter, etc. by the developer, James C. Wilkins and Associates. Grade changes suggested by the City Engineer will be carried out by the developer in order that storm water from all lots will flow south

to Stuart Street and a 20' utility easement from the cul-de-sac northward on lots 7 and 7 has been added. Dr. Shank moved that the Planning Commission recommend approval of this Final Plan for Sec. 8 of Holiday Hills, subject to the developer providing proper bonding documents. Mr. Williams seconded the motion, and all members present voted in favor..."

Manager Milam pointed out that all was in order insofar as easements, right-of-way, bonds, etc. Following discussion, Councilman Cline moved that the recommendation of the Planning Commission be approved, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

✓ Council was reminded that Mr. Stanley Turner's term on the Board of Zoning Appeals would expire on March 20 of this year, and Mayor Erickson asked member's wishes. Councilman Green moved that Mr. Turner's name be recommended to the Circuit Court Judge for reappointment to the Board for a 5 year term expiring on March 20, 1980, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Council.

✓ City Manager Milam reminded Council that a Board of Equalization should be appointed by the Circuit Court Judge in order that they might hear appeals of property owners following completion of the 1974 reassessment. Councilman Green moved that the present Reassessment Board comprised of Messrs. T. Harry Lowery, Richard L. Suter and John H. Byrd, Sr. be recommended to the Judge to serve as an Equalization Board, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

✓ City Manager Milam presented and read correspondence dated 2/18/75 from Mr. William D. Grow, Chmn. of the Downtown Development Committee, requesting that Mr. Samuel Shrum and Mr. Arthur Hamilton be appointed as additional members to serve on the said committee. He noted that other suggestions of names had also been received. Vice-Mayor Denton suggested that a property owner be appointed to this committee at some time, due to the matter of street closings, etc. involved, recommended the name of T.O. Brock, Jr., and also suggested a meeting between Council and the committee in order to be brought up to date. Councilman Cline said he would like to check with an individual before placing his name, and then moved that Messrs. Samuel Shrum, Arthur Hamilton and T.O. Brock, Jr., be appointed to serve, at Council's pleasure, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Council. Following discussion, a meeting was scheduled for Tuesday, March 18th, 4:45 PM in the Council Chamber.

✓ City Manager Milam called Council's attention to item 9 (d) on the agenda for appointment of a representative and alternate to serve on the Central Shenandoah Manpower Council, and Mayor Erickson asked members' wishes. Following a brief discussion, Councilman Dingledine moved that Councilman Paul C. Cline be appointed to serve as the City's representative, at Council's pleasure, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council, with Councilman Cline abstaining from the vote. Councilman Cline then suggested that he bring in further information concerning the Manpower Council, prior to the naming of an alternate, which suggestion met with all members' approval.

✓ Vice-Mayor Denton suggested that in view of Mr. Frank Switzer's accident, it may be well to select a substitute member, in order to have full participation on the Regional Sewer Authority. He then moved that Mr. John Driver, Assistant City Manager, be so appointed. The City Attorney offered an opinion that such a move should be at Mr. Switzer's request, or at least, with his approval. The Vice-Mayor withdrew his motion and requested that he and Councilman Green be allowed to talk with Mr. Switzer concerning a proxy. Following discussion, Councilman Cline moved to approve appointment of a substitute or proxy, subject to looking into the legality of same, and also after checking with Mr. Switzer, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

✓ Vice-Mayor Denton moved that an appropriation in the amount of \$ 4,693. requested by the Assistant City Manager to be used for Civil Defense purposes, prior to reimbursement by Harrisonburg Rescue Squad and Highway Safety Commission, be approved for second and final reading, a first reading having been approved on February 11th, and that:-

\$ 4,693. chgd. to: General Fund - Unappropriated Surplus Account.

4,693. approp. to: General Fund (1-9041-272) Civil Defense- Maint. & Repairs Machinery & Equipment.

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

✓ Councilman Dingledine moved that an appropriation in the amount of \$ 9,268. from Unappropriated Surplus in order to pay salaries of qualified persons on temporary jobs, following referral by the Va. Employment Commission, prior to reimbursement by the state as a Grant under the Comprehensive Employment & Training Act of 1973, be approved for second and final reading, a first reading having been approved on February 11, 1975, and that:-

\$ 9,268. chgd. to: General Fund - Unappropriated Surplus Account.

9,268. approp. to: General Fund (1-10110-1201) Street Inspection- Repairs & Maintenance- Wages, State Grant.

which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous recorded vote of Council.

✓ A request from the Director of Parks & Recreation was presented by the City Manager for approval of an appropriation in the amount of \$ 2,316.75 in order to transfer monies for participants' wages (PEP) incurred during the month of January, as per agreement with the Va. Employment Commission. Vice-Mayor Denton moved that the appropriation be approved for first reading, and that:-

\$ 2,316.75 chgd. to: General Fund (1005) Non-Revenue Receipts- Recoveries & Rebates.

2,316.75 approp. to: General Fund (1-11020-12) Parks & Playgrounds- Wages

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

✓ City Manager Milam presented a request from the Superintendent of Water & Sewer for approval of an appropriation in the amount of \$ 15,000. from the Unappropriated Surplus Account of the Water Fund due

DD550

to insufficient funds due to increase in electric rates and repairs to pump. Following discussion, Councilman Green moved that the appropriation be approved for a first reading, and that:-

\$ 15,000. chgd.to: Water Fund - Unappropriated Surplus Account.

4,500. approp.to: Water Fund (6-2-361) Source of Supply - Electricity

10,500. approp.to: Water Fund (6-2-272) Maint. & Repairs- Machinery & Equipment.

which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous recorded vote of Council.

✓ The City Manager presented a request from Mrs. Marie Arrington, Director of the Social Services Department, for approval of an appropriation in the amount of \$ 6,335. to cover personnel and food stamp coupon issuance for emergency created by the present crisis. Council was informed that the state had approved funds which would be coming in on a monthly basis. Following a brief discussion, Councilman Green moved that the appropriation be approved for first reading, and that:-

\$ 3,935. chgd.to: VPA Fund (604-1) Revenue from Other Agencies- Grants-in-Aid from Commonwealth--Administration.

2,400. chgd.to: VPA Fund (604-12) Revenue from Other Agencies- Grants-in-Aid from Commonwealth--Food Stamps.

3,935. approp.to: VPA Fund (*8-8021) Bureau of Administration

*11-2 Social Workers - 170.00

*11-5 Secretaries 1,575.00

*11-6 Eligibility Wk. 1,930.00

*Group Insurance, etc. 260.00

2,400. approp.to: VPA Fund (8-8030-404) Food Stamps.

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

✓ The City Manager presented a request from the Director of Social Services for approval of a supplemental appropriation in the amount of \$ 152.80, representing reimbursement to foster care for expenditures of children in foster care, received from Social Security and parents. Councilman Cline moved that the appropriation be approved, and that:-

\$ 152.80 chgd.to: VPA Fund (Rev. a/c 1005-2) Recoveries & Rebates- Unanticipated Revenue - ADC-FC

152.80 approp.to: VPA Fund (8-8022-394-B) Bureau of Public Assistance- ADC-FC

which motion upon being seconded by Councilman Green, 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 \$ 567.50, in that the Court ordered ADC refunds for child support and reimbursement for ADC funds received. Following a brief discussion, Councilman Cline moved that the appropriation be approved, and that:-

\$ 567.50 chgd.to: VPA Fund (Rev. a/c 1005-2) Recoveries & Rebates- Unanticipated Revenue to Dependent Children.

567.50 approp.to: VPA Fund (8-8022-394-A) Bureau of Public Assistance- Add to Dependent Children.

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

✓ The City Manager presented a request from the Director of Social Services 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. Councilman Cline moved that the appropriation be approved, and that:-

\$ 900. chgd.to: VPA Fund (Rev. a/c 1005-2) Recoveries & Rebates- Unanticipated Revenue - F.C.

900. approp.to: VPA Fund (8-8022-395) Bureau of Public Assistance - F.C.

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

✓ City Manager Milam presented a request from the Director of Social Services for approval of a transfer of funds within the Virginia Public Assistance Budget in the amount of \$ 984. to cover personnel and food stamp coupon issuance for emergency created by the present crisis. He referred also to correspondence from the Director dated 2/19/75, advising that the request included also the 20% of the City's share for salary increase for remainder of this fiscal year, in that one employee had officially completed her year of requirement to fulfill her Supervisory position as of February 1, 1975. Councilman Green moved that the transfer be approved, and that:-

\$ 984.00 trans.from: VPA Fund (8-8010-390) Bureau of Medical Services- Hospitalization.

984.00 trans.to: VPA Fund (8-8021*) Bureau of Administration.

* Social Workers - \$ 42.51

* Secretaries - 393.93

* Eligibility Workers - 482.64

* Group Ins., FICA, Retire., Etc. \$ 64.94

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

✓ City Manager Milam presented and read correspondence dated 2/18/75 from Mr. William D. Grow, Chmn. of the Downtown Development Committee, requesting an emergency appropriation of \$ 1,500. in order to secure the services of qualified personnel to construct a three dimensional scale model of a portion of the City, to assist in accomplishing the Committee's objectives. Manager Milam reminded members that in May 1974 the amount of \$ 2,500. had been appropriated for use by the Convention Center Study Committee (now non-existent), and that these funds had been encumbered in order that they would not lapse as of 6/30/74. He suggested that the request of the Downtown Development Committee for \$ 1,500. be incorporated with a transfer of the encumbered funds, and that the Committee submit invoices, as needed. Following discussion, Councilman Green moved that the transfer be approved, and that:-

\$ 2,500. trans. from: General Fund (1-1503-394) Res.for Encumbrance- P.O. #1818 - Non-Departmental- Convention Center.

2,500. trans.to: General Fund (1-1503) Res.for Encumbrance- P.O. #1818- Non-Departmental - Downtown Development Committee

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

DUE 50

✓ A request was presented from the Director of Parks & Recreation for approval of a supplemental appropriation in the amount of \$ 300. in order to transfer monies received for rent from Valley Program for Aging Services, Inc., for Westover Senior Citizens Center utilities. Following a brief discussion, Councilman Dingledine moved that the appropriation be approved, and that:-

\$ 300. chgd.to: General Fund (1005) Non-Revenue Receipts- Recoveries & Rebates.

300. approp.to: General Fund (1-11030-390-1) Westover Swimming Pool - Other Operating Expenses.

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

✓ Manager Milam presented a request from Police Chief Presgrave for approval of a supplemental appropriation in the amount of \$ 211.20 from Recoveries & Rebates, representing reimbursement for funds paid out (insurance). Vice-Mayor Denton moved that the appropriation be approved, and that:-

\$ 211.20 chgd.to: General Fund (1005) Recoveries & Rebates.

154.95 approp.to: General Fund (9010-274) Maint. & Repairs Auto Equipment.

56.25 approp.to: General Fund (9010-11-5) Patrolman Salaries.

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

✓ City Manager Milam reminded Council that the City owns approximately 28 acres of land on the Shenandoah River (old Hydro Electric Plant Site), and noted that a letter re condemnation was turned over to the Harrisonburg Electric Commission. The HEC employed David Reed who demolished the building and removed one of the fences. The bill for this was quite large, and the HEC has presented same to the Water Department for reimbursement, in that they had paid the bill. Manager Milam said he would like the City Attorney and Attorney for HEC to prepare a resolution suitable to the Council, stating that the HEC will be relieved of all responsibility for the land, and transferring responsibility to the Water Department. The tract of land is in the name of the City. He pointed out the fact that a similar resolution transferring property on Maryland Ave. over to the Harrisonburg Electric Commission had been drawn some time ago. Inasmuch as HEC had requested to be relieved of responsibility for the tract of land on the Shenandoah River, members of Council authorized and directed the City Manager to proceed along these lines.

✓ The City Manager informed Council that he had been advised by City Treasurer Firebaugh that city tags go on sale March 15 - April 15, and that he will run a large Ad in the Daily News Record newspaper re purchase of same. It was explained that a print-out from the State was received of all license nos. in the city, with state license, and that when a city tag is purchased, the form is completed. If not purchased by April 15, a delinquent notice is mailed out. The Treasurer said the mailing could be done from his office but would prove expensive in time as well as money. Following discussion, it was agreed that the City Treasurer be instructed to run the newspaper Ad, and eliminate the mailing.

✓ City Manager Milam presented and read correspondence dated 2/21/75 from the Harrisonburg Reassessment Board comprised of Messrs. T.Harry Lowery, Richard L. Suter, and John H. Byrd, Sr., with the following facts and recommendation:-

"...The new mandate under state law compelled a reassessment at 100% of fair market value. This fact means an automatic increase in evaluation of 25% without considering any increase in value over the last assessment. It is common knowledge that local real estate values have increased substantially over the past four years. Therefore, considering both of these factors, the new assessment is substantially higher than the one which was made four years ago.

In view of the serious financial problems which would be created for the city by changing the percentage of value which is taxed, we are leaving the percentage to be taxed at 40%. In view of the obvious increase which this would create in the tax paid by every property owner, we recommend to the Council that it substantially lower the tax rate for the coming fiscal year."

Council discussed the matter and agreed that final report on the 1974 reassessment should be received prior to making a definite decision re tax rate. Following discussion, Councilman Dingledine moved that, "based on knowledge of the Reassessment Board and not by Council and the public, Council is aware of the impact, and further that following complete information concerning the 1974 reassessment, Council will make adjustments accordingly", which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council. Mayor Erickson suggested that the City Manager work with the news media in notifying the public of basic information cleared here tonight, as well as the fact that each individual will be notified by mail, his reassessment value.

City Attorney Lapsley informed Council that he had received today from the Commissioner of Revenue, a proposal amending Sec. 16-83 of the City Code concerning contractors, builders, and developers, and that more information would be brought in, following study of same.

There being no further business and on motion duly adopted, the meeting adjourned at 10:47 P.M.

N. Colene Lopez
CLERK

Ray Erickson
MAYOR

0059177

Tuesday, March 11, 1975

At a combined public hearing and 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 Raymond C. Dingledine, Jr., Water F. Green, III, City Auditor R. William Shifflet and Chief of Police Richard W. Presgrave. Absent:- Councilman Paul C. Cline.

The evening's Invocation was led by Rev. James Lincoln, Rector of Emmanuel Episcopal Church, Harrisonburg.

Minutes of the regular meeting held on February 25th were read, and approved as corrected.

65
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 February, 1975.

From the City Treasurer:-

A Trial Balance report as of close of business on February 28, 1975.

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 report (financial) for the City of Harrisonburg, Va. for month of February, 1975.

A report of cash discounts saved during month of February 1975 totaling \$ 120.39.

From the Data Processing Manager:-

A report of water, sewer and refuse accounts, meters read, installations, cut delinquents, complaints, etc. for month of February, 1975.

Mayor Erickson extended a welcome to students from area high schools present in the meeting for the City-County Government Day, and extended an invitation for them to come back at any time.

Mr. Rod Smith, Central Shenandoah Planning District Commission engineer, appeared before Council to present a Metropolitan Regional Water Quality Management Plan and to request approval of Phase I of same. He gave background information of meetings, studies, etc. leading up to final drafting of the Plan and presented a map showing three major river basins:- Potomac, James and Shenandoah, as well as a map of The Upper North River Study Region. He pointed out that it had originally been requested that Massanetta Springs go into the Plan, but since then it has been determined that they can exist as at the present, and the Plan was amended. Mr. Smith informed Council that the Plan had been approved by the Commission in 1973 and 1974 after which time it was distributed to the Planning Commission, with three public hearings held on same in March, May and August 1974. The Central Shenandoah Planning District Commission adopted the Plan in May, June and December 1974, and it is now before the Governing Body for adoption. City Manager Milam stated that the preliminary plan was received last year, and at that time, exception was taken on several items, one of which was the Massanetta Springs matter, which was expressed through Attorney Donald Litten at the Ft. Defiance public hearing. Planning Director Sullivan said that a complete study of the report had not been made. The engineer noted that recommendations in the report were primarily to solve pollution problems in our area. Manager Milam questioned a recommendation concerning Rockingham County's construction of a sewer plant at McGaheysville, to which Mr. Smith replied that they could not implement the Plan, but only set forth a guide line or road map, flexible enough for changes to be made. He offered an opinion that the State Water Control Board would take the plan seriously, in that the purpose is to sewer the needed areas, and said that the need would have to be present prior to funds being made available by the Environmental Protection Agency. An answer was not provided for a question raised by City Attorney Lapsley as to what effect it would have on the City of Harrisonburg, should Council not see fit to adopt the Plan. Mayor Erickson suggested that members study the matter with the possibility of adopting a resolution at a later date, and instructed the City Manager to notify Mr. Rod Smith when the matter would be placed on Council's agenda. Following discussion, Vice-Mayor Denton moved that the proposed resolution, presented by Mr. Smith, be referred to the City Planning Commission for study and recommendation, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Councilmen present.

Mayor Erickson temporarily closed the regular session and called the public hearing to order. City Manager Milam read the following Notice of Hearing as advertised in the Daily News Record newspaper:-

"The Harrisonburg City Council will hold a Public Hearing on Tuesday, March 11, 1975, at 7:30 PM in the City Council Chamber, Municipal Building, 345 S. Main St., to consider the following amendments and additions in the Zoning Ordinance:

- 1. Article III, Definitions: Add "Condominiums" - Real Property and incidents thereto or interests therein which have been lawfully submitted to the Virginia Condominium Act.*
- 2. Article V, General Provisions, Section 51, 'Zoning Affects Every Building and Use': Add - 'Condominiums, as defined herein, shall be permitted in any instance in which this ordinance would permit a physically identical project or development under a different form of ownership.*
- 3. Article VI, District Regulations; Sec. 62, R-2 Residential District; allow individually owned townhouses, limited to four units per cluster, in R-2 zones. Sec. 66, B-2 General Business District; allow 'Residential Uses, excluding Single Family Dwellings.'*
- 4. Article VII, Modifications & Adjustments; Sec. 79, Town House Regulations; add 'R-2' zones as districts permitting townhouses... 'In the R-2 zones, townhouses must comply with the provisions of this section and with the requirements otherwise applicable to R-2 zones.' (specifically, limit the clusters to 4 units, and density of 10 per acre.)*

City of Harrisonburg, Marvin B. Milam, City Manager

A recommendation of the City Planning Commission from its meeting held on January 15, 1975 was referred to which included the aforesaid 4 items listed in the public hearing notice, plus the following two paragraphs:

"The Commissioners discussed the proposal to allow residential uses in Central Business and General Business Zones. The question of not requiring off-street parking for any type of Central Business use was discussed, and since no residential developments are being proposed within B-1 Central Business at this time, consensus was that 'residential uses' be dropped from the recommended amendments until a request for such use materializes.

Mr. Kuykendall moved that the Planning Commission recommend to City Council that the Harrisonburg Zoning Ordinance be amended (a) to permit condominium

DD550

development in R-2, R-3 and R-4 Residential Districts and in B-2 General Business Districts; and (b) to permit individually owned townhouses in R-2 Residential Districts. Dr. Shank seconded the motion. All members voted aye..."

Mr. Sullivan, Planning Director, informed Council and those present that the Condominium Act of Virginia had brought about these proposed amendments to the City's Zoning Ordinance, and noted that it would permit townhouses for sale and residential condominiums to be constructed in every zone where building of light nature exists. Further, that condominiums for residential purposes would become permitted use in general business zones (strip commercial areas and shopping center sections) and surrounding downtown. Attorney Holmes Harrison noted that there was not much choice in the matter, since legislature has been passed which specified that condominiums cannot be prohibited in the types of areas mentioned. Amending of the ordinance would only be to put same in legal form. There being no others desiring to be heard, the public hearing was declared closed at 8:45 PM and the regular session reconvened.

✓ Mayor Erickson asked Council's wishes concerning amending the Zoning Ordinance as discussed in tonight's public hearing. Councilman Green moved that an ordinance amending the Zoning Ordinance be approved for a first reading and referred to the City Attorney to be drawn in proper form, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous recorded vote of Councilmen present.

✓ City Manager Milam presented and read correspondence dated 2/27/75 from Mr. James L. Keeler, a legal trustee of the First Church of the Brethren, Harrisonburg, requesting that the land which lies between the church property and new High Street, be deeded over to the church, who, in turn, would pay whatever legal and transfer costs are required. It was noted that the church has desired for some time to have this land in order to make some improvements in the parking situation. Mr. Milam reminded Council that if considered, this would be the vacating or closing of a section of the old S. High Street and would necessitate appointment of a Board of Viewers, adopting an ordinance, etc. If closed, this portion would be turned over to the church. Following discussion, Vice-Mayor Denton moved that the request be referred to the City Planning Commission for study and recommendation, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Councilmen present.

✓ The City Manager presented correspondence from Attorney General Andrew Miller to City Attorney Lapsley, enclosing a check in the amount of \$ 5,021.21 representing the City of Harrisonburg's share in the Cast Iron Pipe Anti Trust Case recovery. The report was for information.

✓ Manager Milam informed Council that he had received a request from the Rockingham-Harrisonburg Halfway House for an appropriation from the City in its 1975-76 budget in amount of \$ 5,000. He noted that although he had written them with a request that they submit a report of income and outgo, same had not been received to date. Following a brief discussion, Councilman Green moved that the request be referred to the City Manager and Budget Committee for consideration along with other requests for the ensuing fiscal year, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Councilmen present.

Correspondence was presented and read dated 3/10/75 from Mr. Rob R. Blackmore, Director of the Commission of Outdoor Recreation, advising Mayor Erickson that the Commission would be holding its next meeting on March 18, 7:30 PM at the Endless Caverns Lodge at which time additional information would be made available on the proposed acquisition of Endless Caverns to become a component of the Upper Valley Regional Park Authority's regional park system. Members desiring to attend the meeting were asked to so notify the City Manager.

Notification from the Va. Municipal League was presented that the Dept. of Highways had scheduled a public hearing in Staunton, Va. on March 27 at 10 AM.

A communication was read from the State Corporation Commission notifying that a public hearing was scheduled for May 29th at 10 AM in the SCC Court Room, concerning rates, charges, rules and regulations pertaining to VEPCO's requested rate increase. The City Attorney was asked to write for a copy of the rates, regulations, etc.

✓ A proposed agreement between the City of Harrisonburg and the SPCA (Society for the Prevention of Cruelty to Animals) was presented by the City Manager, same having been submitted by Mrs. Debbie DeRienzo, President of the organization. According to correspondence received from Mrs. DeRienzo, the contract or agreement had been reviewed with those who handle the dog pound, with their having no particular additions or corrections to make. It is felt that the City and County should enter into the contract or agreement jointly. City Manager Milam suggested that the contract be put in more legal form by the City Attorney prior to being presented to Council for consideration. He reminded members that the City had paid the sum of \$ 10,000. for the building to house misplaced animals, and \$ 3,000. toward the first year's operation. The contract was referred to the City Attorney to be re-drawn and brought back to Council.

✓ Council was reminded that the terms of Mrs. Marie Garnett and Mr. Ralph W. Cline on the Industrial Development Authority would expire on April 24th of this year, and Mayor Erickson asked members' wishes. Councilman Green moved that Mrs. Garnett and Mr. Cline be reappointed to the Authority for terms of four years, expiring on April 24, 1979, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Councilmen present.

✓ Council was reminded that the term of Mr. Jack Neff on the City School Board would expire on June 30th of this year. Councilman Green moved that Mr. Neff be reappointed to the Board for a three year term to expire on June 30, 1977, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Councilman present.

✓ Councilman Dingledine moved that an appropriation in the amount of \$ 2,316.75 requested by the Recreation Director in order to transfer monies for participants' wages (PEP) incurred during the month of January, as per agreement with the Virginia Employment Commission, be approved for second and final reading, a first reading having been approved on February 25, 1975, and that:-

\$ 2,316.75 chgd. to: General Fund (1005) Non-Revenue Receipts- Recoveries & Rebates.

58
\$ 2,316.75 approp.to: General Fund (1-11020-12) Parks & Playgrounds - Wages
which motion upon being seconded by Councilman Green, was adopted by a unanimous recorded vote of Councilmen present.

✓ Councilman Green moved that an appropriation in the amount of \$ 15,000. requested by the Water and Sewer Superintendent due to insufficient funds because of increased electric rates and repairs to pump, be approved for second and final reading, a first reading having been approved on February 25, and that:-

\$ 15,000. chgd.to: Water Fund - Unappropriated Surplus Account.

14,500. approp.to: Water Fund (6-2-361) Source of Supply- Electricity.

10,500. approp.to: Water Fund (6-2-272) Maint. & Repairs- Machinery & Equipment.

which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous recorded vote of Councilmen present.

✓ Councilman Dingledine moved that an appropriation in the amount of \$ 6,335. requested by the Director of Social Services to cover personnel and food stamp coupon issuance for emergency created by the present crisis, be approved for second and final reading, a first reading having been approved on February 25, and that:-

\$ 3,935. chgd.to: VPA Fund (604-1) Revenue from Other Agencies- Grants-in-Aid
from Commonwealth - Administration.

2,400. chgd.to: VPA Fund (604-12) Revenue from Other Agencies- Grants-in-Aid
from Commonwealth - Food Stamps.

3,935. approp. to: VPA Fund (*8021) Bureau of Administration.

*11-2 Social Workers - \$ 170.00

*11-5 Secretaries - 1,575.00

*11-6 Eligibility Wk. - 1,930.00

*Group Ins., Etc. - 260.00

2,400. approp.to: VPA Fund (8-8030-404) Food Stamps

which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous recorded vote of Councilmen present.

✓ The City Manager presented a request from Mr. Ralph Smith, Superintendent of Streets, for approval of a transfer of funds within department appropriations in amount of \$ 3,000. due to insufficient funds for snow & ice removal. Manager Milam pointed out that the five snows have cost the city \$ 18,600. with \$ 6,000. of this amount being spent for salt. Following a brief discussion, Councilman Green moved that the transfer be approved, and that:-

\$ 3,000. trans.from: General Fund (1-10330-12) Wages - Street Cleaning.

3,000. trans. to: General Fund (1-10330-350) Snow & Ice Removal.

which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous recorded vote of Councilmen present.

✓ City Manager Milam informed Council of a public hearing which is scheduled by the State Commerce Commission concerning the VEPCO rate increase request, on April 21, 1975, 10:00 A.M. He noted that resolutions had been received from other jurisdictions for reconvening of the General Assembly, by the Governor, to investigate VEPCO's fossil fuel adjustment. Mr. Milam reminded members of a resolution approved by City Council at a regular meeting on Tuesday, July 25, 1972, wherein Governor Linwood Holton was asked to ban all non-essential daytime lighting and air-conditioning electrical loads throughout the state and to prepare an indepth study of the situation as it related to the "energy crisis", and further, asking President Richard Nixon to obtain a similar but independent study as it related to the national "Energy crisis." Copies of this resolution were forwarded to the President, Governor, Chmn. of the SCC, Lt. Gov. Henry Howell, J.Kenneth Robinson, George S.Aldhizer, II, Clinton Miller, Nathan Miller, Attorney General Andrew Miller, William B. Spong, Jr., and Harry F. Byrd, Jr. At that time, Council was deeply disturbed over a report that VEPCO officials had given notification to electric officials that in order to avert total loss of the VEPCO system, breakers would be opened on the Harrisonburg distribution system, thereby creating total loss of electrical energy for the entire City of Harrisonburg. During a discussion, Councilman Green offered an opinion that some form of correspondence should be forwarded the Governor advising him that Council is aware that a problem does exist. Mayor Erickson said that the City of Harrisonburg could reiterate concern and send a copy of the 1972 resolution to those receiving it at that time. Members agreed that a request to reconvene the General Assembly at this time, would not be in order, but that expression of concern, would be in order. Following discussion, Councilman Green moved that the City Manager be instructed to work with the City Attorney in drawing up a proper form of correspondence which would best express Harrisonburg's concern over the present energy crisis at this time, as well as in 1972 when the resolutions were forwarded to the many sources, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Councilmen present.

✓ Mr. Victor J. Smith, Commissioner of Revenue, appeared before Council with regard to a proposal for amending Section 116-83 of the City Code "Contractors" by adding thereto Builders and Developers. He noted that in 1958 when the present License Tax Ordinance was adopted, a section concerning builders and developers was eliminated and not enacted. According to the Commissioner, following investigation into other cities' policies, it has been determined that they do have such a section in their ordinances. Mr. Smith said that developers have been coming into the City erecting buildings for sale and paying no license tax, and offered an opinion that they should be licensed the same as contractors. Following discussion, Vice-Mayor Denton moved that an ordinance amending Sec. 16-83 be approved for a first reading, which motion upon being seconded by Councilman Green, was adopted by a unanimous recorded vote of Councilmen present.

City Auditor Shifflet presented and explained his report "Municipal Debt Test" as outlined by the Municipal Finance Officers' Association of America, showing that the City of Harrisonburg rates well in each category:- (1) The "Test" recommends that the total indebtedness of a city remain under 10% of the true Value of Real Estate (the City's indebtedness is 6.0% better than recommended); (2) The City's annual debt requirement of 6.2% of the annual 1974-75 budget is much lower than the maximum percentage of 25% allowed under the Municipal Debt Test standards; (3) Principal of retiring 25% of Debt Principal every 5 years (average of 5% per annum) - City rates 2.8% better on payment of total indebtedness. Following a question and answer session, Mayor Erickson thanked Mr. Shifflet for the fine report.

✓ Manager Milam presented a request from the Massanutten Mental Health Center for an appropriation

DD1550


from the City of \$ 7,608., representing Harrisonburg's share of cost. He informed members of Council that the request would be considered along with others in the City's 1975-76 budget.

✓ A request from the Upper Valley Regional Park Authority was presented by the City Manager for an appropriation in the amount of \$ 8,910. in the City's 1975-76 budget was presented by the City Manager. It was explained that the increase over the \$ 8,000. appropriated last year was due to purchase of a vehicle, plus increase in electricity. Council was informed that the request would be considered along with others by the Budget Study Committee. The report was for information.

✓ City Attorney Lapsley reported that the Circuit Court Judge had appointed Messrs. T. Harry Lowery, John H. Byrd, Sr. and Richard L. Suter to serve as an Equalization Board, as recommended by City Council, and that Mr. Stanley Turner had been reappointed to the Board of Zoning Appeals for a five year term, also as recommended by Council. The report was for information.

There being no further business, Councilman Dingledine moved that the meeting adjourn at this time (10:25 P.M.) and that Council go into a brief executive session as requested by the City Manager, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Councilmen present.


CLERK


MAYOR

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, Raymond C. Dingledine, Jr., Walter F. Green, III, City Auditor R. William Shifflet and Chief of Police Richard W. Presgrave. Absent: none.

Minutes of the combined public hearing and regular meeting held on March 11th were read, and approved as corrected.

City Manager Milam presented each member of Council with a copy of the Harrisonburg Electric Commission proposed budget for 1975-76 and noted that the City Code requires that same be submitted each year on or before April 1st, in seven copies.

A Mailgram from The Hon. Harry F. Byrd, Jr., U.S. Senate, was read as follows:

"The City of Harrisonburg has been designated a Bicentennial Community.

Your City enjoys a fine heritage truly deserving of this recognition.

On this occasion I extend my congratulations and best wishes to the people of Harrisonburg."

The communication was for information.

For information, a news release from the Commission of Outdoor Recreation, Commonwealth of Va., was read by the City Manager, advising that the Commission at a meeting held on March 18th had agreed to give the Upper Valley Regional Park Authority until May 1st to come up with support from its member jurisdictions for its proposed purchase of Endless Caverns and the surrounding 1,300 acres. He noted that the matter had been covered by the news media.

Manager Milam informed Council that following the last regular meeting when the electric rates were discussed, he had written a letter to Gov. Holton and enclosed a copy of the excerpt concerning the discussion on March 11th, as well as a copy of Council's 1972 resolution re the energy crisis. The report was for information.

The following recommendation submitted by the City Planning Commission from its meeting on March 19 was read by the City Manager:-

"...The Director explained the Zoning Map and the recent rezoning for Northfield Estates which has created an R-4 Planned Unit District of 25 acres on the east portion of the former Joseph Farn, and 10 acres of B-2 General Business property in the center of the overall tract. This proposed zoning change will assure the City that Northfield Estates developers will be limited to commercial development along their North Main Street frontage.

Mr. David Seville of Alexandria, part-owner in the Northfield Estates group, spoke in favor of the rezoning of 9.6 acres from M-1 Industrial to B-2 General Business. No one was present to speak against the proposal.

Chairman Gilkeson asked for Planning Commission action. Mr. Williams moved that the Planning Commission recommend to the City Council that Northfield Estates 9.6 acre M-1 Industrial section be rezoned to B-2 General Business. Mr. Kuykendall seconded the motion, and all members present voted in favor..."

Manager Milam pointed out the area on a large map as members studied small copies of a map attached to their copies of the recommendation. Following discussion of areas surrounding the 9.6 acre tract, it was agreed that no action be taken concerning the scheduling of a public hearing until such time as better description limits were submitted by the Planning Commission, particularly with regard to properties on the west side of N. Main Street.

Manager Milam read the following recommendation submitted by the Planning Commission from its meeting of March 18th, as follows:-

"...The Final Plan for Section 2 of Reherd Acres Subdivision containing fourteen single family lots, was presented by the Director, and Mr. Jack Depoy, developer. The proposed plan for extending Star Crest Drive

70
northwestward from Spotswood Acres Subdivision was reviewed by City Staff on November 13, 1974 and March 12, 1975. Mr. Sullivan explained that the developers of Reherd Acres will install a 30" storm water pipe in Star Crest Drive, including the portion within Spotswood Acres to connect with N. Blue Ridge Drive's storm system. Proposed street grades and design for Star Crest Drive extension and 'Wren Way' have been accepted by the City Engineer and all water and sewer lines are satisfactory, according to the Water & Sewer Superintendent. Mr. DePoy told the Commissioners that his group has agreed to the staff requirements.

Mr. Kuykendall concluded the review with a motion that the Planning Commission recommend approval of this Final Plan for Sec. 2, Reherd Acres, with the understanding that the developer will install a proper storm water system (30" pipe) to North Blue Ridge Drive. Dr. Shenk seconded the motion and all members present voted in favor..."

The City Manager pointed out the area on a map and noted that all seemed to be in compliance with City requirements. Following a brief discussion, Councilman Dingledine moved that the Planning Commission's recommendation be approved, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

Council was reminded that the one year term for all members of the Advisory Board- Valley Program for Aging Services, would expire on May 1st of this year. Councilman Green moved that the current Board comprised of: Raymond C. Dingledine, Jr., Lakey S. Logan, Dr. Daniel R. Hall, Samuel Shrum, Wilhelmina H. Johnson, Capt. Charles White, Henrietta Huffman, Robert J. Sullivan, Jr., Pauline Riddle, Dr. Howard C. Cobbs, Dr. Dorothy Rowe, C. W. Kestner and Rhoda Liskey, be reappointed for a term of one (1) year each, to expire on May 1, 1976, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

Councilman Cline placed the name of Dr. Joseph Eney, Assistant Professor at Madison College, to serve on the Downtown Development Committee, after which time Councilman Green placed the name of Mr. Charles O. Strickler of Rocco, Inc. to serve as an additional member. Following a brief discussion, Councilman Cline moved that Dr. Eney and Mr. Strickler be appointed to the said committee, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

City Manager Milam presented a request from Mr. Paul Quintrell, Business Manager of the City School Board, for approval of an appropriation in the amount of \$ 12,000. from the General Fund Unappropriated Surplus Account to be used for reconstruction to the present High School Athletic Field. Manager Milam explained that the Athletic Field would be excavated approximately 6" to one foot, with this material used in front of Thomas Harrison Junior High School. New topsoil will be used where the excavation occurs. Following a brief discussion, Councilman Green moved that the appropriation be approved for first reading, and that:-

\$ 12,000. chgd.to: General Fund - Unappropriated Surplus Account.

12,000. approp.to: School Fund (19-600.02) Capital Outlay- Improvements to Sites.

\$ 2,700- topsoil; \$7,500.- sod; \$ 1,800. - labor, etc.

which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous recorded vote of Council.

A request was presented from the Director of Social Services for approval of an appropriation in the amount of \$ 5,000. to be used in helping families created by the present crisis, with additional state funds anticipated. Manager Milam pointed out that no local funds were involved in the transaction. Councilman Cline moved that the appropriation be approved for first reading, and that:-

\$ 5,000. chgd.to: VPA Fund (8-600-609) Revenue from Other Agencies-

Grants-in-Aid from Commonwealth.

5,000. approp.to: VPA Fund (8-8022-394-D) Bureau of Public Assistance-
Emergency Assistance.

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

A request was presented from the Director of Social Services for approval of an inter-departmental transfer in amount of \$ 135.00 needed for extra secretarial help during pregnancies. Vice-Mayor Denton moved that the transfer be approved, and that:-

\$ 135.00 trans.from: VPA Fund (8-8021-271) Director of Social Services-
Office Space Charge.

135.00 approp.to: VPA Fund (8-8021-11-5) Director of Social Services- Secretaries

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

Council was reminded by the City Manager that an ordinance had been approved for a first reading at the last regular meeting, allowing construction of condominiums in various zoning areas of the city where buildings of light nature exists, as well as individually owned townhouses. A public hearing had been held re the matter on March 11th, with Attorney Holmes Harrison stating at that time that legislation had been passed which specifies that condominiums cannot be prohibited in certain areas and that passage of an ordinance would be only to put same in legal form. City Attorney Lapsley read the ordinance amending Sections 2, 30, 35, 41 and 53 of the City Code. Following discussion, Councilman Dingledine moved that the ordinance be approved for second and final reading with authorization for the Mayor to sign the ordinance and the Clerk to attest same and spread upon the pages of the City's Ordinance Book, which motion upon being seconded by Councilman Green, was adopted by a unanimous recorded vote of Council. (Refer to Ord. Bk K page 60).

An ordinance amending Sec. 16-83 of the City Code requiring an annual license tax of Contractors, Builders and Developers, approved for a first reading on March 11th, was read by the City Manager. Councilman Cline moved that the ordinance be approved for second and final reading with authorization for the Mayor to sign the ordinance and the Clerk to attest same and spread upon the pages of the City's Ordinance Book, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous recorded vote of Council (Refer to Ord. Bk K, page 61).

DD4550

City Manager Milam presented a financial statement of the Rion Bowman Post #632-VFW, submitted to his office by the Commissioner of Revenue, along with a check in amount of \$ 10.00 and request for approval of a bingo permit for the calendar year 1975. He reported that the financial statement and check were required by law, and noted that everything seemed to be in order. Councilman Cline moved that the organization be granted a 1975 bingo permit, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

The City Manager presented a financial statement of the B.P.O.E. 450 Elks Lodge, submitted to his office by the Commissioner of Revenue, along with a check in amount of \$ 10.00 and request for approval of a bingo permit for the calendar year 1975. He noted that everything appeared to be in order. Councilman Cline moved that the organization be granted a bingo permit for 1975, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

✓ Manager Milam presented a financial statement of the Lodge 1686-Loyal Order of Moose, submitted to his office by the Commissioner of Revenue, along with a check in amount of \$ 10.00 and request for approval of a bingo permit for the calendar year 1975. He noted that everything appeared to be in order. Councilman Cline moved that the organization be granted a bingo permit for 1975, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

City Manager Milam presented a financial statement of the Ladies' Auxiliary-Fire Co. No. 1, submitted to his office by the Commissioner of Revenue, along with a check in amount of \$ 10.00 and a request for a 1975 bingo permit. He reported that all seemed to be in order. Councilman Cline moved that the organization be granted a 1975 bingo permit, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

The City Manager presented a financial statement of the Ladies Auxiliary-Fire Co. No.4, submitted to his office by the Commissioner of Revenue, along with a check in amount of \$ 10.00 and request for a 1975 bingo permit. He noted that all seemed to be in order. Councilman Cline moved that the organization be granted a bingo permit for the calendar year 1975, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

For information, Mayor Erickson, a representative of the City of Harrisonburg on The Shenandoah Valley Joint Airport Commission, reported that the proposed balanced operational budget of income and expenses was concise but factual for operation of the airport, and pointed out the fact that funds from the Political Subdivisions are used for Capitol Improvements only.

The Mayor read a letter from Planning District VI concerning establishment of a committee on Drug Abuse. The Chief of Police was asked to review the matter and possibly then recommend someone from law enforcement to represent the City on the committee.

City Manager Milam recommended that City Attorney Lapsley be authorized to employ legal assistance as he deems necessary to prepare certain ordinances. Vice-Mayor Denton moved that the City Manager's recommendation be approved, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

Council received proposed budget requests for the 1975-76 fiscal year from the Offices of the Commissioner of Revenue and City Treasurer.

There being no further business, Vice-Mayor Denton moved that the regular meeting adjourn at this time (9:00 P.M.) with Council going into a brief executive session requested by the City Manager, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

N. Glenn Lopez
CLERK

Lay Erwin
MAYOR

Tuesday, April 8, 1975

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, Raymond C. Dingledine, Jr., Walter F. Green, III, City Auditor R. William Shifflet and Chief of Police Richard W. Presgrave. Absent:- none.

Minutes of the regular meeting of March 25th were read, and approved.

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 March, 1975.

From the City Treasurer:-

A Trial Balance report as of close of business on March 31, 1975.

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 for the City of Harrisonburg, Va. for month of March 1975.

A report of cash discounts saved during month of March 1975 totaling \$ 231.24.

From the Data Processing Manager:-

A report of water, sewer and refuse accounts, meters read, installations, cut delinquents, complaints, etc. for month of March, 1975.

City Manager Milam read a letter from the Cooperative Extension Service expressing appreciation for Council's participation in the City-County Government Day, as well as cooperation in helping youth understand City Council and how it functions.

72

For information, the City Manager presented and read a letter from the office of the Governor which he had received, thanking him for his letter of March 24th expressing the concern of Harrisonburg City Council with the present energy crisis, and reminding him that the Governor was appointing an Electricity Costs Commission to investigate the facts about the energy picture. A copy of Council's 1972 resolution re the energy crisis had accompanied the City Manager's letter to Governor Helton.

Manager Milam presented correspondence from the Department of Highways advising that personnel from the Traffic & Safety Division of the Va. Department of Highways and Transportation, Richmond, Va., would be in the City on Monday, April 7th to begin securing traffic counts by the use of automatic recorders at selected locations. He noted that the recorders were in place at the present time.

The Final Plan for Block A of Northfield Estates Subdivision located northeast of Washington St., was presented by the City Manager. On motion of Councilman Cline, seconded by Councilman Green, and a unanimous vote of Council, the Plan was referred to the City Planning Commission for study and recommendation.

Manager Milam read the following final resolution concerning Cantrell Ave. Project (Mason to Paul Streets):

BE IT RESOLVED, by the City Council, City of Harrisonburg, Va., in regular session April 8, 1975, that the proposed construction of Cantrell Ave. (Project U000-115-104, PE-101, C501), from Mason St. to Paul St., as presented by the Virginia Department of Highways and Transportation on September 18, 1974 at 7:00 PM in the Harrisonburg High School Auditorium, located at 300 W. Grace St. in Harrisonburg, is hereby unanimously approved as to general concept of design.

RESOLVES this 8th day of April, 1975.

Mayor

Attest:

Clerk

Assistant City Manager Driver explained that the Highway Department had written a letter following receipt of Council's excerpt from the meeting of 1/28/75, stating that there was a misunderstanding on their part, of same, and requesting a clearer resolution from Council as to whether they approved or disapproved the public hearing of Sept. 18, 1974 at HHS. He noted that the S. Main St. project had been rescheduled for the fall of 1976, by adding federal funds to state and local funds, but that the Cantrell Ave. project was lying dormant due to no federal funds. Following discussion, it was agreed that the matter of approving the final resolution be set aside until the next regular meeting for further clarification, and the City Manager was asked to provide each member with a copy of the Highway Department's letter concerning the misunderstanding.

With regard to a recommendation from the Planning Commission and presented at the last meeting of Council for rezoning of 9.6 acres of the Northfield Estates Subdivision from M-1 Industrial to B-2 General Business, which recommendation had been re-referred to the Commission for further clarification of the area, City Manager Milam reported that the rezoning was not intended to include the tract on the west side of N. Main St. which is already zoned General Business. Following the City Manager's statement, Councilman Green moved that the recommendation of the Planning Commission be accepted and that Council schedule a public hearing on the matter for Tuesday, May 13, 7:30 P.M. in the Council Chamber, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Council. The City Manager was instructed to make proper notification of said hearing in the Daily News Record newspaper.

Mr. Cecil F. Gilkerson, Director of Parks & Recreation, present in the meeting along with members of the City Recreation Commission and architect Dwight E. Miller, presented the floor plan for the proposed Recreation Building (approx. 35,000 sq. feet) to be constructed at Westover Park, showing all sections on the diagram including meeting rooms which can be opened up into one large meeting room. He noted very little change from the original floor plan. The Site Plan was then presented, with Mr. Gilkerson noting that the contour was almost perfect. The building will have no windows. Parking areas are usable at the present time, but have to be finished with stone and asphalt. Following a question and answer session, Mayor Erickson expressed appreciation to Director Gilkerson and others for the presentation.

Mr. W. Raymond Showalter, Jr., Chairman of the Harrisonburg Parking Authority, asked Mr. John Byrd, Building Official, to present the final plan for the proposed parking deck on the City's Municipal Parking Lot between Water and Bruce Sts. Mr. Byrd informed Council that the Plan had been presented by Shockey Bros. to the Parking Authority, Planning Commission and City Staff, and that the plans were well engineered to serve needs set forth by the Parking Authority. He pointed out that the idea was to preserve the present 223 parking spaces on the lower level, and that following changes made at different times, 193 spaces were in the plan for the upper deck. Exits and entrances to the lower level are practically the same as at present on to Water & Bruce Sts., with entrance to the upper deck off of Liberty St. centered on entrance to the police station (by ramp), and a third lane on Liberty to allow vehicles to get into the easternmost lane to enter. According to Mr. Byrd, the Plan meets demands of the Parking Authority and is structurally sound. The load limit would not permit heavy trucks or maintenance vehicles on the upper deck. Councilman Dingledine questioned maintenance of the upper deck, and Mr. Byrd replied that this had not been finally determined. The matter of snow removal was discussed at length, with Assistant City Manager Driver noting that this would be an important factor to consider. Mrs. David Garber, of David Garber Jewelers located in the Pankey Building, expressed concern re the aesthetic value, and Mr. Byrd said that if the parking deck and properties along Blacks Run were tied together, it would be City property to privately owned property, on which considerable study would have to be given. Mr. Showalter said that the Parking Authority would like for City Council to underwrite bonds for financing of the Parking Deck, in that it would be much easier for them to secure funds, as well as a lower rate of interest. The Authority's plan is to sell 15 year bonds to pay for the \$600,000. project. Following discussion, Vice-Mayor Denton moved that the City underwrite the Parking Facility Bonds and that the City give enough of the parking revenue back to the Parking Authority to meet their programs, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council. Vice-Mayor Denton then moved that the Final Plan be placed before the

DD0550

City Staff and also the Planning Commission for a final look, in order to "get the show on the road", which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council. Planning Director Sullivan said he would like to see all departments concerned, as well as staff people, present in next Wednesday's Commission meeting, when technical questions may arise.

City Manager Milam reminded members of correspondence which had been presented at the last meeting from the Central Shenandoah Planning District Commission to Mayor Erickson, advising him of the establishment of a Regional Drug Abuse Control Council, and requesting that the City of Harrisonburg submit a name to be appointed as its representative on same. At that time, Council had asked the Chief of Police to recommend someone from law enforcement for consideration. Manager Milam then read a letter dated March 27, 1975 from Police Chief Presgrave in which he submitted the name of Detective Sgt. William H. Holloway, with the following statement: "I feel that with his specialized training in drugs and drug enforcement and over nine years of police experience qualifies him for this nomination." Councilman Dingledine moved that the name of Detective Sgt. Holloway be submitted to the Central Shenandoah District Commission for appointment to the recently established Drug Abuse Control Council, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of City Council.

City Manager Milam presented and read the following resolution for Council's consideration:-

WHEREAS, the Harrisonburg-Rockingham Chamber of Commerce has conceived the idea of the establishment of AMERICAN BUSINESS DAY, and

WHEREAS, the observance of AMERICAN BUSINESS DAY is to focus attention of the public on the importance of the competitive enterprise system to the well-being of all people, and

WHEREAS, May 13, 1975 will be observed as AMERICAN BUSINESS DAY, now THEREFORE be it resolved by the Honorable Council of the City of Harrisonburg, Va. that May 13, 1975 be observed in the City of Harrisonburg, Va. as AMERICAN BUSINESS DAY, and the Honorable Council of the City of Harrisonburg, Virginia, urges all the citizens thereof to observe this day to honor and commemorate AMERICAN BUSINESS and the PRIVATE ENTERPRISE system.

ADOPTED this 8th day of April, 1975.

Mayor

Following a brief discussion, Councilman Cline moved that the resolution be approved and the Mayor authorized to sign the same, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Council.

Councilman Cline moved that an appropriation in the amount of \$ 5,000. requested by the Director of Social Services to be used for helping families, created by the present crisis, be approved for seconded and final reading, a first reading having been approved on March 25th, and that:-

\$ 5,000. chgd.to: VPA Fund (8-600-609) Revenue from Other Agencies- Grants-in-Aid from Commonwealth.

5,000. approp.to: VPA Fund (8-8022-394-D) Bureau of Public Assistance- Emergency Assistance.

which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous recorded vote of Council.

City Manager Milam presented a request from Mr. Cecil Gilkerson, City Recreation Director, for approval of a supplemental appropriation in the amount of \$ 2,175.75 in order to transfer monies for participants' wages (PEP) incurred during month of February, as per agreement with the Virginia Employment Commission. Councilman Cline moved that the appropriation be approved for a first reading, and that:-

\$ 2,175.75 chgd.to: General Fund (1005) Non-Revenue Receipts- Recoveries & Rebates.

2,175.75 approp.to: General Fund (1-11020-12) Parks & Playgrounds- Wages.

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

The City Manager presented a request from the Director of Parks & Recreation for approval of an interdepartmental transfer of funds in the amount of \$ 2,160.12 due to insufficient funds in various accounts caused by rising costs of materials, supplies, electricity, etc. Following a brief discussion, Vice-Mayor Denton moved that the transfer be approved, and that:-

\$ 2,000.00 trans.from: General Fund (11040-72) Building & Roadway.

160.12 trans.from: General Fund (11040-75) Furniture & Fixtures. NATIONAL GUARD ARMORY.

766.80 trans.to: General Fund (1-11040-212) Other Materials & Supplies

333.32 trans.to: General Fund (1-11040-291) Rents & Leases- Building.

520.00 trans.to: General Fund (1-11040-361) Electricity

240.00 trans.to: General Fund (1-11040-362) Sewer Service

200.00 trans.to: General Fund (1-11040-363) Water Service

100.00 trans.to: General Fund (1-11040-390) Other Operating Expenses

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

Councilman Green moved that an appropriation in the amount of \$ 12,000. requested by the City School Board Office for reconstruction of the present High School Athletic Field, be approved for second and final reading, a first reading having been approved on March 25, and that:-

\$ 12,000. chgd.to: General Fund - Unappropriated Surplus Account.

12,000. approp.to: School Fund (19-600.02) Capital Outlay- Improvement to Sites.

which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous recorded vote of Council.

The City Manager presented a request from the City School Board for approval of a supplemental appropriation in the amount of \$ 12,000. for projected overrun due to increase in electric rates caused by the fossil fuel adjustment. Following discussion, it was agreed that action on the request be held for a further look at the City's budget situation, and that the School Board be asked to derive funds for the emergency from some other source.

74

Manager Milam called members' attention to his monthly progress report for the month of March, pointing out that all work on the Skidmore Dam 81 has resumed with bills for same coming into his office, and also that the No. 4 Fire Company building is nearing completion.

City Attorney Lapsley informed Council that he had met today with representatives of the S.P.C.A. concerning a contract between that organization and the City of Harrisonburg and noted that a question had arisen re the City's cost of \$1.00 per day per city dog, with limit of 5 days, as to what dogs should be included. He offered an opinion that it should be on stray dogs brought in by the Dog Warden, or by an individual residing in the City when a stray dog comes on his property and the Dog Warden is not available. He stated that after 5 days if a dog is not claimed or placed, it will be destroyed. Council agreed with the City Attorney's thinking on the matter and left wording of the contract to his discretion. City Manager Milam said that the City should have \$ 3,000. worth of credits in that the \$ 10,000. requested for the building had been paid, plus an amount of \$ 3,000. for the first year's operation, which had been paid in advance. The City's account should be credited for the \$1.00 per day against the \$ 3,000. The City Attorney said that he would have additional information at the next regular meeting, and commended the Dog Warden on a tremendous job.

Assistant City Manager Driver presented a project on which he said he was convinced, namely:- Heat Recovery. He explained the process of burning refuse for fuel, thus producing steam and heat. He had talked with the hospital and college about the idea, and said both had shown interest. According to Mr. Driver, the two institutions could consume about as much heat as the City could produce in a year's time. Three tons of refuse would be the equivalent of one ton of coal. The City of Harrisonburg produces 150 Tons of solid waste per week and Rockingham County produces an additional 600 Tons. The total of 750 Tons would equal either 250 T. of coal per week; 50,000. gallons of oil or 7 1/2 million cubic feet of natural gas. He pointed out that the amount saved in fuel cost by the hospital & college by purchasing from the Heat Recovery, would finance the project. The firm of Clifford & Associates who have been working on the project, feel that their figures are fairly accurate, but a very detailed study would have to be made prior to approaching the two institutions with definite figures, etc. Mr. Driver said that there was a possibility of getting an E.P.A. Grant to finance the survey for the project on a 75-25 matching basis, with total cost of \$ 25,000. and City's share approximately \$6,000. Council was informed that there are 8-10 years left on the City's present landfill and that in the not too distant future, something would have to be done to acquire another site. He asked if Council desired at this time to approve making the study. He noted that should the project materialize, the plant would be located near the hospital and college (in an enclosed building), with pipes leading into their present heating systems, and could be designed in such a manner that the separation of burnables from non-burnables would not be necessitated. Mr. Driver informed Council that May 5th is the deadline for filing of application, but that the Environmental Protection Agency would like same in by Apr. 25. Following a lengthy discussion, Councilman Green moved that the Assistant City Manager be authorized to proceed with the grant application for the total amount of \$ 25,000. for the survey, with the City's portion of cost at 25%, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

The following resolution was adopted by a unanimous vote of Council on motion of Councilman Cline, seconded by Councilman Green:-

WHEREAS, the sudden death of George R. Heatwole has saddened the entire community; and

WHEREAS, his many contributions to the well-being of the community and his participation in cooperative prospects between the County and the City are recognized and appreciated;

NOW, THEREFORE, BE IT RESOLVED:

That the Council of the City of Harrisonburg in regular session on April 8, 1975, hereby expresses to the family of George R. Heatwole, the officials of Rockingham County government, and the citizens of Rockingham County its deep sympathy in the loss of a leading citizen and dedicated public servant.

Dated: _____

Mayor

There being no further business and on motion by Vice-Mayor Denton, seconded by Councilman Cline and a unanimous vote of Council, the regular session adjourned at 10:05 P.M. with Council then going into an executive session to discuss acquisition of a parcel of land.

W. Greene Loken
CLERK

Ray E. Smith
MAYOR

DD1550

Tuesday, April 22, 1975

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, Raymond C. Dingleline, Jr., Walter F. Green, III, City Auditor R. William Shifflet and Chief of Police Richard W. Presgrave. Absent:- none.

The evening's Invocation was led by The Rev. Newton Bearden, pastor of St. Stephens United Church of Christ, Harrisonburg.

Minutes of the regular meeting held on April 8th were read, and approved as corrected.

✓ A report from the Harrisonburg Board of Assessors signed by Messrs. Richard L. Suter, T. Harry Lowery and John H. Byrd, Sr., was presented and read by the City Manager, advising that the quadrennial reassessment of all real estate in the City of Harrisonburg had been completed, with 4,945 taxable parcels at assessed value of \$ 75,079,312.00 and 148 tax exempt parcels at assessed value of \$ 37,588,650., a total of 5,093 properties appraised. The Board notified that the 1975 Code of Virginia made it manda-

tory that real estate value be based on a fair market value, and noting that since the last general appraisal of 1971, inflation has been great. Council was advised as follows: "In arriving at the new values we have taken into account many recent sales and we have made a conscientious effort to be fair. Due to the overall increase in values, we, your Board of Assessors, recommend that a reduced applicable rate be made by the Council." Included with the correspondence was a schedule of dates assigned to taxpayers, by alphabetical order, for hearing their complaints and adjusting inequities in real estate assessments, by the Equalization Board, including errors in acreage, which hearings would run from April 30, 1975 through May 7, 1975. The state appraisers would be subject to interview. Council was further advised in the correspondence that all taxpayers had been advised of the new assessed values, as well as the hearing dates, which had also been published in the Daily News Record newspaper. Councilman Cline questioned whether or not it was required that the fair market value be used rather than 80%, and the City Manager replied that the rules of the General Assembly changed rules of assessment procedure based on the 100% valuation, and noted that this was not the fault of the City. The change represents a 4 year change, and not a 1 year change, of which the City Manager requested that the general public be made aware. Following discussion, Councilman Dingleline moved that the report submitted by the Board of Assessors be accepted for information, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

The following recommendation submitted by the City Planning Commission from a meeting held on April 16, 1975, was read by City Manager Milam:-

"...The Director presented a map showing a portion of old South High Street situated in the northeast corner of new South High St. and West Water St., plus a 200 square foot section of 'lot residue.' Mr. Sullivan explained that the First Church of the Brethren has requested this territory be vacated and deeded to the church. The Director pointed out that the City must retain an easement because of water, sewer and telephone conduit lines which run the length of the block between W. Water and W. Market Streets. Mr. Milam suggested that the old S. High St. 33' right-of-way be retained as a utility easement, continuing north to W. Market St., and no permanent structures be allowed if the land is vacated and deeded to the First Church of the Brethren.

Mr. Williams moved that the Planning Commission recommend the vacating of property under discussion, subject to the City retaining the 33' utility easement, and condition that no permanent structures be built on said area, and subject to review and concurrence by a Board of Viewers to be appointed by City Council. Dr. Shank seconded the motion. All members present voted in favor..."

City Manager Milam called members' attention to their copies of the small map which accompanied the recommendation, noting that the portion of street in question was 8' at the widest point and 50' at the longest point. Council discussed the private alley used by two property owners at the southernmost part of the street portion, as well as the easement to be retained by the City. Following discussion, Councilman Dingleline moved that the Planning Commission's recommendation be accepted for information, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council. Councilman Cline then moved that Messrs. P. H. Hardy, T. H. Lowery and John H. Byrd, Sr., be appointed as a Board of Viewers, to view the portion of street and report to Council, in writing, whether or not any inconvenience would result in the vacation of same, and if so, what, taking into consideration the private alley. which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

The following recommendation submitted by the Planning Commission from a meeting held on April 16, was read by the City Manager:-

"...The Planning Commissioners, Parking Authority, members of City Staff, and interested downtown merchants heard Mr. John H. Byrd, Jr., describe in detail several drawings of the proposed Downtown Parking Structure. Mr. Byrd's drawings illustrated several changes of architectural detail as well as parking space arrangement and traffic flow patterns, compared to the earlier preliminary plans submitted by Shockey Bros. Company.

Questions and discussion regarding number of spaces, dimensions of spaces, traffic ingress and egress, lighting requirements, snow and ice control and removal, color and appearance of the exterior sides of the structure, pedestrian accommodations, safety, results of test borings on the site, and landscaping plans were thoroughly explored.

Based on documentation in earlier studies that a need for additional core area Central Business District parking will benefit the economic health and well-being of the community, and based on the anticipated availability of financial support from revenue bonds, Mr. Williams offered a motion that the Planning Commission support the 'final plans' for the Parking Authority's proposed Downtown Parking Structure. Mr. Denton seconded the motion. All members present voted in favor (Messrs. Williams, Denton, Shank, Milam, and Gilkeson)..."

Mr. Byrd reviewed the final plan for Council, noting various changes which had been made following City Staff review and committee study, including widening of ramp area off S. Liberty St.; lower portion of ramp closed in for storage of equipment, etc.; the 2 entrances on the Bruce St. side, together, and the 2 exits together, rather than staggered as at the present time, in order to improve traffic flow; improvement of the exterior from a fortress looking type structure by use of pierced brick rather than wrought iron between the brick, which would let in natural light by day and artificial light by night; open area along the ramp for better vision. Mr. Byrd pointed out the fact that the ramp bollards would be pulled when the deck is full or in the event of a parade, in order that the traffic could continue on S. Liberty St. in 3 lanes. There would be an area for bicycle parking, and landscaping on the eastern side of the structure. He explained a projected plan for a mini-mall (covered and well lighted) along the passage way from the Civic Center Area to Court Square Area, which the Downtown Development Committee would be concerned with. Councilman Dingleline asked if property owners had been contacted re the tying in of their properties with the proposed parking deck area. Mr. Byrd said he would be meeting with the engineers this Thursday to determine if the plans were indeed functional, after which time he would go back to the owners. Council commended Mr. Byrd on a job well done. Councilman Cline moved that the

00550

76
Planning Commission's recommendation be approved, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

City Manager Milam read the following Dog Impoundment Agreement which had been drawn up by the City Attorney, in conjunction with representatives of the S.P.C.A., for Council's consideration of final approval:-

This agreement, made and entered into this ____ day of April, 1975, by and between the City of Harrisonburg, hereinafter referred to as the City, and the Rockingham-Harrisonburg Society for the Prevention of Cruelty to Animals, Inc., a non-profit corporation, hereinafter referred to as the Society,

W I T N E S S E T H :

WHEREAS, the Society is authorized and empowered to impound all lost, stray, and homeless animals coming into its control and custody, as well as those which are brought in as a result of violations of the animal regulations; and to place or humanely dispose of such animals as come into its control.

WHEREAS, the City Council deems it advisable and in the best interests of the City to enter into an agreement with this Society for the management and control of stray dogs brought to its animal shelter from within the City that are presently being taken to the City-County Dog Pound.

NOW, THEREFORE, in consideration of these premises, it is mutually agreed between the parties as follows:

1. Management and Operation of Animal Shelter.

(a) The Society will furnish animal shelter facilities located two and one-half miles east of the Court Square on Old Furnace Road and will comply with all state and local laws and regulations regarding animal control and protection.

(b) The Society will maintain proper housing for all lost, stray or homeless dogs, which come into its custody.

(c) The Society will maintain suitable office hours at the animal shelter for the convenience of the public and for the purpose of transacting business in connection with the duties under this contract and for the purpose of receiving animals or for accepting applications for the redemption of impounded animals.

(d) The Society will appoint competent and qualified employees for the carrying out of the responsibilities under this contract, who shall be responsible to the elected officers of the Society.

(e) The Society will provide proper food, water, shelter and other humane treatment for such animals while they are in the Society's possession and until placed or otherwise humanely disposed of by the Society.

(f) The Society will cooperate with the Health Department by following procedures required by the ordinance concerning persons or animals bitten by an animal in the City of Harrisonburg.

(g) The Society will keep full and accurate records of all animals in its control, showing the date, place and reason the animals were brought into custody with a description of the animal and a record of its length of stay and final disposition.

(h) The Society will not have the right, authority or power to sell, mortgage, or assign this contract or the powers granted to it, or any interest therein, for any purpose whatsoever without the written consent of the City.

2. Payment by the City.

(a) The City will make payments to the Society for the temporary maintenance of all stray dogs received by it from within the geographic limits of the City of Harrisonburg.

(b) The agreed contract payments shall be computed on the basis of one dollar per day per dog for stray dogs received from within the geographic limits of the City.

(c) The payments will be made monthly following the submission to the City Manager by the Society of a statement showing records for the preceding month.

3. Terms of the Agreement

It is mutually understood and agreed by the parties hereto that this agreement shall continue in effect for one year from date hereof. However, after the initial period, this contract may be terminated by either party upon ninety (90) days written notice to the other of an intention to terminate this agreement or enter into a new agreement. Otherwise, the agreement shall continue in effect under the same terms and conditions on a year-to-year basis.

4. City-Society Cooperation.

The City and the Society will cooperate in carrying out the terms and purposes of this agreement and in enacting and enforcing ordinances consistent with such purposes and the aims of the Society.

WITNESS the following signatures and seals:

CITY OF HARRISONBURG
By _____

ATTEST:

Clerk

ROCK. HARRISONBURG SOCIETY FOR THE PRE-
VENTION OF CRUELTY TO ANIMALS, INC.,
By _____ President

ATTEST:

Secretary

DD0550

City Attorney Lapsley said that the contract was based on a 1 year period in order to give either party the option of terminating same after that period with a 90 day notice. City Manager Milam recommended that the contract, already in operation, be approved at this time, with the Mayor and Clerk authorized to sign the same on behalf of the City. Councilman Green moved that the City Manager's recommendation be approved, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Council.

Appointments to various Boards & Commissions were deferred until a later meeting.

Councilman Dingledine moved that a supplemental appropriation in the amount of \$ 2,175.75 requested by the Recreation Director in order to transfer monies for participants' wages (PEP) incurred during the month of February as per agreement with the Virginia Employment Commission, be approved for second and final reading, a first reading having been approved on April 8, and that:-

\$ 2,175.75 chgd.to: General Fund (1005) Non-Revenue Receipts- Recoveries & Rebates.
2,175.75 approp.to: General Fund (1-11020-12) Parks & Playgrounds- Wages.

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

The City Manager presented a request from the Director of Social Services for approval of an interdepartmental transfer of funds in the amount of \$ 175.00 for in-service training and eligibility staffing for a replacement for present employee who is resigning. Following a brief discussion, Vice-Mayor Denton moved that the transfer be approved, and that:-

\$ 175.00 trans.from: VPA Fund (8-8021-330) Director of Social Services-
Administration- Travel & Staff Development,
175.00 trans. to: VPA Fund (8-8021-11-6) Director of Social Services-
Eligibility Workers.

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

City Manager Milam presented an Appropriation Ordinance for the proposed 1975-76 City of Harrisonburg Budget, totaling \$ 11,966,365.00, an increase of \$1.3 million over the present budget year, with \$ 600,000. of the increase representing the proposed Civic Center Parking Structure which would be financed with 15 year bonds. The City Manager recommended in his Budget Message a rate of \$ 2.00 per \$100 valuation on real estate, a reduction of 20%, rather than the \$ 2.50 per \$100 valuation present rate, for the next fiscal year. The personal property tax would remain at \$ 2.65 per \$100 valuation. Three new items appearing in the proposed budget were: Harrisonburg-Rockingham Bicentennial Commission, \$ 500.; Downtown Development Committee, \$ 25,000.; and Huckleberry House, \$ 5,000. Manager Milam pointed out in his Budget Message that "in order to balance this budget, \$ 1,436,475. was eliminated from the requests of various departments. This cut is not as severe as it might appear, because \$ 950,000. was cut from Recreation but will appear later in other funding arrangements, \$ 216,861. was eliminated from Schools, and the other from various departments. \$ 166,931. of the anticipated unappropriated surplus from this year's operation was also utilized in attaining a balanced budget." Mayor Erickson said that members would need time to review the budget and asked the possibility of meeting next Tuesday evening, April 30th, 7:30 PM to study and discuss same. Councilman Cline moved that the Appropriation Ordinance be approved for a first reading, and that Council meet on next Tuesday evening for an informal work session on the 1975-76 budget, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous recorded vote of Council. Vice-Mayor Denton moved that the City Manager be authorized and directed to publicize the budget summary as well as a public hearing notice for a hearing by Council on the proposed 1975-76 budget on Tuesday, May 13th, 7:30 PM in the City Council Chamber, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

Planning Director Robert Sullivan presented members with copies of the report prepared by the City Planning Commission titled "Past and Present Growth Trends" of the City of Harrisonburg from the year 1900 when the population was 3,521 to the present year of anticipated population of 18,000. The report contained drawings of Harrisonburg, designating various annexations from Rockingham County, ten of which have been made since Harrisonburg was incorporated as a town in 1849. It was stated that: "In January of 1970, a small annexation added 27.3 acres to the City. The U.S.Census of 1970 reported that the City of Harrisonburg's population reached 14,605. While no additions of territory have occurred over the past 5 years, population estimates for the City indicate that Harrisonburg has grown by almost 25% since 1970...to a population figure of approximately 18,000." Mr. Sullivan stated that he felt it would be wise for the City to realize that our present status territory-wise ultimately will be totally developed and that the rate of growth since 1970 (14,605 to approx. 18,000) indicates that the City will soon be fully developed and at that point, our capacity for population will be 24,000 persons. The City's urban pattern is illustrated in four directions. Following a question and answer session, Mayor Erickson thanked the Planning Director for his fine report and asked if he was suggesting that we face up to future expansion of our city limits, to which Mr. Sullivan replied in the affirmative. Vice-Mayor Denton moved that in view of the Planning Commission report, the City Manager prepare a proposed annexation map and proper ordinance for same, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council. Vice-Mayor Denton then moved that Tuesday, May 6, 7:30 PM be scheduled as a special meeting date for Council to receive the annexation information from City Manager Milam, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

Mr. Peter Hall, representative of the Central Shenandoah Planning District Commission, explained some policies and procedures which will be needed in order to be eligible for state and federal funding. He pointed out that rather than the first come-first serve basis, allocations would be made by the Division of Justice & Crime Prevention to each of the 22 districts on which they would project anticipated projects. The "target allocation" system would require each district to plan against a certain amount of funds. The Ad Hoc Committee would work with various projects and the City would file pre-application forms. Mr. Hall informed Council that a letter showing the City of Harrisonburg's input as to priority projects would be needed to accompany the pre-application form for the \$ 26,000. maximum allocation, which form is requested to be received by May 15th. No action taken at this time.

For information, Mayor Erickson reported that last week he and Assistant City Manager John Driver had talked with officials of the State Highway Department in Richmond, in order to stimulate needs for this area and to request a "speed up" of the S.Main St. reconstruction. He expressed a hope to hear from

them within the next few weeks.

✓
City Attorney Lapsley informed Council that in the 1940s, electric lines were installed between Park View electric system and the City of Harrisonburg, with easements, etc. Since that time, the lines have been taken down and abandoned with the City still owner of a recorded easement, outside the City Limits at Park View. He noted that the Harrisonburg Electric Commission had not been contacted concerning future use of that easement, and suggested that a resolution be adopted authorizing him to prepare a document to release same if no longer required. Council agreed that this matter is under the jurisdiction of the HEC and instructed the City Attorney to talk with them and bring back a report.

There being no further business and on motion duly adopted, the meeting adjourned at 10:00 P.M.


CLERK


MAYOR

Tuesday, May 6, 1975

✓ At a special 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, Councilmen Paul C. Cline, Raymond C. Dingledine, Jr., Walter F. Green, III, City Auditor R. William Shifflet and Chief of Police Richard W. Presgrave. Absent: - Vice-Mayor E. Warren Denton, Jr.

Mayor Erickson called the meeting to order and the City Manager read the Special Meeting Call.

Council was reminded by City Manager Milam that he had been instructed at the last regular meeting, on motion of Vice-Mayor Denton, seconded by Councilman Cline, and a unanimous vote, to prepare an ordinance and attach a map thereto of land proposed to be annexed by the City of Harrisonburg from Rockingham County, as well as a second motion whereby a special meeting date was scheduled for this evening at which time the said ordinance and map would be presented. Members were then given copies of the 36 page ordinance and map. The City Manager pointed out the fact that at the present time Rockingham County has 865 square miles of land and the City of Harrisonburg, 6 sq. miles. The proposed annexation consisting of 14 square miles would increase the City's area to 20 sq. miles, leaving 851 square miles in Rockingham County. City Engineer Donn Devier then traced and explained the territory on a map for Council and others present. Councilman Cline read the following Ordinance Title and moved that this and the ordinance proper, be approved for a first reading: -

"To provide for the extension of the corporate limits of the City of Harrisonburg, Va., pursuant to the provisions of Article I, Chap. 25, Title 15.1 of the Code of Virginia by annexation of certain territory in Rockingham County; to declare the policy with respect thereto; to set forth the necessity and expediency thereof; to define the metes and bounds and area of the territory sought to be annexed; to show in maps annexed to this Ordinance, information indicating generally existing subdivisions, industrial areas, farm areas, vacant areas and other land uses; to set forth the effect thereof on said County and its ability adequately to support the County governments and public schools; and to prescribe the general terms and conditions upon which annexation is sought and provisions planned for future management and improvement of the annexed territory."

Councilman Green seconded the motion approving the annexation ordinance for a first reading, which was adopted by a unanimous recorded vote of Councilmen present. Absent: - Vice-Mayor Denton. Mayor Erickson noted that the next regular meeting would be held on May 13th and that possible members will have had time by then to digest information as well as the ordinance itself.

The meeting was adjourned at 7:55 PM on motion of Councilman Green, seconded by Councilman Cline, and a unanimous vote of Councilmen present.


CLERK


MAYOR

DD0550

Tuesday, May 13, 1975

At a combined public hearing and 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, Raymond C. Dingledine, Jr., Walter F. Green, III, City Auditor R. William Shifflet and Chief of Police Richard W. Presgrave. Absent: - None.

The evening's Invocation was led by Rev. Don Fogelsanger, pastor of the Harrisonburg Brethren Church.

Minutes of the regular meeting held on April 22nd and special meeting of May 6th were read and approved.

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 April, 1975.

From the City Treasurer: -

A Trial Balance report as of close of business on April 30, 1975.

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 for the City of Harrisonburg, VA. for month of April, 1975.

A report of cash discounts saved during month of April, 1975 totaling \$ 188.32.

From the Data Processing Manager: -

A report of water, sewer and refuse accounts, meters read, installations, cut delinquents, complaints, etc. for month of April, 1975.

Dr. Malcolm Tenney, Jr., District Health Director and also Registrar for Vital Statistics presented a portion of his annual report of 1973 statistics for the City of Harrisonburg, including population for city and state; number of live births and illegitimate births in Harrisonburg as compared to the number of deaths by various causes. He noted that last year's skin tests (kindergarten & first grades) totaling 158, were all negative, which is excellent. Dr. Tenney informed Council that notice received on May 10 advised that the Federal Government will no longer fund vaccines which are used in the clinic for indigent patients, which may cost in the neighborhood of \$ 1,000.-\$2,000. more than budgeted. A concern was expressed by the Health Director re the number of Boards & Commissions approved by the judge and General Assembly, all of which are set up with good people, but for which funds are insufficient for the various projects. He said that the first-come-first-serve basis has been used for funds, and offered an opinion that there should be some way to look at the whole problem to determine priorities and what can be afforded, in order that a community may get its money's worth. Mayor Erickson thanked Dr. Tenney for his fine report.

City Manager Milam called Council's attention to his monthly progress report for the month of April, particularly to the facts that: water cut offs for delinquent bills had increased over the past month; 750 cubic yds. of clay material used for improvements to the High School athletic field; completion of the new No. 4 fire company building anticipated for the latter part of May with possible occupancy at that time, and tentative plans for an Open House around the month of July.

Mr. Robert Sullivan, Planning Director, gave an overview of the housing situation (by blocks) in the City of Harrisonburg, noting that of the 5,370 housing units, 86% would meet the definition of sound condition, while the remaining 14% are in deteriorating condition. He noted that in 1970, the Bureau of Census reported 80.1% as sound and 19.9% deteriorating. Since 1970, 96 living units have been eliminated by various means, all of which were not classified as deteriorating. Most of the new housing since 1970 has been in the outlying areas due to overcrowded situation in the City. The Director pointed out the fact that federal funds can be used to improve housing, and that the Department of Housing & Urban Development wants to know about housing conditions, economic condition, and the direction development will take. City Manager Milam called attention to the fact that in November 1974 when Congress first approved the Block Grant Program, he and Mr. Sullivan had attended a meeting concerning same in Staunton and had determined that the proposed new recreation center at Westover Park would meet all requirements necessary for a Grant. He gave background information of meetings held, etc. leading up to the filing of an application on April 10th of this year, and notice published in the Daily News Record newspaper on April 19. Correspondence of April 22nd advised of no objections to the proposal by state agencies. The full application for \$ 492,000. in federal funds and \$ 662,000. local matching funds, was prepared by Allen Siff and presented at the April 23rd Planning Commission meeting, and was also reviewed by the City Attorney. Manager Milam read the following resolution for Council's consideration: -

RESOLUTION APPROVING COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND
AUTHORIZING FILING OF AN APPLICATION FOR DISCRETIONARY FUNDS

WHEREAS, the Housing & Community Development Act of 1974 provides Harrisonburg, Va., Federal assistance to local units of government under the Community Development Block Grant Program to carry out eligible community development activities under said Act; and

WHEREAS, the City Council of the City of Harrisonburg, Va. has caused to be prepared an application for Discretionary Funds as provided for by such Program; and

WHEREAS, the City Council has reviewed said application and has knowledge that not less than two public meetings have been held on the community development program to assure citizen participation and comment with regard to the development of the program activity set forth in the Application.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Harrisonburg, Va., that:

1. The Community Development Program for the City of Harrisonburg as represented by the community development activity set forth in the application for Discretionary Funds dated May, 1975 is hereby approved.
2. The City Manager is authorized to file said application, including all understandings and assurances contained therein, with the United States Department of Housing & Urban Development.
3. The City Manager is hereby designated as the authorized representative of the City of Harrisonburg, VA., and is directed to act as such representative in connection with the application and to provide such additional information as may be required.

ADOPTED AND APPROVED this _____ day of May, 1975. Attest: _____ Clerk _____ Mayor

Councilman Dingledine moved that the resolution be approved with the proper officials authorized to sign the same, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council. Several objections re construction of the recreation center were voiced by Mr. Owen Shifflet, Dr. Larry Roller, and Mrs. Fred Pence, namely: -

(1) No need for more recreation in the City; (2) Tax dollars will be used for financing; (3) Dedicated teachers and city employees receiving only 5% salary increases in City budget.

A suggestion was made for utilization of the school buildings after school hours and at night, to provide facilities for recreation, due to the fact that many children have no transportation across

DD550

80

town to a central recreational building. Mayor Erickson noted that the present Recreation Building on S. Main Street is taken up with various groups for arts, crafts, etc. and stressed the need for more facilities which can be provided in the proposed Center.

At this point in the meeting, Mayor Erickson called the public hearing to order and the following notice of hearing was read by the City Manager: -

"The Harrisonburg City Council will hold a public hearing on Tuesday, May 13, 1975, 7:30 PM in the City Council Chambers, Municipal Building, 345 S. Main Street, to consider the following rezoning request:

Northfield Estates request to rezone 9.6 acres located on North Main Street from M-1 Industrial to B-2 General Business.

All persons interested will have an opportunity to express their views at this public hearing."

Marvin B. Milam, City Manager

The Planning Director presented each member of Council with a small map and pointed out the area on a large map. He explained that 230 units are proposed in the development and that the back portion of the land was rezoned R-4 planned development some months ago, while the front portion has been zoned industrial for a number of years. The developer proposed a shopping center which is allowable under the B-2 General Business zoning requested. Mr. Sullivan made an observation that the General Business Zoning would be more in line for this area, in that development north of Simms School will result in a large population, hence more residences. No one present who desired to speak either for or against the request. Manager Milam called attention to the fact that the Planning Commission had submitted a recommendation from their meeting on March 19th, to rezone the 9.6 acre M-1 Industrial to B-2 General Business. Following discussion, Councilman Green moved that the recommendation of the Planning Commission be approved, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous recorded vote of Council.

City Manager Milam reminded Council that on April 22 (regular meeting date), a motion by Vice-Mayor Denton, seconded by Councilman Cline and adopted by unanimous vote, authorized him to prepare an ordinance for proposed annexation of land by the City of Harrisonburg from Rockingham County, and to attach thereto a map of territory involved. A special meeting was scheduled for Tuesday, May 6, at which time his presentation would be made. He noted that on May 6, copies of the ordinance and map were presented each member. Following discussion, Councilman Cline read the ordinance title and moved that the ordinance be approved for a first reading. The motion was seconded by Councilman Green and adopted by a unanimous vote of Councilmen present, Vice-Mayor being the only member absent. After the City Manager's remarks, Mr. Robert Sullivan, City Planning Director, gave an overview of the 14 square mile area, tracing the territory by map. Following discussion, Councilman Cline read the following ordinance title and moved that the ordinance be approved for second and final reading, with authorization for the Mayor to sign the ordinance and the Clerk to attest same and spread upon the pages of the City's Ordinance Book: -

"To provide for the extension of the corporate limits of the City of Harrisonburg, Va., pursuant to the provisions of Article I, Chap. 25, Title 15.1 of the Code of Virginia by annexation of certain territory in Rockingham County; to declare the policy with respect thereto; to set forth the necessity and expediency thereof; to define the metes and bounds and area of the territory sought to be annexed; to show in maps attached to this ordinance, information indicating generally existing subdivisions, industrial areas, farm areas, vacant areas and other land uses; to set forth the effect thereof on said County and its ability adequately to support the County governments and public schools; and to prescribe the general terms and conditions upon which annexation is sought and provisions planned for future management and improvement of the annexed territory."

The motion was seconded by Vice-Mayor Denton and adopted by a unanimous recorded vote of Council, all members being present. (ORD. BK K, Page 64)

A letter dated 5/12/75 from Mr. Frank C. Switzer was read, requesting that his resignation from the Harrisonburg-Rockingham Regional Sewer Authority Board be accepted due to personal circumstances. Vice-Mayor Denton moved that the resignation of Mr. Switzer be accepted, with regrets, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council. Councilman Dingledine then moved that a proper resolution be drawn to express appreciation to Mr. Switzer and to commend him for services rendered the City of Harrisonburg as a representative on the Regional Sewer Authority, and assuring him that Council is cognizant of the many services he has rendered as a public servant over the years, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council. The City Manager was instructed to have the said resolution prepared for presentation at the next regular meeting of Council.

Vice-Mayor Denton moved that Mrs. Mitzi Preston and Mrs. Elizabeth Zirkle be added to the Downtown Development Committee due to their interest in beautification, as well as Mr. Ed Landreth, Vice-President of Manufacturing, Metro Pants Co. Councilman Dingledine seconded the motion which was adopted by a unanimous vote of Council.

Mayor Erickson recommended that in lieu of Mr. Frank Switzer's resignation as one of four City representatives on the Harrisonburg-Rockingham Regional Sewer Authority, and in as much as the City should retain full representation, that Mr. John Driver, Assistant City Manager be considered for appointment. Following a brief discussion, Councilman Dingledine moved that Mr. Driver be appointed to serve the unexpired term of Mr. Switzer to July 14, 1978, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

The City Manager presented a request from the City School Board for approval of a transfer of funds within the School budget in amount of \$ 23,480., setting forth the following for which appropriations were insufficient in various categories: - School Psychologist Travel; Fuel; Workmen's Compensation; Rental/lease Equipment; Employer's Contribution for Fringe Benefits; real estate taxes on rental properties; and increase in handling charges for Bonds. During discussion, Councilman Cline suggested that a survey be made of City Buildings to determine whether the most is being gotten from heat energy, noting that it was his understanding that this would be done free of charge to the City.

DD550

Manager Milam was instructed to contact Shengas concerning such a survey. Councilman Cline moved that the transfer be approved, and that: -

- \$ 2,000. trans.from: School Fund (1201-221) Other Instr.Costs-Tuition Paid Other Divisions.
- 3,000. trans.from: School Fund (1201-314) Other Inst.Costs - Libraries.
- 750. trans.from: School Fund (1203-219.02) Pupil Transportation Services-Transportation by Public Carrier.
- 1,850. trans.from: School Fund (1207-134.01) Summer School-Inst.Salaries.
- 1,380. trans.from: School Fund (1207-305) Summer School-Inst.Supplies.
- 2,000. trans.from: School Fund (1208-134.01) Aduld Education-Inst.Salaries.
- 12,500. trans.from: School Fund (19-601.02) Capital Outlay-Alterations to Buildings.
- 180. trans.to: School Fund (1202-220) Attendance & Health Serv.-School Psychologist Travel.
- 13,755. trans.to: School Fund (1205-311) Operation School Plant-Fuel.
- 700. trans.to: School Fund (1206-213) Fixed Charges-Workmen's Comp.
- 1,500. trans.to: School Fund (1206-214.02) Fixed Charges-Renta;/Lease Equipment.
- 7,000. trans.to: School Fund (1206-295) Fixed Charges-Employees Contrib.Fringe Benefits.
- 280. trans.to: School Fund (1206-299) Fixed Charges-Other Fixed Charges.
- 65. trans.to: School Fund (20-806) Debt Service-Other Debt Service.

which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

The City Manager presented a request from Fire Chief Humes for approval of a supplemental appropriation in the amount of \$ 5,000. due to insufficient funds due to increase in cost of electricity during fiscal year. Councilman Dingleline moved that the appropriation be approved for a first reading, and that: -

- \$ 5,000. charged to: General Fund - Unappropriated Surplus Account.
- 5,000. appropriated to: General Fund - (9020-361) (Fire Department),

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

The City Manager presented a request from Mr. Ralph Smith, Street Superintendent, for approval of a supplemental appropriation in the amount of \$ 6,748.00 from General Fund, Recoveries & Rebates, representing monies spent from the Street Department budget for sidewalk and street improvements at Thomas Harrison Jr. High School and grading of the football practice field. Following a brief discussion, Vice-Mayor Denton moved that the appropriation be approved for first reading, and that: -

- \$ 6,748.00 charged to: General Fund - Recoveries and Rebates.
- 6,748.00 appropriated to: General Fund (1-10110-275-1) St.Inspection-Repairs & Maint. - Maint. & Repairs = Highways, Sts., and Sidewalks.

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

With the public hearing still open, Mayor Erickson asked the City Manager to read the following Notice of Hearing: -

"NOTICE IS HEREBY GIVEN, that a public hearing on said budget as submitted and amended will be held in the Council Chamber in the Municipal Building at 7:30 PM on the 13th day of May, 1975, at which meeting the said budget will be further acted upon by the Council. Detailed information concerning various functions as stated in the foregoing budget estimates is filed in the Office of the City Manager of the City of Harrisonburg, Va. as a public record subject to inspection.

Marvin B. Milam, City Manager"

The City Manager noted that the appropriation ordinance, already approved for a first reading, shows various categories of the City Departments for personal services.. Other operating expenses and capital outlay. He pointed out the fact that the present year's real estate tax is \$ 2.50 on each \$100 valuation and that the present rate estimated in the 1975-76 budget is \$ 2.00 on each \$100. valuation, amended due to the higher property assessments for 1974. He explained that following Council action approving the ordinance for first reading, he had issued a Memo revising the service charge on tax exempt real estate to 20% (state law limitation) of the \$ 2.00 tax rate, or 40¢, rather than 50¢ shown under Section VIII of the ordinance. In the same Memo, he made a recommendation that in lieu of decreasing the \$ 2.00 rate on real estate as suggested earlier, that Council consider some form of tax relief for the elderly based on various income or financial levels and occupied by the owners. Councilman Dingleline suggested that an ordinance be drafted to provide some tax relief for the elderly citizens of the City and said he felt this could be done within a few months and could go into effect prior to the December deadline for payment of tzxes. Councilman Cline was asked to investigate this with the City Manager, and report back, there being no one present desiring to be heard and following discussion, Vice-Mayor Denton moved that the Appropriation Ordinance for the proposed City of Harrisonburg budget totaling \$11,966,635. including a real estate tax rate of \$2.00 per \$100. valuation and a service charge of 40¢ per \$100. valuation on tax exempt properties, be approved for second and final reading with authorization for the Mayor to sign the ordinance and the Clerk to attest same and spread upon the pages of the City's Minute Book, which motion upon being seconded by Councilman Cline, was adopted by a unanimous recorded vote of Council. (Refer to Minute Bk K page 86).

Mayor Erickson declared the public hearing closed at 10:05 PM and the regular session reconvened.

The City Manager reported that this past week the bond market had improved slightly with a possibility of better rates by the end of this month or June, rather than the latter part of this year, in that interest rates have been climbing since the Bill signed for tax rebates. He said that after checking with the presidents of local banks, there seems to be no problem in financing the \$ 600,000. parking deck project through them until permanent financing is made by bond issue. The money would be loaned on the full faith & credit of the City. During discussion of the proposed "Ordinance Authorizing the Issuance of Parking Facility Bonds of the City of Harrisonburg, Va. in the Maximum

amount of \$ 600,000. and Borrowing Money in Anticipation Thereof", Council agreed to amend Sec. 8 by deleting the first sentence which provided for the City to keep all funds derived from the parking facility segregated from all other city funds and to keep proper records of same. The amended section reads as follows: "The City shall apply the revenue derived from the operation of parking facilities to payment of the principal of and interest on the bonds and notes authorized hereby." Councilman Dingledine moved that the ordinance, as amended, be approved for a first reading, which motion upon being seconded by Councilman Green, was adopted by a unanimous recorded vote of Council.

✓ An application for bingo permit submitted by a sorority from Madison College was presented by the City Manager, which application had been checked by the Commissioner of Revenue and turned over to him. He noted that games would be held at Warren Campus Center at Madison. Following a question concerning the legality of issuing such permit on Commonwealth property, it was agreed that the matter be deferred for further investigation.

✓ The City Manager read a letter dated 4/28/75 from City Treasurer Firebaugh in which he referred to a portion of Chapter 9, Section 16 of the City Code, which section is in regard to Chapter 58, paragraph 762 of the Code of Virginia concerning sale of land for delinquent taxes under the direction of a governing body. A request was made for five listed properties to be sold, under said sections, in that he had been unable to collect delinquent taxes on same, in any manner. Following discussion, the matter was referred to the City Attorney for handling.

✓ For information, City Attorney Lapsley reported that the Harrisonburg Electric Commission has no further use of the electric easement outside Park View, owned by the City, and that he would draw up a proper document releasing same, for presentation to Council at a later date.

There being no further business and on motion duly adopted, the meeting adjourned at 10:35 PM.


CLERK


MAYOR

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, Raymond C. Dingleline, Jr., Walter F. Green, III, City Auditor R. William Shifflet and Chief of Police Richard W. Presgrave. Absent: - None.

The evening's Invocation was led by the Rev. Ronald David, pastor of Trinity United Church of Christ, Mt. Crawford, Va.

Minutes of the combined public hearing and regular meeting held on May 13th were read and approved as corrected.

✓ Messrs. Floyd Temple and James Madden were present in the meeting desiring to be heard re certain conditions which prevail in the northeast section of the City, namely: -

(1) Excessive speed on Gay Street as well as other intersections, particularly where Reservoir Street and Sterling Street enter E. Market Street; (2) Improved recreational facilities and conversion of the Simms School building for Civic Center; (3) Problems in garbage pickup; (4) Holes in streets. Suggestions were made by the two residents for installation of traffic lights or 4-way stop signs at various intersections; placing of signs denoting "children playing" and/or speed bumps to discourage excessive speed through the residential areas. Mayor Erickson pointed out the following facts: - (1) Any requests concerning E. Market Street, which is Rt. 33, must be referred to the Harrisonburg Safety Committee and State Highway Department for study and recommendation insofar as traffic lights, stop signs, etc. are concerned.; (2) The School Board and School Superintendent have been meeting to work out plans for Simms School which will be finalized as rapidly as possible insofar as funding, etc. permits.; (3) There are no speed bumps in the City of Harrisonburg, only raised places in the street to control flood waters, for instance those on Chestnut Drive. During discussion, it was pointed out that the signs denoting "children playing" are placed by local residents as a group, and not by the City. Councilman Cline said there may be disadvantages to signs of this nature in that motorists may tend to ignore them after a time, and further that parents may rely fully on the signs and not watch their children. With regard to garbage not being picked up at various places, attention was called to the fact that regulations require same to be put out in a certain manner in order to qualify for pickup and that those improperly prepared, are tagged by the City. Following discussion, it was agreed that the requests for traffic safety measures be referred to the Harrisonburg Safety Committee for investigation and report back to Council.

✓ The following resolution was read, and adopted by a unanimous vote of Council on motion of Councilman Dingleline, seconded by Councilman Green: -

WHEREAS, Frank C. Switzer, in recognition of his untiring services rendered to the City of Harrisonburg, the members of City Council wish to express their sense of personal appreciation, and

WHEREAS, Frank C. Switzer, has devoted his life's energies and dedicated his peerless talents to the causes of stimulating and advancing the development of this City; and

WHEREAS, Frank C. Switzer has rendered valuable services as a representative from the City of Harrisonburg on the Board of the Harrisonburg-Rockingham Regional Sewer Authority since the creation of the Authority until May 13, 1975,

THEREFORE, BE IT RESOLVED, by the City Council of the City of Harrisonburg, in regular session assembled this 27th day of May 1975, that it does appreciate your contribution and loyal service rendered to the City of Harrisonburg.

ADOPTED this 27th day of May, 1975

DUB50

MAYOR

ATTEST:

CLERK

Council was reminded by the City Manager that previous resolutions had been adopted for Mr. Switzer with re to his service as Mayor and Councilman.

The following recommendation submitted by the City Planning Director from a meeting of the Commission held on May 21st was read by the City Manager: -

"...The Planning Commissioners reviewed a map illustrating the central portion of Westover Park, showing the proposed Community Activities Center as it will relate to the swimming pool complex and park road system. Mr. Dwight Miller, architect for the Parks & Recreation Commission, described the interior layout of the proposed structure which contains approximately 33,000 sq. feet of floor space. Mr. Miller also described plans for a 200-space parking lot southeast of the structure and a 60-space parking lot north of the structure. Mr. Sullivan asked for an explanation as to why no windows are designed in the proposal and it was pointed out that heating and cooling problems plus glare from daylight will be eliminated; also, windows are targets for vandals. However, skylights will be used over the lobby area and in the hallway. Mr. Miller was also questioned concerning the convenience of a driveway to the main entrance, so that people could be let out and picked up perhaps under a canopy .. otherwise everyone will have to park their cars and walk to the structure ... Dr. Shank offered a motion that the Planning Commission recommend approval of the proposed Community Activities Center for the Parks and Recreation Department. Mr. Kuykendall seconded the motion, and all members present voted in favor ..."

Manager Milam explained that the parking lot, presently situated south of the swimming pool, will be relocated between the swimming pool and Dogwood Drive and off of a 360° circle. Council discussed the width of the circle with the thought of children and adults being let out a distance from the entrance to the building. Following discussion, Councilman Dingleline moved that the recommendation of the Planning Commission be approved with a provision that the Assistant City Manager, architect, Recreation Director and Planning Director, give consideration to a picking up and dropping off place, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

City Manager Milam presented and read the following resolution for Council's consideration and approval: -

BE IT RESOLVED, by the City Council, City of Harrisonburg, Virginia, in Regular Session May 27, 1975, that the proposed construction of Cantrell Avenue (Project U000-115-104, PE-101, C501), from Mason Street to Paul Street as presented by the Virginia Department of Highways & Transportation on September 18, 1974 at 7:00 PM in the Harrisonburg High School Auditorium, located at 300 W. Grace Street in Harrisonburg, is hereby unanimously approved as to general concept of design.

RESOLVED this 27th day of May, 1975.

MAYOR

ATTEST:

CLERK

Following discussion, Vice-Mayor Denton moved that the resolution be approved with authorization for the proper officials to sign the same, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

The City Manager informed Council that the Central Shenandoah Manpower Council was desirous of an alternate member to represent the City of Harrisonburg in the event that Councilman Cline, recently appointed member, could not be present for some of the meetings. He pointed out that the Manpower Council deals with grants which come through the Virginia Employment Commission, and noted that the City has applied for a continuance of the PEP (Summer Jobs Program). Councilman Cline said he felt it would be well to be represented at all meetings in the event he could not be present at any time, and moved that Mr. John Driver, Assistant City Manager, be appointed as an alternate member to serve at the pleasure of Council, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

Mayor Erickson reported on a meeting of the Virginia Municipal League Executive Committee which was held last Thursday, at which time Mr. Dick DeClair was appointed as Executive Director of the League, from many applications received for the position. He offered an opinion that it is important to have someone from Virginia in this position who is familiar with Virginia laws and is well qualified. He also informed Council of the appointment of Councilman Paul Cline to the League's Safety Committee. The report was for information.

Mayor Erickson, a representative of the City on the Shenandoah Valley Airport Commission, reported that the taxiway, funded by the participating political subdivisions under Capitol Improvements, was officially opened last Saturday. He noted that prior to this, planes took off and taxied on the same runway. The report was for information.

Vice-Mayor Denton moved that a supplemental appropriation in the amount of \$ 5,000. requested by Fire Chief Humes, due to insufficient funds due to increase in cost of electricity during the fiscal year, be approved for second and final reading, a first reading having been approved on May 13, and that:-

\$ 5,000. Charged to: General Fund - Unappropriated Surplus Account.

5,000. Appropriated to: General Fund (9020-361) (Fire Department) Electricity.

DD550

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

✓ Councilman Dingledine moved that a supplemental appropriation in the amount of \$ 6,748. requested by the Superintendent of Streets from Recoveries & Rebates (same having been repaid into that account by the School Board) for work done by the Street Department in construction of sidewalk and street improvements at Thomas Harrison- Jr. High School and grading of football practice field, be approved for second and final reading, a first reading having been approved on May 13, and that: -

\$ 6,748. Charged to: General Fund 0 (Recoveries & Rebates)

6,748. Appropriated to: General Fund (1-10110-275-1) St. Inspection-

Repairs & Maintenance - Maintenance & Repairs - Highways, Streets, and sidewalks.

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

✓ A request was presented from Police Chief Presgrave for approval of a supplemental appropriation in the amount of \$ 2,000. due to insufficient funds because of increase in cost during the fiscal year, primarily for supplies and electricity. Following a brief discussion, Councilman Cline moved that the appropriation be approved for a first reading, and that: -

\$ 2,000. Charged to: General Fund - Unappropriated Surplus Account.

1,000. Appropriated to: General Fund (9010-211) Gasoline, Lubricants, Tires, Etc.

1,000. Appropriated to: General Fund (9010-361) Electricity.

which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous recorded vote of Council.

✓ The City Manager presented a request from Mr. Paul Quintrell, Business Manager of Harrisonburg City Schools, for approval of a supplemental appropriation in the amount of \$ 12,000. representing a loan to Massanutten Vocational Technical Center, to be repaid prior to June 30, 1975. He recommended that the request be approved in that the School Board had to meet its financial obligation for the Center. Following a brief discussion, Councilman Green moved that the appropriation be approved for a first reading, and that: -

\$ 12,000. Charged to: School Fund (R-37) Receipts from Other Funds

Rebates (revenue) (Anticipated Receipts).

12,000. Appropriated to: School Fund (1201-221) Other Inst. Costs - Tuition

Paid Other Div.

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

✓ City Manager Milam presented each member of Council with a copy of the Planned Use Report for revenue sharing funds for the 6th entitlement period 7/1/75 thru 6/30/76 totaling \$ 415,313. as follows: Public Transportation, \$ 170,000.; Recreation, \$ 2000,000.; Economic Development, \$ 45,313. An appropriation ordinance, requiring two readings, was presented at the same time. Councilman Green said he would like to see the Washington Street Project, presently scheduled, carried through all the way while the crews and equipment are there working, and suggested the possibility of using a portion of Revenue Sharing for this. Manager Milam reported that 16 unemployed persons have been hired by the City and that various street projects are being set up to keep them working. In as much as cost figures on the Washington Street Project should be in by the next regular meeting, action was deferred on Revenue Sharing Uses until that time.

✓ Council received the following report from Messrs. P. H. Hardy, T. H. Lowery and John H. Byrd, Sr., a duly appointed Board of Viewers:-

The undersigned Viewers appointed by the Council of the City of Harrisonburg, Va. at a regular meeting held on Tuesday, April 22, 1975 to view a certain portion of old High Street situated in the northeast corner of new S. High and W. Water Streets.

Dr. Claude and Mary Morrison own two homes on W. Market St. The only way they have to enter their homes by auto or truck is through a privately owned alley 11 feet wide in the rear of their lots, ending at the old South High Street line.

We contacted both Dr. and Mrs. Morrison, they stating no objection to the closing of old South High Street providing some arrangements be made, so they can get from the end of their private alley to both new S. High and West Water Streets.

We recommend Morrison be granted ingress and egress from end of 11' alley at the eastern line of old South High Street to new eastern line of South High Street and the northern line of W. Water Street.

We are also recommending the City retains an easement because of water, sewer, gas and telephone conduit lines which run the length of the block between W. Water and W. Market Streets. Also no permanent structures be allowed.

If the above two recommendations are granted, we respectfully report that in our opinion no inconvenience, either to public or private interests would result in the closing of the property known as old South High Street."

John H. Byrd, Sr.

T. H. Lowery

P. H. Hardy

City Attorney Lapsley informed Council that it has been determined that the alley, referred to as private, is a public alleyway. Following a brief discussion, it was agreed that the matter be tabled for the present time.

✓ The following resolution was read by the City Manager for Council's consideration and approval:-
BE IT RESOLVED, that the City Manager is hereby designated as the

DD0550

authorized representative of the City of Harrisonburg, Virginia, and is directed to act as such representative in connection with the Application for 206(a) reimbursement and to provide such additional information as may be required.

ADOPTED and APPROVED this _____ day of _____, 1975.

Mayor

Attest:

Clerk

City Manager Milam explained that his office had been working for approximately three years with applications, etc., under letters from the State Water Control Board and E.P.A. out of Philadelphia, re reimbursement for sewer construction here between the years 1966-1972, originally in total amount of \$ 953,875.00. As time went on, the amount of grant dwindled until at the present time they will only award a certain percentage of pipe sizes and manholes in the northern end of the City. In as much as he is required to send proof of publication and breakdown of pipe sizes, etc. to receive reimbursement due the City, Manager Milam requested authorization by the foregoing resolution. Following discussion, Vice-Mayor Denton moved that the resolution be approved with the proper officials authorized to sign the same, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

✓ The following resolution was read by the City Manager for Council's consideration and approval:-

RESOLUTION AS TO HYDRO-ELECTRIC POWER PLANT AND MARYLAND AVENUE
SUB-STATION.

WHEREAS, the City of Harrisonburg is the owner of a 28-acre tract of land known as the Hydro Electric Power Plant property located in Stonewall District, Rockingham County, Virginia, a survey description thereof being hereto attached and made a part hereof, said property having been used for many years by the Harrisonburg Electric Commission; and

WHEREAS, the Harrisonburg Electric Commission no longer has any need or use for said 28-acre tract of land; and

WHEREAS, the City of Harrisonburg owns a tract of land containing 1.569 acres, located on the east side of Maryland Ave. within the City of Harrisonburg, a survey description and plat of said property being hereto attached and made a part hereof, which said property is now being used by the Harrisonburg Electric Commission as the location for a substation;

NOW, THEREFORE, BE IT RESOLVED:

(1) That the Water Department of the City of Harrisonburg assumes all responsibility for and control of the above mentioned 28-acre tract known as the Hydro-Electric Power Plant and relieves Harrisonburg Electric Commission of any further responsibility for the maintenance or control of said real estate;

(2) That the Harrisonburg Electric Commission assumes all responsibility for and control of the 1.569 acre tract located on Maryland Avenue and relieves the City of Harrisonburg from any further responsibility for or control of said real estate; however, the City of Harrisonburg does hereby retain the right of ingress and egress over, across, through and under said 1.569 acre tract for the maintenance, repair, replacement, enlargement or addition to the water and sewer and storm water utilities located on said parcel as shown on the plat which is hereto attached and made a part hereof, and does further retain the right to use said 50-foot strip as a roadway for any legitimate city purpose.

ADOPTED by the Council for the City of Harrisonburg this ____ day of _____, 1975.

Mayor

Attest:

Clerk

Accepted by Harrisonburg Electric Commission this ____ day of _____, 1975.

By _____

Following a brief discussion, Councilman Green moved that the resolution be approved and the proper officials authorized to sign same on behalf of the City, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

✓ Manager Milam asked Council to approve a deed to the Harrisonburg Electric Commission transferring a 1958 easement and replacing and providing a new easement 6' x 75' along Holly Court. Councilman Green moved that the City Manager be authorized to sign the deed, subject to approval of the Harrisonburg Electric Commission's attorney, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

✓ City Manager Milam presented an ordinance "Authorizing the Issuance of Parking Facility Bonds of the City of Harrisonburg, Va. in the Maximum Amount of \$ 600,000. and Borrowing Money in Anticipation Thereof", including a corrected last sheet amending No. 8 of the ordinance as agreed upon at the last regular meeting when same was approved for a first reading. Councilman Dingleline moved that the ordinance, as amended, be approved for second and final reading with authorization for the Mayor to sign the ordinance and the Clerk to attest same and spread upon the pages of the City's Ordinance Book, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous recorded vote of Council. (Refer to Ord. Book K, page 63).

✓ Mr. Victor J. Smith, Commissioner of Revenue, informed Council that following the last regular meeting when questions were raised concerning the issuance of a bingo permit to a Madison College

000550

000550

Sorority requesting same, he had talked with college officials and learned that the final decision would be left up to Council. He advised that the application appeared to be in order and was accompanied by a \$ 10.00 check as required. Vice-Mayor Denton moved that the request be granted and the motion was seconded by Councilman Green. The matter was further discussed during which time the question of policy was raised. Vice-Mayor Denton withdrew his motion and Council unanimously agreed that the request be held for further study.

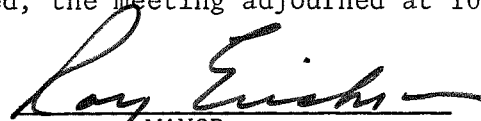
✓ Mr. Victor J. Smith, Commissioner of Revenue, presented information and discussion re a proposed ordinance for the exemption from a portion of local real estate taxation on certain real estate owned by certain persons. He offered an opinion that if Council felt there should be some exemption for the elderly, it should be done now rather than deferring the matter. Members were presented with the following information compiled by Mr. Smith: Sec. 58-760-1 of the State Code "Exemption of or Deferral of Taxes on Property of Certain Elderly Persons"; an Analysis of Statutory Provisions and Recommendations; Plans used in various Virginia Cities; a proposed ordinance. Mayor Erickson thanked Mr. Smith for his presentation and asked members to review the materials provided.

✓ The City Manager asked Council's wishes re contribution to the National League of Cities for litigation costs. Following discussion, Councilman Cline moved that the amount of \$ 50.00 be contributed, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Council.

Members received copies of a report on the "24 Hour Traffic Flow 1970-1975 prepared by the City Planning Office, using data gathered by the Virginia Department of Highways.

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


CLERK


MAYOR

A P P R O P R I A T I O N O R D I N A N C E
O F T H E C I T Y O F H A R R I S O N B U R G , V I R G I N I A

For the Fiscal Year Ending June 30, 1976

✓ AN ORDINANCE MAKING APPROPRIATION OF SUMS OF MONEY FOR NECESSARY EXPENDITURES OF THE CITY OF HARRISONBURG, VIRGINIA, FOR THE FISCAL YEAR ENDING JUNE 30, 1976. TO PRESCRIBE THE TERMS, CONDITIONS, AND PROVISIONS WITH RESPECT TO THE ITEMS OF APPROPRIATION AND THEIR PAYMENT; AND TO REPEAL ALL ORDINANCES WHOLLY IN CONFLICT WITH THIS ORDINANCE, AND ALL PARTS OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE TO THE EXTENT OF SUCH INCONSISTENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HARRISONBURG, VIRGINIA:

SECTION 1 - GENERAL FUND

That the following sums of money be and the same hereby are appropriated for the general government purposes herein specified for the fiscal year ending June 30, 1976.

Paragraph One - Mayor and Municipal Council (1010)

For the current expenses and capital outlay of the MAYOR AND MUNICIPAL COUNCIL, a division of the Legislative Department, the sum of thirty-two thousand, four hundred dollars and no cents (\$32,400.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$15,300.00
(2) Other Operating Expenses	8,600.00
(3) Capital Outlay	8,500.00

Paragraph Two - City Manager (2010)

For the current expenses and capital outlay of the CITY MANAGER, a division of the Executive Department, the sum of twenty-nine thousand, nine hundred and eighty-nine dollars and no cents (\$29,989.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$24,734.00
(2) other Operating Expenses	3,455.00
(3) Capital Outlay	1,800.00

Paragraph Three - City Attorney (3010)

For the current expenses of the OFFICE OF THE CITY ATTORNEY, a division of the Department of Law, the sum of six thousand, six hundred and fifty dollars and no cents (\$6,650.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 6,300.00
(2) Other Operating Expenses	350.00

Paragraph Four - Commissioner of The Revenue (4010)

For the current expenses and capital outlay of the COMMISSIONER OF THE REVENUE, a division of the Department of Finance, the sum of fifty-nine thousand, seven hundred and thirty-seven dollars and no cents (\$59,737.00) is appropriated from the General Fund to be apportioned as follows:

DD0550

(1) Personal Services	\$50,987.00
(2) Other Operating Expenses	7,900.00
(3) Capital Outlay	850.00

Paragraph Five - Board of Real Estate Assessors (4011)

For the current expenses of the BOARD OF REAL ESTATE ASSESSORS, a division of the Department of Finance, the sum of two thousand, five hundred dollars and no cents (\$2,500.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 2,000.00
(2) Other Operating Expenses	500.00

Paragraph Six - Board of Equalization (4012)

For the current expenses of the BOARD OF EQUALIZATION, a division of the Department of Finance, the sum of seven thousand dollars and no cents (\$7,000.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 5,000.00
(2) Other Operating Expenses	2,000.00

Paragraph Seven - Treasurer (4020)

For the current expenses and capital outlay of the TREASURER, a division of the Department of Finance, the sum of fifty-three thousand, three hundred and ninety-two dollars and no cents (\$53,392.) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$44,292.00
(2) Other Operating Expenses	8,300.00
(3) Capital Outlay	800.00

Paragraph Eight - Collector of Delinquent Taxes (4022)

For the current expenses of the COLLECTOR OF DELINQUENT TAXES, a division of the Department of Finance, the sum of one thousand, three hundred and twenty-five dollars and no cents (\$1,325.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 1,000.00
(2) Other Operating Expenses	325.00

Paragraph Nine - Auditor (4030)

For the current expenses and capital outlay of the AUDITOR, a division of the Department of Finance, the sum of sixty thousand, three hundred and forty-one dollars and no cents (\$60,341.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$46,616.00
(2) Other Operating Expenses	11,725.00
(3) Capital Outlay	2,000.00

Paragraph Ten - Data Processing (Utility Billing) (4035)

For the current expenses and capital outlay of the DATA PROCESSING (UTILITY BILLING), a division of the Department of Finance, the sum of seventy-four thousand, four hundred and eighty-one dollars and no cents (\$74,481.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$49,081.00
(2) Other Operating Expenses	22,400.00
(3) Capital Outlay	3,000.00

Paragraph Eleven - Purchasing Agent (4040)

For the current expenses and capital outlay of the PURCHASING AGENT, a division of the Department of Finance, the sum of fifty-seven thousand, eighteen dollars and no cents (\$57,018.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$27,658.00
(2) Other Operating Expenses	3,360.00
(3) Capital Outlay	26,000.00

Paragraph Twelve - Independent Auditor (4051)

For the current expenses of the INDEPENDENT AUDITOR, a division of the Department of Finance, the sum of six thousand, five hundred dollars and no cents (\$6,500.00) is appropriated from the General Fund to be apportioned as follows:

(1) Other Operating Expenses	\$ 6,500.00
------------------------------	-------------

Paragraph Thirteen - Employee's Retirement (4110)

For the current expenses and contributions of the EMPLOYEE'S RETIREMENT, a division of the Department of Finance, the sum of one hundred forty-six thousand, one hundred and twenty-four dollars

and no cents (\$146,124.00) is appropriated from the General Fund to be apportioned as follows:

(1) Contribution to Retirement for City Employees	\$146,124.00
--	--------------

Paragraph Fourteen - Circuit Court (6011)

For the current expenses of the CIRCUIT COURT, a division of the Judicial Department, the sum of five thousand, one hundred dollars and no cents (\$5,100.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 5,100.00
-----------------------	-------------

Paragraph Fifteen - Police Court (6015)

For the current expenses of the POLICE COURT, a division of the Judicial Department, the sum of six thousand and ten dollars and no cents (\$6,010.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 6,000.00
(2) Other Operating Expenses	10.00

Paragraph Sixteen - Juvenile & Domestic Relations Court (6017)

For the current expenses and capital outlay of the JUVENILE & DOMESTIC RELATIONS COURT, a division of the Judicial Department, the sum of ten thousand, nine hundred and fifty dollars and no cents (\$10,950.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 1,050.00
(2) Other Operating Expenses	6,700.00
(3) Capital Outlay	3,200.00

Paragraph Seventeen - County Court (6018)

For the current expenses of the COUNTY COURT, a division of the Judicial Department, the sum of six hundred dollars and no cents (\$600.00) is appropriated from the General Fund to be apportioned as follows:

(1) Other Operating Expenses	\$ 600.00
------------------------------	-----------

Paragraph Eighteen - Lunacy Commission (6019)

For the current expenses of the LUNACY COMMISSION, a division of the Judicial Department, the sum of eight hundred and twenty-five dollars and no cents (\$825.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 800.00
(2) Other Operating Expenses	25.00

Paragraph Nineteen - City and County Jail (6110)

For the current expenses of the CITY AND COUNTY JAIL, a division of the Judicial Department, the sum of seventeen thousand, four hundred and twenty-one dollars and no cents (\$17,421.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 7,521.00
(2) Other Operating Expenses	9,900.00

Paragraph Twenty - Bureau of Preventive Medicine (7010)

For the current expenses of the BUREAU OF PREVENTIVE MEDICINE, a division of the Department of Health, the sum of twenty-six thousand, nine hundred and forty-three dollars and no cents (\$26,943.00) is appropriated from the General Fund to be apportioned as follows:

(1) Other Operating Expenses	\$26,943.00
------------------------------	-------------

Paragraph Twenty-One - Police (9010)

For the current expenses and capital outlay of the BUREAU OF POLICE, a division of the Department of Public Safety, the sum of four hundred, thirteen thousand, six hundred and ten dollars and no cents (\$413,610.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$325,360.00
(2) Other Operating Expenses	65,250.00
(3) Capital Outlay	23,000.00

Paragraph Twenty-Two - Traffic Engineering (9011)

For the current expenses and capital outlay of the BUREAU OF TRAFFIC ENGINEERING, a division of the Department of Public Safety, the sum of thirty-three thousand, one hundred and ten dollars and no cents (\$33,110.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$13,600.00
(2) Other Operating Expenses	12,010.00
(3) Capital Outlay	7,500.00

DD0550

Paragraph Twenty-Three - Coroner's Office (9012)

For the current expenses of the OFFICE OF THE CITY CORONER, a division of the Department of Public Safety, the sum of eight hundred dollars and no cents (\$800.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 800.00
-----------------------	-----------

Paragraph Twenty-Four - Fire (9020)

For the current expenses and capital outlay of the BUREAU OF FIRE, a division of the Department of Public Safety, the sum of one hundred, ninety-six thousand, eight hundred dollars and no cents (\$196,800.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$107,275.00
(2) Other Operating Expenses	48,525.00
(3) Capital Outlay	41,000.00

Paragraph Twenty-Five - Game Warden (9040)

For the current expenses of the GAME WARDEN, a division of the Department of Public Safety, the sum of four thousand, two hundred dollars and no cents (\$4,200.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 1,200.00
(2) Other Operating Expenses	3,000.00

Paragraph Twenty-Six - Civil Defense Unit (9041)

For the current expenses of the CIVIL DEFENSE UNIT, a division of the Department of Public Safety, the sum of three thousand dollars and no cents (\$3,000.00) is appropriated from the General Fund to be apportioned as follows:

(1) Other Operating Expenses	\$ 3,000.00
------------------------------	-------------

Paragraph Twenty-Seven - Engineering (10010)

For the current expenses of the BUREAU OF ENGINEERING, a division of the Department of Public Works, the sum of forty thousand, one hundred and eighty-four dollars and no cents (\$40,184.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$38,649.00
(2) Other Operating Expenses	1,535.00

Paragraph Twenty-Eight - Building Inspection (10050)

For the current expenses and capital outlay of the BUILDING INSPECTION, a division of the Department of Public Works, the sum of thirty-seven thousand, five hundred and twenty dollars and no cents (\$37,520.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$34,630.00
(2) Other Operating Expenses	2,590.00
(3) Capital Outlay	300.00

Paragraph Twenty-Nine - Street Inspection, Repairs and Maintenance (10110)

For the current expenses and capital outlay of the BUREAU OF STREET INSPECTION, REPAIRS AND MAINTENANCE, a division of the Department of Public Works, the sum of five hundred thirty-one thousand, three hundred and sixty-eight dollars and no cents (\$531,368.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$175,472.00
(2) Other Operating Expenses	145,596.00
(3) Capital Outlay:	
74 Auto Equipment	14,000.00
76 Machinery & Equipment	41,300.00
77 Work in Progress	40,000.00
77F Cantrell Ave.	10,000.00
77G Blacks Run- Cleaning & Relocation	5,000.00
77H South Main Street	60,000.00
77J East-West Routes	40,000.00

Paragraph Thirty - Street Lighting (10111)

For the current expenses of the BUREAU OF STREET LIGHTING, a division of the Department of Public Works, the sum of one hundred six thousand, nine hundred and forty-eight dollars and no cents (\$106,948.00) is appropriated from the General Fund to be apportioned as follows:

(1) Other Operating Expenses	\$106,948.00
------------------------------	--------------

Paragraph Thirty-One - Highway and Street Beautification (10112)

For the current expenses and capital outlay of the BUREAU OF HIGHWAY AND STREET BEAUTIFICATION, a division of the Department of Public Works, the sum of sixteen thousand, six hundred dollars and no cents (\$16,600.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 9,450.00
(2) Other Operating Expenses	3,650.00
(3) Capital Outlay	3,500.00

Paragraph Thirty-Two- Maintenance of City Buildings (10210)

For the current expenses and capital outlay of the MAINTENANCE OF CITY BUILDINGS, a division of the Department of Public Works, the sum of seventy-nine thousand, five hundred and seventy dollars and no cents (\$79,570.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$11,750.00
(2) Other Operating Expenses	17,820.00
(3) Capital Outlay	50,000.00

Paragraph Thirty-Three - Street Cleaning (10330)

For the current expenses and capital outlay of the BUREAU OF STREET CLEANING, a division of the Department of Public Works, the sum of forty-four thousand, five hundred and ten dollars and no cents (\$44,510.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$22,560.00
(2) Other Operating Expenses	19,950.00
(3) Capital Outlay	2,000.00

Paragraph Thirty-Four - Refuse and Garbage Disposal (10340)

For the current expenses and capital outlay of the BUREAU OF REFUSE AND GARBAGE DISPOSAL, a division of the Department of Public Works, the sum of one hundred seventy-eight thousand, two hundred and fifty-one dollars and no cents (\$178,251.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$121,881.00
(2) Other Operating Expenses	26,370.00
(3) Capital Outlay	30,000.00

Paragraph Thirty-Five - Insect and Rodent Control (10341)

For the current expenses of the BUREAU OF INSECT AND RODENT CONTROL, a division of the Department of Public Works, the sum of one thousand, nine hundred and seventy dollars and no cents (\$1,970.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 1,350.00
(2) Other Operating Expenses	620.00

Paragraph Thirty-Six - Parks and Playgrounds (11020)

For the current expenses and capital outlay of PARKS AND PLAYGROUNDS, a division of the Department of Recreation, the sum of two hundred nine thousand, seven hundred and thirty-four dollars and no cents (\$209,734.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$140,784.00
(2) Other Operating Expenses	48,950.00
(3) Capital Outlay	20,000.00

Paragraph Thirty-Seven - Hillendale Park (11025)

For the current expenses of HILLDALE PARK, a division of the Department of Recreation, the sum of twelve thousand, five hundred and thirty dollars and no cents (\$12,530.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 7,030.00
(2) Other Operating Expenses	5,500.00

Paragraph Thirty-Eight - Westover Park (11026)

For the current expenses of WESTOVER PARK, a division of the Department of Recreation, the sum of two thousand, six hundred dollars and no cents (\$2,600.00) is appropriated from the General Fund to be apportioned as follows:

(1) Other Operating Expenses	\$ 2,600.00
------------------------------	-------------

Paragraph Thirty-Nine - Westover Swimming Pool (11030)

For the current expenses of the WESTOVER SWIMMING POOL, a division of the Department of Recreation, the sum of twenty-two thousand, six hundred and fifty-seven dollars and no cents (\$22,657.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$17,482.00
(2) Other Operating Expenses	5,175.00

Paragraph Forty - Harris Swimming Pool (11031)

For the current expenses of the HARRIS SWIMMING POOL, a division of the Department of Recreation, the sum of four thousand, and seventy-five dollars and no cents (\$4,075.00) is appropriated from the General Fund to be apportioned as follows:

DU1550

(1) Personal Services	\$ 2,100.00
(2) Other Operating Expenses	1,975.00

Paragraph Forty-One - National Guard Armory (11040)

For the current expenses and capital outlay of the NATIONAL GUARD ARMORY, a division of the Department of Recreation, the sum of fifteen thousand, seven hundred and twenty-three dollars and no cents (\$15,723.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 7,233.00
(2) Other Operating Expenses	6,990.00
(3) Capital Outlay	1,500.00

Paragraph Forty-Two - Planning Commission (13010)

For the current expenses of the PLANNING BOARD OR COMMISSION, a division of the Department of Boards and Commissions, the sum of twenty-six thousand, five hundred and eighty-five dollars and no cents (\$26,585.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$24,385.00
(2) Other Operating Expenses	2,200.00

Paragraph Forty-Three - Board of Zoning Appeals (13020)

For the current expenses of the BOARD OF ZONING APPEALS, a division of the Department of Boards and Commissions, the sum of one thousand, two hundred and thirty dollars and no cents (\$1,230.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$ 780.00
(2) Other Operating Expenses	450.00

Paragraph Forty-Four - Elections (13110)

For the current expenses and capital outlay of the BOARD OF ELECTIONS, a division of the Department of Boards and Commissions, the sum of fifteen thousand, four hundred dollars and no cents (\$15,400.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$11,000.00
(2) Other Operating Expenses	3,600.00
(3) Capital Outlay	800.00

Paragraph Forty-Five - Harrisonburg Parking Authority (13220)

For the current expenses of the HARRISONBURG PARKING AUTHORITY, a division of the Department of Boards and Commissions, the sum of six hundred eighty-six thousand dollars and no cents (\$ 686,000.00) is appropriated from the General Fund to be apportioned as follows:

(1) Personal Services	\$28,570.00
(2) Other Operating Expenses	657,430.00

Paragraph Forty-Six - Non-Departmental (15)

For subsidizing the City's Public Utilities, and for aiding the activities of independent, civic, charitable, and other organizations, the sum of three hundred nine thousand, four hundred and five dollars and no cents (\$309,405.00) is appropriated from the General Fund to be apportioned as follows:

1503	Support of Community and Civic Organizations:	
	371 State Chamber of Commerce	\$ 120.00
	372 Chamber of Commerce	2,000.00
	373 County Rest Room	1,750.00
	374 Rockingham Library Association	45,000.00
	375 Salvation Army	400.00
	376 Rescue Squad (Gas & Oil)	500.00
	377 Shenandoah Valley, Inc.	120.00
	378 Mental Health Clinic	6,082.00
	379 Veterans Band	600.00
	380 Upper Valley Regional Park Authority	8,910.00
	381 Commission - Regional Juvenile Detention Home	4,000.00
	382 Shenandoah Valley Soil & Water Conservation District	400.00
	383 Halfway House - Matching Funds	5,000.00
	388 Blue Ridge Community College	3,000.00
	390-1 Rockingham County Historical Society	500.00
	390-2 Harrisonburg-Rockingham Bicentennial Commission	500.00
	392 Central Shenandoah Planning District	3,200.00
	393 Chapter 10 Board - Mental Health	2,100.00
	395 Valley Program for Aging Services, Inc.	4,000.00
	396 WVPT - Public Television	1,461.00
	397 Downtown Development Committee	25,000.00
	398 Huckleberry House, Inc.	5,000.00
1504	Insurance and Bond Premiums	104,400.00
1505	Joint Expenses - Rockingham County:	
	390 Other Expenses	50,000.00

1506	Airport:	
	280 Subscription and Contributions	\$25,000.00
1507	Dues to Municipal Organizations:	
	280 Dues to Virginia Municipal League	1,800.00
1509	Annexation:	
	899 Annual Share Rockingham County	
	Bonds & Interest	8,562.00

Paragraph Forty-Seven - Indebtedness Requirement General Fund (16)

For the payment of the interest on and the retirement of bonds of the City of Harrisonburg, Virginia, the sum of two hundred, forty-seven thousand, eight hundred and sixty-nine dollars and no cents (\$247,869.00) is appropriated from the General Fund to be apportioned as follows:

(1) Serial Bonds and Interest	\$247,869.00
-------------------------------	--------------

Paragraph Forty-Eight - Transfers to Other Funds (17)

For supplementing the revenue of other funds the sum of two million, four hundred sixty-six thousand, two hundred and eighty-one dollars and no cents (\$2,466,281.00) is appropriated from the General Fund to be transferred as follows:

(1) Central Stores Fund	\$ 6,002.00
(2) Central Garage Fund	17,754.00
(3) Virginia Public Assistance	56,149.00
(4) Schools	2,386,376.00

Paragraph Forty-Nine - Reserve for Contingencies

For Reserve for Contingencies of the General Fund the sum of ten thousand dollars and no cents (\$10,000.00) is appropriated from the General Fund to be apportioned as follows:

(1) Reserve for Contingencies	\$10,000.00
-------------------------------	-------------

S U M M A R Y

Expenditures and Revenue

Total General Fund Appropriations for the Fiscal Year Ending June 30, 1976	\$6,323,836.00
--	----------------

To be provided for from the following anticipated and estimated revenue which is as follows:

Anticipated cash balance July 1, 1975	\$ 166,931.00
General Property Taxes (estimated)	1,872,081.00
Other Local Taxes (estimated)	1,348,900.00
Licenses, Permits & Privilege Fees (estimated)	672,000.00
Fines & Forfeitures (estimated)	71,300.00
Revenue From Use of Money & Property (estimated)	66,000.00
Revenue From Other Agencies (estimated)	623,224.00
Service Charges for Current Services (estimated)	273,760.00
Sales of Services, Commodities & Properties (estimated)	350.00
Miscellaneous Revenue (estimated)	373,000.00
Non-Revenue Receipts (estimated)	791,690.00
Transfers from Other Funds (estimated)	64,600.00

Total General Fund Revenue (estimated) for the Fiscal Year Ending June 30, 1976	\$6,323,836.00
---	----------------

SECTION II - SCHOOL BOARD

That the following sums of money be and the same hereby are appropriated for the school purposes herein specified for the fiscal year ending June 30, 1976:

Paragraph One - 17A - Administration

For the current expenses of the ADMINISTRATION OF THE DEPARTMENT OF EDUCATION, the sum of ninety thousand, seven hundred and seventy-nine dollars and no cents (\$90,779.00) is appropriated from the City School Fund to be apportioned as follows:

(1) Administration	\$ 90,779.00
--------------------	--------------

Paragraph Two - 17B-1 - Regular Day School

For the current expenses of REGULAR DAY SCHOOL, the sum of two million, thirty thousand, seventy-one dollars and no cents (\$2,030,071.00) is appropriated from the City School Fund to be apportioned as follows:

(1) Regular Day School	\$2,030,071.00
------------------------	----------------

Paragraph Three - 17B-2 - Other Instructional Costs

For the current expenses of OTHER INSTRUCTIONAL COSTS, the sum of two hundred sixty-five thousand,

two hundred and forty-nine dollars, and no cents (\$265,249.00) is appropriated from the City School Fund to be apportioned as follows:

(1) Other Instructional Costs \$265,249.00

Paragraph Four - 17C - Attendance and Health Services

For the current expenses of ATTENDANCE AND HEALTH SERVICES, the sum of seventeen thousand, four hundred and twenty-four dollars and no cents (\$17,424.00) is appropriated from the City School Fund to be apportioned as follows:

(1) Attendance and Health Services \$ 17,424.00

Paragraph Five - 17D1- Public Transportation Services

For the current expenses of PUBLIC TRANSPORTATION SERVICES, the sum of two thousand, six hundred and seventy-four dollars and no cents (\$2,674.00) is appropriated from the City School Fund to be apportioned as follows:

(1) Public Transportation Services \$ 2,674.00

Paragraph Six - 17E - School Food Services

For the current expenses of SCHOOL FOOD SERVICES, the sum of two hundred sixty-two thousand, six hundred and twenty-three dollars and no cents (\$262,623.00) is appropriated from the City School Fund to be apportioned as follows:

(1) School Food Services \$262,623.00

Paragraph Seven - 17F1 - Operation of School Plant

For the current expenses of OPERATION OF SCHOOL PLANT, the sum of two hundred twenty-six thousand, two hundred and seventy-three dollars and no cents (\$226,273.00) is appropriated from the City School Fund to be apportioned as follows:

(1) Operation of School Plant \$226,273.00

Paragraph Eight - 17F2 - Maintenance of School Plant

For the current expenses of MAINTENANCE OF SCHOOL PLANT, the sum of one hundred thirty-six thousand, two hundred and seventy-one dollars and no cents (\$136,271.00) is appropriated from the City School Fund to be apportioned as follows:

(1) Maintenance of School Plant \$136,271.00

Paragraph Nine - 17G - Fixed Charges

For the current expenses of FIXED CHARGES, the sum of one hundred fifty thousand, five hundred dollars and no cents (\$150,500.00) is appropriated from the City School Fund to be apportioned as follows:

(1) Fixed Charges \$150,500.00

Paragraph Ten - 17H - Summer Schools

For the current expenses of SUMMER SCHOOLS, the sum of nineteen thousand, three hundred and fourteen dollars and no cents (\$19,314.00) is appropriated from the City School Fund to be apportioned as follows:

(1) Summer Schools \$ 19,314.00

Paragraph Eleven - 17I - Adult Education

For the current expenses of ADULT EDUCATION, the sum of fifteen thousand, three hundred and twenty-four dollars and no cents (\$15,324.00) is appropriated from the City School Fund to be apportioned as follows:

(1) Adult Education \$ 15,324.00

Paragraph Twelve - 17J - Federal Programs

For the current expenses of FEDERAL PROGRAMS, the sum of forty-six thousand, one hundred and ninety-six dollars and no cents (\$46,196.00) is appropriated from the City School Fund to be apportioned as follows:

(1) Federal Programs \$ 46,196.00

Paragraph Thirteen - 19 - Capital Outlay

For the capital outlay of the DEPARTMENT OF EDUCATION, the sum of forty-eight thousand, five hundred and one dollars and no cents (\$48,501.00) is appropriated from the City School Fund to be apportioned as follows:

(1) Capital Outlay \$ 48,501.00

DD550

DD550

Paragraph Fourteen - 20 - Indebtedness Requirements School Board

For the payment of interest on and the retirement of loans of the School System of the City of Harrisonburg, Virginia, the sum of one hundred twenty-seven thousand, one hundred and fifty-eight dollars and no cents (\$127,158.00) is appropriated from the City School Fund to be apportioned as follows:

(1) Serial Bond & Interest, etc. \$127,158.00

S U M M A R Y

Expenditures and Revenue

Total School Fund Appropriations for the Fiscal Year Ending June 30, 1975 \$3,438,357.00

To be provided for from the following Anticipated Revenue, which is as follows:

Receipts from State School Funds \$685,492.00
Revenue from Federal Funds 127,789.00
Receipts from City Funds 2,386,376.00
Receipts from Other Funds 238,700.00

Total School Fund Revenue (estimated) for the Fiscal Year Ending June 30, 1976 \$3,438,357.00

SECTION III - WATER FUND

That the following sums of money be and the same hereby are appropriated for the water purposes herein specified for the fiscal year ending June 30, 1976:

Paragraph One - Administration (1)

For the current expenses of ADMINISTRATION OF THE WATER DEPARTMENT, a division of the Department of Public Service Enterprises, the sum of sixteen thousand, seven hundred and nineteen dollars and no cents (\$16,719.00) is appropriated from the Water Fund to be apportioned as follows:

(1) Personal Services \$15,904.00
(2) Other Operating Expenses 815.00

Paragraph Two - Source of Supply (2)

For the current expenses of SOURCE OF SUPPLY OF THE WATER DEPARTMENT, a division of the Department of Public Service Enterprises, the sum of fifty-six thousand, seven hundred and eighty dollars and no cents (\$56,780.00) is appropriated from the Water Fund to be apportioned as follows:

(1) Personal Services \$ 5,830.00
(2) Other Operating Expenses 50,950.00

Paragraph Three - Transmission and Distribution (3)

For the current expenses and equipment of TRANSMISSION AND DISTRIBUTION OF THE WATER DEPARTMENT, a division of the Department of Public Service Enterprises, the sum of one hundred three thousand, eight hundred and ninety dollars and no cents (\$103,890.00) is appropriated from the Water Fund to be apportioned as follows:

(1) Personal Services \$ 50,820.00
(2) Other Operating Expenses 53,070.00

Paragraph Four - Customer Accounting and Collecting (4)

For the current expenses of CUSTOMER ACCOUNTING AND COLLECTING OF THE WATER DEPARTMENT, a division of the Department of Public Service Enterprises, the sum of thirteen thousand, seven hundred and seventy-four dollars and no cents (\$13,774.00) is appropriated from the Water Fund to be apportioned as follows:

(1) Personal Services \$ 13,354.00
(2) Other Operating Expenses 420.00

Paragraph Five - Miscellaneous (5)

For setting aside reserves for depreciation and payment of taxes, the sum of two hundred four thousand, six hundred and eighty-five dollars and no cents (\$204,685.00) is appropriated from the Water Fund to be apportioned as follows:

(1) Depreciation \$149,821.00
(2) Taxes 54,864.00

Paragraph Six - Water Purification (6)

For the current expenses of WATER PURIFICATION, a division of the Department of Public Services Enterprises, the sum of ninety-seven thousand, three hundred and eighty-eight dollars and no cents (\$97,388.00) is appropriated from the Water Fund to be apportioned as follows:

(1) Personal Services \$ 50,838.00
(2) Other Operating Expenses 46,550.00

DD0550

Paragraph Seven - Capital Outlay (7)

For capital improvements in the WATER DEPARTMENT, a division of the Department of Public Service Enterprises, the sum of ninety-seven thousand, five hundred and fifty dollars and no cents (\$97,550.00) is appropriated from the Water Fund to be apportioned as follows:

(1) Capital Outlay:	
71 Engineering Study	\$ 10,000.00
74 Auto Equipment (1/2)	5,750.00
76-1 Mach. & Equip. - Hydrants	1,000.00
76-2 Mach. & Equip. (1/2)	10,500.00
77 Work in Progress	40,000.00
79C Installation City Services	24,000.00
79R Installation Rural Services	6,300.00

Paragraph Eight - Indebtedness Requirements Water Fund (8)

For the payment of interest, retirement and handling charges of bonds of the PUBLIC SERVICE ENTERPRISES - WATER ACTIVITIES, the sum of two hundred fifty-one thousand, three hundred and seventy-three dollars and no cents (\$251,373.00) is appropriated from the Water Fund to be apportioned as follows:

(1) Serial Bonds, Interest, etc.	\$251,373.00
----------------------------------	--------------

Paragraph Nine - Non-Departmental (9)

For sharing the cost of operation in other funds for the benefit of the Water Fund, the sum of ninety-five thousand, eight hundred and forty-four dollars and no cents (\$95,844.00) is appropriated from the Water Fund to be apportioned as follows:

(1) To General Fund, Share of Accounting, Collecting & Purchasing	\$ 56,945.00
(2) To Workmen's Compensation Insurance	15,000.00
(3) To Retirement & Social Security	12,000.00
(4) To Central Garage Fund	7,397.00
(5) To Central Stores Fund	4,502.00

Paragraph Ten - Transfers to Other Funds (10)

For sharing the cost of operating in other funds the sum of fifty thousand dollars and no cents (\$50,000.00) is appropriated from the Water Fund to be transferred as follows:

(1) To General Fund - Utility Tax	\$ 30,000.00
(2) To General Fund - Debt Service	20,000.00

S U M M A R YExpenditures and Revenue

Total Water Fund Appropriations for the Fiscal Year Ending June 30, 1976	\$988,003.00
--	--------------

To be provided for from the following Anticipated Revenue which is as follows:

Licenses, Permits & Privilege Fees (estimated)	\$ 38,100.00
Revenue From Use of Money & Property (estimated)	25,600.00
Service Charges For Current Services (estimated)	798,625.00
Sales of Services, Commodities & Properties (estimated)	100.00
Non-Revenue Receipts (estimated)	35,050.00
Transfers From Other Funds (estimated)	90,528.00

Total Water Fund Revenue (estimated) for the Fiscal Year Ending June 30, 1976	\$988,003.00
---	--------------

SECTION IV - SEWER FUND

That the following sums of money be and the same hereby are appropriated for sewerage purposes herein specified for the fiscal year ending June 30, 1976:

Paragraph One - Administration (1)

For the current expenses of ADMINISTRATION OF THE SEWER DEPARTMENT, a division of the Department of Public Service Enterprises, the sum of sixteen thousand, two hundred and seventy-four dollars and no cents (\$16,274.00) is appropriated from the Sewer Fund to be apportioned as follows:

(1) Personal Services	\$ 15,904.00
(2) Other Operating Expenses	370.00

Paragraph Two - Treatment and Disposal (2)

For the current expenses of TREATMENT AND DISPOSAL OF THE SEWER DEPARTMENT, a division of the Department of Public Service Enterprises, the sum of one hundred thirty-nine thousand, one hundred and eighty-four dollars and no cents (\$139,184.00) is appropriated from the Sewer Fund to be apportioned as follows:

(1) Personal Services	\$ 55,335.00
(2) Other Operating Expenses	83,849.00

Paragraph Three - Collection and Transmission (3)

For the current expenses of the COLLECTION AND TRANSMISSION OF THE SEWER DEPARTMENT, a division of the Department of Public Service Enterprises, the sum of one hundred thirty-two thousand, seven hundred and forty dollars and no cents (\$132,740.00) is appropriated from the Sewer Fund to be apportioned as follows:

(1) Personal Services	\$ 55,440.00
(2) Other Operating Expenses	77,300.00

Paragraph Four - Miscellaneous (4)

For setting aside reserve for depreciation and the payment of taxes, the sum of one hundred three thousand, nine hundred and seventy-two dollars and no cents (\$103,972.00) is appropriated from the Sewer Fund to be apportioned as follows:

(1) Depreciation	\$ 77,655.00
(2) Taxes	26,317.00

Paragraph Five - Capital Outlay (7)

For the capital improvements in the SEWER DEPARTMENT, a division of the Department of Public Service Enterprises, the sum of eighty-eight thousand and fifty dollars and no cents (\$88,050.00) is appropriated from the Sewer Fund to be apportioned as follows:

(1) Capital Outlay:	
74 Auto Equipment (1/2)	\$ 5,750.00
76 Mach. & Equipment (1/2)	5,800.00
77 Work in Progress	60,000.00
79 Installation Service Lines	16,500.00

Paragraph Six - Indebtedness Requirement - Sewer Fund (8)

For the payment of interest and retirement of bonds and temporary loans of the PUBLIC SERVICE ENTERPRISES - SEWER ACTIVITIES, the sum of one hundred eight thousand, five hundred and seventeen dollars and no cents (\$108,517.00) is appropriated from the Sewer Fund to be apportioned as follows:

(1) Serial Bonds, Interest, etc.	\$108,517.00
----------------------------------	--------------

Paragraph Seven - Transfers to Other Funds (9)

For sharing the cost of operation in other funds for the benefit of the SEWER DEPARTMENT, the sum of ninety-nine thousand, eight hundred and eighty-five dollars and no cents (\$99,885.00) is appropriated from the Sewer Fund to be apportioned as follows:

(1) To General Fund - Share of Accounting, Collecting & Purchasing	\$ 56,945.00
(2) To Workmen's Compensation Insurance	7,500.00
(3) To Retirement & Social Security	12,000.00
(4) To Central Garage Fund	4,439.00
(5) To Central Stores Fund	4,501.00
(6) To General Fund - Debt Service	14,500.00

S U M M A R YExpenditures and Revenue

Total Sewer Fund Appropriations for the Fiscal Year Ending June 30, 1976	\$688,622.00
--	--------------

To Be Provided For From The Following Anticipated Revenue, which is as follows:

Licenses, Permits and Privilege Fees (estimated)	\$ 6,000.00
Revenue From Use of Money and Property (estimated)	5,000.00
Service Charges For Current Services (estimated)	646,000.00
Non-Revenue Receipts (estimated)	15,050.00
Transfers From Other Funds (estimated)	16,572.00

Total Sewer Fund Revenue (estimated) for the Fiscal Year Ending June 30, 1976	\$688,622.00
---	--------------

SECTION V - VIRGINIA PUBLIC ASSISTANCE FUND

That the following sums of money be and the same hereby are appropriated for the social services purposes herein specified for the fiscal year ending June 30, 1976:

Paragraph One - Bureau of Medical Services (8010)

For the current expenses of the BUREAU OF MEDICAL SERVICES, a division of the Department of Social Services, the sum of one thousand dollars and no cents (\$1,000.00) is appropriated from the Virginia Public Assistance Fund to be apportioned as follows:

(1) Medical Services	\$ 1,000.00
----------------------	-------------

Paragraph Two - Board of Public Welfare (8020)

For the current expenses of the BOARD OF PUBLIC WELFARE, a division of the Department of Social Services, the sum of nine hundred dollars and no cents (\$900.00) is appropriated from the Virginia Public Assistance Fund to be apportioned as follows:

(1) Personal Services	\$ 900.00
-----------------------	-----------

Paragraph Three - Director of Social Services (8021)

For the current expenses of the DIRECTOR OF SOCIAL SERVICES, a division of the Department of Social Services, the sum of one hundred thirty-four thousand, two hundred and seventy dollars and no cents (\$134,270.00) is appropriated from the Virginia Public Assistance Fund to be apportioned as follows:

(1) Personal Services	\$106,296.00
(2) Other Operating Expenses	27,974.00

Paragraph Four - Public Assistance (8022)

For the current expenses of the BUREAU OF PUBLIC ASSISTANCE, a division of the Department of Social Services, the sum of two hundred seventy-seven thousand, four hundred and twenty dollars and no cents (\$277,420.00) is appropriated from the Virginia Public Assistance Fund to be apportioned as follows:

(1) Other Operating Expenses	\$277,420.00
------------------------------	--------------

Paragraph Five - Social Services Bureau (8030)

For the current expenses of the SOCIAL SERVICES BUREAU, a division of the Department of Social Services, the sum of forty-two thousand, eight hundred dollars and no cents (\$42,800.00) is appropriated from the Virginia Public Assistance Fund to be apportioned as follows:

(1) Other Operating Expenses	\$ 42,800.00
------------------------------	--------------

Paragraph Six - Capital Outlay (17)

For the capital outlay of the Department of Social Services, the sum of four thousand, one hundred dollars and no cents (\$4,100.00) is appropriated from the Virginia Public Assistance Fund to be apportioned as follows:

(1) Capital Outlay	\$ 4,100.00
--------------------	-------------

S U M M A R Y

Expenditures and Revenue

Total Virginia Public Assistance Fund Appropriations for the Fiscal Year Ending June 30, 1976	\$460,490.00
---	--------------

To Be Provided For From the Following Anticipated Revenue Which is as Follows:

Revenue From Other Agencies (estimated)	\$404,341.00
Transfers From Other Funds (estimated)	\$ 56,149.00

Total Virginia Public Assistance Fund Revenue (estimated) for the Fiscal Year Ending June 30, 1976	\$460,490.00
--	--------------

SECTION VI - CENTRAL GARAGE FUND

That the following sums of money be and the same hereby are appropriated for Central Garage purposes herein specified for the fiscal year ending June 30, 1976:

Paragraph One - Central Garage

For the current expenses and capital outlay of the CENTRAL GARAGE, a division of the Central Garage Fund, the sum of fifty-two thousand, three hundred and twenty-two dollars and no cents (\$52,322.00) is appropriated from the Central Garage Fund to be apportioned as follows:

(1) Personal Services	\$ 41,202.00
(2) Other Operating Expenses	5,620.00
(3) Capital Outlay	5,500.00

S U M M A R Y

Expenditures and Revenue

Total Central Garage Fund Appropriations for the Fiscal Year Ending June 30, 1976	\$ 52,322.00
---	--------------

To Be Provided For From the Following Anticipated Revenue, which is as follows:

DD550

Sales of Services, Commodities & Properties (estimated)	\$ 22,732.00
Transfers From Other Funds (estimated)	29,590.00
 Total Central Garage Fund Revenue (estimated)	
For the Fiscal Year Ending June 30, 1976	\$ 52,322.00

SECTION VII - CENTRAL STORES OPERATING FUND

That the following sums of money be and the same hereby are appropriated for Central Stores purposes herein specified for the fiscal year ending June 30, 1976:

Paragraph One - Central Stores

For the current expenses and capital outlay of the CENTRAL STORES, a division of the Central Stores Revolving Fund, the sum of fifteen thousand and five dollars and no cents (\$15,005.00) is appropriated from the Central Stores Fund to be apportioned as follows:

(1) Personal Services	\$ 7,655.00
(2) Other Operating Expenses	5,850.00
(3) Capital Outlay	1,500.00

S U M M A R Y

Expenditures and Revenue

Total Central Stores Fund Appropriations for the Fiscal Year Ending June 30, 1976	\$ 15,005.00
--	--------------

To Be Provided For From the Following
Anticipated Revenue, which is as follows:

Non-Departmental (estimated)	\$ 15,005.00
------------------------------	--------------

Total Central Stores Fund Revenue for the Fiscal Year Ending June 30, 1976	\$ 15,005.00
---	--------------

TOTAL APPROPRIATIONS MENTIONED WITHIN SECTIONS I THROUGH VII IN THIS ORDINANCE FOR THE FISCAL YEAR ENDING JUNE 30, 1976 RECAPITULATION

Section I	(General Fund)	\$6,323,836.00
Section II	(School Fund)	\$3,438,357.00
Section III	(Water Fund)	\$ 988,003.00
Section IV	(Sewer Fund)	\$ 688,622.00
Section V	(Virginia Public Assistance Fund)	\$ 460,490.00
Section VI	(Central Garage Fund)	\$ 52,322.00
Section VII	(Central Stores Fund)	\$ 15,005.00

SECTION VIII

All of the monies appropriated as shown by the contained items in Sections I through VII are appropriated upon the terms, conditions and provisions hereinbefore set forth in connection with said items and those set forth in this section and in accordance with the provisions of the official code of the City of Harrisonburg, Virginia, Edition 1952, now in effect or hereafter adopted or amended, relating hereto.

That the rate of taxation of Real Estate be fixed at \$2.00 (Two Dollars and No Cents), and that the rate of taxation on Tangible Personal Property, Machinery and Tools and Merchants Capital, as defined by Chapter 16 of Title 58 of the Code of Virginia, 1950, as amended, and on all boats or watercraft under five (5) tons burthen used for business or pleasure, as defined by Section 58-829-2 of said Code, and on all vehicles without motive power used or designed to be used as mobile homes or offices or for other means of habitation, as defined by Section 58-829.3 of said Code, be fixed at \$ 2.65 (Two Dollars and Sixty-Five Cents) on the one hundred dollars assessed valuation for the year 1975; it being expressly provided, however, that the provisions of this Ordinance shall not apply to household goods and personal effects as enumerated under subsections (9) to (12), inclusive, of Section 58-829 of said Code, and as further defined by Section 58-829.1 of said Code, if such goods and effects be owned and used by an individual or by a family or household incident to maintaining an abode, which goods and effects are hereby declared wholly exempt from taxation.

That the rate of fee or service charge imposed on Real Estate Property exempt from regular taxation shall be twenty percent (20%) of the real estate tax rate levied by the City Council in the above paragraph, which applied to the real estate for which the City furnishes police and fire protection, and where such real estate are exempt from taxation under Section 58-12 of the Code of Virginia. Rate of service charge shall be Forty Cents (\$.40) per annum per \$100.00 of assessed valuation, payable on or before December 5, 1975.

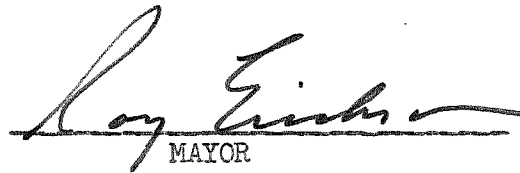
That the salaries, wages and allowances set out in detail in the budget statement, and adopted by the City Council for the fiscal year beginning July 1, 1975, and ending June 30, 1976, both dated inclusive, be, and they are hereby authorized and fixed as the maximum compensation to be allowed officers and employees for the services rendered, unless otherwise provided by ordinance; provided, however, that the City Manager is authorized to make such re-arrangements of salaries in the several departments herein names as may best meet the needs and interest of the City and to transfer parts of salaries from one department to another when extra work in transferred from one department to another.

All ordinances or parts of ordinance inconsistent with the provisions of this ordinance be and the same are hereby repealed.

This ordinance shall become effective July 1, 1975.

Given under my hand this 13th day of May, 1975.


CLERK


MAYOR

June 10, 1975

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, Clerk N. Arlene Loker, Vice-Mayor E. Warren Denton, Jr., Councilmen Paul C. Cline, Raymond C. Dingledine, Jr., Walter F. Green, III, City Auditor R. William Shifflet and Chief of Police Richard W. Presgrave. Absent:- City Attorney Norvell A. Lapsley.

The evening's Invocation was led by The Rev. Art McPhee, pastor of Lindale Mennonite Church.

Minutes of the regular meeting held on May 27th were read, and approved as corrected.

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 May, 1975.

From the City Treasurer:-

A Trial Balance report as of close of business on May 30, 1975.

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 for the City of Harrisonburg, Va. for month of May, 1975.

A report of cash discounts saved during month of May, 1975 totaling \$ 328.54.

From the Data Processing Manager:-

A report of water, sewer and refuse accounts, meters read, installations, cut delinquents, complaints, etc. for month of May, 1975.

The City Manager informed Council that he had no further information on the request of a Madison College Sorority (Zeta Tau Alpha), for a bingo permit, which matter had been tabled at the last regular meeting, other than the fact that our police department does not enter state property. Following discussion, Councilman Green moved that the City Manager be authorized and directed to notify the Sorority President and proper college officials that this should be under the supervision of the college administration in that the City has no jurisdiction to issue permits on commonwealth property, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Council.

Manager Milam reported for information that the Continental Telephone of Va. is applying for an increase in rates and that a public hearing will be held in Richmond on September 15, 1975 re same. He asked members to study the communication and noted that should the City desire to protest the increase, this should be in Richmond no later than August 20.

✓ A communication concerning a public hearing which has been re-scheduled by the State Corporation Commission for July 2, 1975 with regard to a request for rate increase by VEPCO, was referred to the Harrisonburg Electric Commission for review.

✓ An inquiry from members of the Board of Trustees, John Wesley United Methodist Church, N. Liberty St., Harrisonburg, about the possibility of acquiring property owned by the City (former Exchange Park), was discussed briefly and help for further information. The City Manager was asked to explore the matter and report back to Council.

Dr. Malcolm Tenney, Jr., District Health Director, presented a portion of his annual report with regard to services rendered during the past year by school nurses, which included the following information: 432 visits to the City Schools; 658 contacts with teachers to discuss various health problems of students; checked 5,574 students and provided some type of service to them; made 90 visits to homes of students re health problems. The report included a breakdown of defects found, and corrections made.

✓ City Manager Milam presented for consideration of a first reading, an ordinance titled: "Erosion & Sediment Control." He reminded Council that Mrs. Bonnie Paul and Mr. H. H. Bush are representatives of the City on the Shenandoah Valley Soil & Water Conservation Commission, and noted that a Handbook which was received last fall and sets out procedures in certain situations, is referred to from time to time. Following a brief discussion and remarks by Mrs. Paul, Councilman Green moved that the ordinance be approved for a first reading, which motion upon being seconded by Councilman Cline, was adopted by a unanimous recorded vote of Council.

✓ City Manager Milam presented the following agreement between the Virginia Employment Commission and the City of Harrisonburg, as well as other documents relating to a Grant Application of \$ 3,000. to hire unemployed individuals for public service employment, and requested that he be authorized to sign the same on behalf of the City:-

"This agreement between the Virginia Employment Commission, an instrumentality of the Commonwealth of Virginia, having been duly designated to act as its Agent in the Balance of State, Virginia, by the Governor, herein after referred to as Grantor, and the City of Harrisonburg, in the Commonwealth of Virginia, herein after referred to as Grantee.

The parties do hereby agree that the Grantor will allocate \$3,000. to the Grantee from funds received from the United States Department of Labor, Manpower Administration, pursuant to Grant #51-5-209-10, under the Comprehensive Employment and Training Act of 1973. The Grantee hereby agrees to hire unemployed and underemployed individuals for Public Service Employment in accordance with proscribed rules and regulations, and abide by all terms and conditions of the above cited Act and Grant.

The Grantee further recognizes the clear establishment of the Balance of State Virginia as prime sponsor to be funded directly by the United States Department of Labor, and the contractual relationship of the Grantor (all fiscal responsibility and disbursement of funds directly by the Balance of State) and the Grantee (cost-reimbursement contract with the Grantor).

The Grantee will assure that it will provide all fiscal and program data which will abide by all Federal laws, assurances, and regulations binding upon the Grantor.

This agreement shall be effective between the dates of June 1, 1975 and September 30, 1975 with such allocations from the Grantor to the Grantee to be expended during the above specified period."

Manager Milam pointed out the fact that he would like to place the funds in the Recreation Department in that this is a follow-up of the summer job (PEP) Program, already initiated through that department. Following discussion, Councilman Cline moved that the City Manager be authorized and directed to sign the aforesaid agreement, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

✓ City Manager Milam presented the revised Planned Use Report for Revenue Sharing Funds for the 6th Entitlement Period 7/1/75 thru 6/30/76 totaling anticipated amount of \$ 415,313., which must be published in the Daily News Record newspaper and returned to Washington prior to June 24th. Also presented was an Appropriation Ordinance relating to the following three items:- Recreation, \$ 200,000.; Housing and Community Development, \$ 170,000.; Economic Development, \$ 45,313. (all capital outlay projects). The original report set aside \$ 170,000. for public transportation, and priority of completing the Washington Street project by use of the Revenue Sharing Funds was desired by members of Council, which led to a deferral of the matter until this time with possible revision of the Planned Use Report when figures of cost were estimated on the Washington Street project. Vice-Mayor Denton moved that the City Manager be authorized and directed to publish the revised report, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council. Vice-Mayor Denton then moved that the Appropriation Ordinance be approved for a first reading, which motion upon being seconded by Councilman Green, was adopted by a unanimous recorded vote of Council.

DD550

Council was reminded by the City Manager of a vacancy on the City Planning Commission created by the expiration of Mr. Mark McNeil's term on December 31, 1974. Councilman Dingleline moved that Mrs. Kathryn H. Bowman, 1155 Rockingham Drive, be appointed to the Planning Commission for a term of four (4) years, to expire on December 31, 1978, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

In as much as Councilman Green's term on the Board of Public Welfare will expire on June 30th of this year, Vice-Mayor Denton moved that Dr. Walter M. Zirkle, Jr., be appointed to a four (4) year term, expiring on June 30, 1979. The motion was seconded by Councilman Green and adopted by a unanimous vote of Council.

Council was requested by the City Manager to give consideration to the employing of a CPA to conduct an annual audit of City records for the fiscal year 1974-75. Following a brief discussion, Councilman Green moved to appoint the firm of Keelery, Phibbs & Co., which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

City Auditor Shifflet reminded Council that a first reading had been approved at the last regular meeting on an appropriation in the amount of \$ 12,000. requested by the School Board, and noted that since that time, funds to meet their obligations to the Vocational Technical Center had been derived from another source. He requested a motion withdrawing their request. Following a brief discussion, Vice-Mayor Denton moved that the request be withdrawn in that final action had not been taken on same, and further, that this be removed from Council's calendar, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

Councilman Dingleline moved that an appropriation in the amount of \$ 2,000. requested by Chief of Police Presgrave due to insufficient funds because of increase in cost of supplies and electricity during this fiscal year, be approved for second and final reading, a first reading having been approved on May 27th, and that:-

- \$ 2,000. chgd.to: General Fund - Unappropriated Surplus Account.
- 1,000. approp.to: General Fund (9010-211) Gasoline, Lubricants, Tires, etc.
- 1,000. approp.to: General Fund (9010-361) Electricity.

which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous recorded vote of Council.

City Manager Milam presented a request from Mr. Cecil Gilkerson, Director of Parks & Recreation, for approval of a supplemental appropriation in the amount of \$ 1,200. from account of Recoveries & Rebates, in order to transfer monies received from Valley Program for Aging Services, Inc., for rental of Westover Senior Citizens Center--February, March, April and May. Following a brief discussion, Vice-Mayor Denton moved that the appropriation be approved for a first reading, and that:-

- \$ 300. chgd.to: Non-Revenue Receipts (1005) Recoveries & Rebates.
- 300. chgd.to: Non-Revenue Receipts (1005) " " "
- 300. chgd.to: Non-Revenue Receipts (1005) " " "
- 300. chgd.to: Non-Revenue Receipts (1005) " " "
- 300. approp.to: Westover Swimming Pool (1-11030-390-1) Other Operating Expenses.
- 300. approp.to: Westover Swimming Pool (1-11030-390-1) " " "
- 300. approp.to: Westover Swimming Pool (1-11030-390-1) " " "
- 300. approp.to: Westover Swimming Pool (1-11030-390-1) " " "

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

City Manager Milam presented correspondence dated 6/3/75 from Mr. Ralph Wilfong, Executive Director of Rockingham-Harrisonburg Halfway House, Inc., requesting a loan from the City of Harrisonburg, in order that it may continue in operation after July 1, 1975. According to Mr. Wilfong, their Grant request of \$ 45,512.41 will not be processed by the Dept. of Justice & Crime Prevention until such time as certain regulations are met, a portion of which provides that Halfway House and the City enter into a contract outlining the services to be provided and to state why "we were chosen to provide these services", which will mean a two month delay in receiving the funds. Mr. Wilfong noted further that in order to allow sufficient time for processing the Grant, they should have operating funds for about 2 1/2 months or about \$ 9,500. City Manager Milam made reminder of the \$ 5,000. which is appropriated in the 1975-76 City of Harrisonburg Budget, and explained that this would be a direct loan by an appropriation out of this year's funds, repayable upon receipt of State and Federal Funds by Rockingham-Harrisonburg Halfway House, Inc. Following a lengthy discussion, Councilman Green moved that an appropriation of \$ 10,000. be approved for a first reading, with further information anticipated prior to a second and final reading on same, and that:-

- \$ 10,000. chgd.to: General Fund - Unappropriated Surplus Account.
- 10,000. approp.to: General Fund (1-1503-383) Non-Departmental- Support of
Community & Civic Organizations- Halfway House (LOAN)

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

A request was presented from Mrs. Marie Arrington, Director of the Social Services Department, requesting approval of a supplemental appropriation in the amount of \$ 416.00 due to economic conditions which created emergency for hiring of personnel to cover the workload of food stamps. Following a brief discussion, Councilman Cline moved that the appropriation be approved, and that:-

- \$ 416.00 chgd.to: VPA Fund (604-1) Revenue from Other Agencies- Grants-in-Aid from
Commonwealth - Administration.

416.00 approp.to: VPA Fund (8-8021-11-6) Bureau of Administration--Eligibility Workers
which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

The City Manager presented a request from City Auditor Shifflet for approval of a transfer of funds in the amount of \$ 6,000. from the account of Retirement Contributions to be used for Employer's Share of Social Security payments, due to increase in Federal Maximum Wages subject to F.I.C.A. Tax. Vice-Mayor Denton moved that the transfer be approved, and that:-

- \$ 6,000. trans.from: General Fund (4110-320) Retirement Contributions.
- 6,000. trans.to: General Fund (4110-250) Social Security (Employer Share)

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

A request was presented from Mr. Ralph Smith, Superintendent of the Street Department, for approval of a transfer of funds in the amount of \$ 10,000. currently held for the Blacks Run Project from the 1973-74 Revenue Sharing Funds, in that this amount is needed on the Washington Street project, to acquire rights-of-way. Following a brief discussion, Councilman Dingledine moved that the transfer be approved, and that:-

\$ 10,000. trans.from: Revenue Sharing - ST-4 (73-74) Street Dept.-Blacks Run.

10,000. trans. to: Revenue Sharing - ST-5 (73-74) Steeet Dept.-Washington Street.

which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council. The City Manager quoted a cost figure of \$ 190,000. on the Washington Street project through to Vine St. with total appropriations of \$ 91,000. up to now, as follows:- \$ 50,000. from the 1972-73 Revenue Sharing Funds; \$10,000. transfer approved at this meeting; and \$ 31,000. appropriated in the City's 1975-76 Budget. The report was for information.

Mr. Lowell Wenger of Rivendale, Inc., was present in the meeting to request a portion of the City's DJCP Grant for the year 1976-77 and asking permission to go through the City in applying for funds in the total amount of \$ 10,628. representing \$ 9,564. Federal Share; \$ 532. State Matching Funds; and \$ 532. Local Matching Funds. He explained that the local share would be provided by Rivendale to the City, with the City writing checks for invoices. According to Mr. Wenger, the Chapter 10 (Mental Health & Mental Retardations) Board endorses the program and has consented to serve as a monitoring agency. The time for submitting the application has been extended by the Department of Justice & Crime Prevention, in order that proposals may be made, in that without these, funds are distributed elsewhere. The contract would mean the difference between the amount of \$ 3,000. supplied by welfare and the actual cost for keeping two children in the Home, from the City of Harrisonburg or surrounding area. Mrs. Mary Bradshaw and Rev. John Sayre, speaking on behalf of the Chapter 10 Board, expressed support and endorsement of the project. City Manager Milam and Vice-Mayor Denton stated that it was their understanding that use of funds (approximately \$ 23,000.) allocated by the state to the City of Harrisonburg, would be determined by Council, and offered opinions that funds not used in special police training, etc. should go to the Rivendale Home. Upon recommendation of the City Manager that the funds come through an agency (i.e. Chapter 10 Board), he was advised by Mr. Wenger that the Board would serve as monitoring agency only, handling no funds. City Auditor Shifflet noted that if approved and Grant received, his office would isolate this account (Rivendale) from others in recordkeeping. Mayor Erickson pointed out the fact that the value of Rivendale is realized, and entertained a motion with regard to the application for funds. Following discussion, Vice-Mayor Denton moved that the application for funds through DJCP be approved, as requested by Rivendale, Inc., which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Council.

Assistant City Manager Driver, reporting for the Harrisonburg Safety Committee, informed Council that in 1972 the General Assembly passed a law permitting right-turn movement on a red traffic signal, where so designated, on which several requests had been received by the Committee for various places in the City of Harrisonburg. He noted that following several months of study, the Committee at its last meeting, had adopted a motion recommending this at eleven intersections in the City, with it being left to the Committee's discretion as to whether all or a part of said intersections would be initiated in the project. He said that the right turn on red would be denoted either by a hanging sign beside the traffic signal, or on a pole at the side of the street. If approved by Council, Mr. Driver noted that proper notice would be publicized in the local newspaper and through other news media, informing the general public of the program, as well as the intersections finally determined by the committee. Following discussion, Councilman Cline moved that the program be adopted with regard to permitting right turns on red signals, as recommended by the Safety Committee, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

There being no further business and on motion duly adopted, the meeting adjourned at 9:32 P.M.

Th. Arlene Loker
CLERK

Lay Erickson
MAYOR

APPROPRIATION ORDINANCE
OF THE CITY OF HARRISONBURG, VIRGINIA

For The Revenue Sharing Fund

AN ORDINANCE MAKING APPROPRIATION OF SUMS OF MONEY FOR NECESSARY CAPITAL EXPENDITURES OF THE CITY OF HARRISONBURG, VIRGINIA, FOR THE REVENUE SHARING FUND. TO PRESCRIBE THE TERMS, CONDITIONS, AND PROVISIONS WITH RESPECT TO THE ITEMS OF APPROPRIATION AND THEIR PAYMENT; AND TO REPEAL ALL ORDINANCES WHOLLY IN CONFLICT WITH THIS ORDINANCE, AND ALL PARTS OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE TO THE EXTEND OF SUCH INCONSISTENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HARRISONBURG, VIRGINIA, THAT THE FOLLOWING SUMS OF MONEY BE AND THE SAME HEREBY ARE APPROPRIATED FOR THE CAPITAL OUTLAY PURPOSES HEREIN SPECIFIED.

ESTIMATED CAPITAL EXPENDITURES:
PLANNED USE

Recreation	\$200,000.00
Housing & Community Development	170,000.00
Economic Development	<u>45,313.00</u>
TOTAL ESTIMATED CAPITAL EXPENDITURES	\$415,313.00

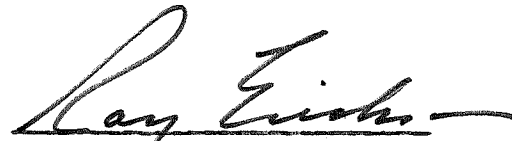
ESTIMATED REVENUE:

July 1, 1975 thru September 30, 1975 Estimate	\$103,828.25
October 1, 1975 thru December 31, 1975 Estimate	103,828.25
January 1, 1976 thru March 31, 1976 Estimate	103,828.25
April 1, 1976 thru June 30, 1976 Estimate	<u>103,828.25</u>
TOTAL ESTIMATED REVENUE	\$415,313.00

This ordinance shall become effective July 1, 1975.

Given under my hand this 24th day of June, 1975.


CLERK


MAYOR

DD550

Tuesday, June 24, 1975

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, Raymond C. Dingledine, Jr., Walter F. Green, III, City Auditor R. William Shifflet. Absent:- Chief of Police Richard W. Presgrave (sitting in, Lt. Stroble).

The evening's Invocation was led by The Rev. Jacob L. Mayer, Jr., Associate Pastor of Muhlenberg Lutheran Church, Harrisonburg.

Minutes of the regular meeting held on June 10th were read, and approved as corrected.

Mr. Bob Hammer introduced himself to Council as a member of the Shenandoah Planning District staff, and assured of his help with regard to the numerous long forms required on various applications, as well as on other matters of concern to the City of Harrisonburg.

The City Manager presented a letter of resignation from Mr. B.H. Kuykendall from the Downtown Development Committee, dated 6/17/75, due to additional job related duties. Vice-Mayor Denton moved that Mr. Kuykendall's resignation be accepted with regrets, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Councilmen present.

(Councilman Green entered the meeting and was recorded present).

For information, Manager Milam presented the annual report of the Harrisonburg Rescue Squad as submitted by the CPA firm of Keeler & Phibbs, showing total receipts as of 12/31/74 in amount of \$ 62,332. and total expenditures of \$ 62,729. He noted that this report was required by the City Code in that the City makes contributions to the organization and also provides quarters, at no charge.

Vice-Mayor Denton moved that the report be accepted, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

✓ For information, the City Manager reported that the Department of Housing & Urban Development had approved the City's application for Community Development Block Grant in amount of \$ 492,000., which funds will be applied to the Community Activities Center at Westover Park. He noted that an agreement had been signed in compliance with all Federal Acts, etc. and that all other requirements had been met.

✓ An ordinance titled "Erosion & Sediment Control" having been approved for a first reading on June 10th, was presented by the City Manager for Council's consideration of a second and final reading. Mr. H.H. Bush, one of the City's representatives on the Shenandoah Valley Soil & Water Conservation District Commission, requested that one change be made under the section Definitions, which would in no way alter the purpose of the ordinance, simply make it more complete: namely, that No. 3, referring to the Local Board, be changed to refer to the Commission. Following discussion, it was agreed that the matter of a second reading be deferred for further clarification and review at the next regular meeting.

✓ Mr. Ralph Wilfong, Executive Director of Rockingham-Harrisonburg Halfway House, Inc., appeared before Council, by request, to give a full and complete report of the present status of Halfway House as to services rendered, number of patients, activities, etc. One urgent need stressed by Mr. Wilfong was that of an outpatient service. He noted that this was not in state planning for Harrisonburg, in that they will establish this type of service no nearer than Winchester, Va. Due to the fact that the organization must operate on a self sufficiency basis, a request was made for the amount of \$ 43,444.28 from the City's Department of Justice & Crime Prevention Funds for year 1976-77, covered by the following proposed contract:-

"THIS CONTRACT made by and between the City of Harrisonburg, Va. and Rockingham-Harrisonburg Halfway House, Inc., this 24 day of June, 1975.

For and in consideration of the compensation stated below, it is hereby agreed that Rockingham-Harrisonburg Halfway House, Inc. shall provide rehabilitation services for persons in the Harrisonburg Community who suffer from the abuse of alcohol or other drugs, more specifically, Rockingham-Harrisonburg Halfway House, Inc. shall provide a residential facility for chronic alcoholics or other drug abusers during treatment and shall provide occupational therapy and rehabilitative counseling. It is understood that the primary responsibility of Rockingham-Harrisonburg Halfway House, Inc., will be to serve persons referred by the Courts, but they may also serve other persons of the community, including Rockingham County, when space permits.

(1) The duration of this contract shall be from 7/1/75 to 6/30/76.

(2) Compensation: City shall provide compensation in the amount of \$ 43,444.28 to be paid quarterly commencing on the first day of July, 1975.

It is understood that this contract may be terminated by the City if a supporting grant from the Division of Justice & Crime Prevention of the Commonwealth of Virginia is terminated. It is further understood that the contract may be terminated if Rockingham-Harrisonburg Halfway House, Inc. fails to adhere to regulations produced by the Division of Justice & Crime Prevention. In addition, this contract may be terminated at the convenience of the City of Harrisonburg upon 60 days written notice given by the City to Rockingham-Harrisonburg Halfway House, Inc.

(3) Changes: This contract may be modified or changed by agreement of both parties and it is understood and agreed that the contract will be modified to meet any special requirements of the DJCP.

(4) Discrimination: There shall be no discrimination in services provided or employment of personnel on the basis of race, creed, color, sex and national origin.

(5) It is understood that this contract may not be assigned by either party.

(6) Rockingham-Harrisonburg Halfway House, Inc. agrees to adhere to the state regulations including those of the DJCP and the Council on Criminal Justice in its operation under this contract. In addition, Rockingham-Harrisonburg Halfway House, Inc. agrees that the City of Harrisonburg and the Office of the Comptroller of DJCP and the Law Enforcement Assistance Administration shall have access to the records of Rockingham-Harrisonburg Halfway House, Inc., and that said records shall be made available for examination at any time upon request.

(7) Dispute and Appeal Procedures: Should any dispute arise under this contract, the parties hereto agree to submit the same to arbitration under the terms of Section 8-503, Code of Virginia, 1950, as amended.

IN WITNESS WHEREOF, City of Harrisonburg, Va., has caused this instrument to be executed in its corporate name and by due authority, and the Rockingham-Harrisonburg Halfway House, Inc., has caused this instrument to be executed in its corporate name and by due authority.

CITY OF HARRISONBURG, VIRGINIA

By _____

ROCKINGHAM-HARRISONBURG HALFWAY HOUSE, INC.

By _____

✓ Mr. Wilfong expressed concern over the fact that officials of Halfway House were not contacted with regard to their needs under the DJCP Grant to the City, in that they had been receiving support from this source. During a lengthy discussion, it was pointed out that a policy has been established whereby unused allocations of DJCP funds could be turned back to the Central Shenandoah Planning District, and requested by other organizations. Councilman Green suggested closer touch of Halfway House with the City Manager, Police Department and others concerning, in order to be better informed on policies, use of funds, etc. He then moved that the loan, or advance payment, to Halfway House in amount of \$10,000. which had been approved for a first reading on June 10th, be approved for second and final reading, and that:-

\$ 10,000. chgd.to: General Fund - Unappropriated Surplus Account.

10,000. approp.to: General Fund (1-1503-383) Halfway House (LOAN)

which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous recorded vote of Council. After further discussion, Vice-Mayor Denton moved that the contract between the City of Harrisonburg and Rockingham-Harrisonburg Halfway House, Inc. be approved and the City Manager authorized

to sign the same on behalf of the City, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

✓ Councilman Dingledine moved that a supplemental appropriation in the amount of \$ 1,200. requested by the Director of Parks & Recreation in order to transfer monies received from Valley Program for Aging Services, Inc., for rental of Westover Senior Citizens Center, for February, March, April and May, to be used for operation of Westover Swimming Pool, be approved for second and final reading, a first reading having been approved on June 10th, and that:-

\$ 300. chgd.to: Non-Revenue Receipts (1005) Recoveries & Rebates.

300. chgd.to: " " " " " "

300. chgd.to: " " " " " "

300. chgd.to: " " " " " "

300. approp.to: Westover Swimming Pool (1-11030-390-1) Other Operating Expenses.

300. approp.to: " " " " " "

300. approp.to: " " " " " "

300. approp.to: " " " " " "

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

✓ An Appropriation Ordinance for the City's Revenue Sharing Funds for the 6th Entitlement Period totaling \$ 415,313. which had been approved for a first reading on June 10th, was presented by the City Manager for consideration of a second and final reading. The following projects (all Capital Outlay) covered under the ordinance: Recreation, \$ 200,000.; Community Development, \$ 170,000.; and Economic Development, \$ 45,313. Following a brief discussion, Councilman Green moved that the Appropriation Ordinance be approved for second and final reading, with authorization for the Mayor to sign the ordinance and the Clerk to attest same and spread upon the pages of the City's Ordinance Book, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous recorded vote of Council. (Refer to Minute Book N page 99).

✓ City Manager Milam requested Council's approval for use of \$ 500,000. from the General Fund Unappropriated Surplus Account in order to establish three new Reserve Funds as follows: General Reserve for Future Construction Projects, \$ 300,000.; Street and Highway Construction, \$ 100,000. and Municipal Building and Land, \$ 100,000. He noted that the primary source of funds had been derived through investments for the past two years and said he felt it would be better to appropriate the \$ 500,000. into capital outlay, rather than into various categories, which transaction would require only one reading by recorded vote. Following a brief discussion, Councilman Green moved that Council approve establishment of the three new Reserve Funds set forth by the City Manager, as well as the \$ 500,000. appropriation, and that:-

\$ 500,000. chgd.to: General Fund- Unappropriated Surplus Account.

300,000. approp.to: General Fund - Reserve Fund for Future Construction Projects.

100,000. approp.to: General Fund - Reserve Fund for Street and Highway Construction.

100,000. approp.to: General Fund - Reserve for Municipal Building and Land.

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

✓ City Manager Milam informed Council that following the last regular meeting when a transfer of funds in amount of \$ 6,000. had been approved for Employer's Share of Social Security payments, a bill was received from the State Retirement Board in amount of \$ 10,430. for the quarter ending December 1974. He requested Council's approval to transfer a balance of \$ 8,600. from the General Fund, Other Operating Expenses, Non-Departmental, into Retirement Board, in order to cover the December bill. Following a brief discussion, Councilman Green moved that the transfer be approved, and that:-

\$ 8,600. trans.from: General Fund (1-1505-390) Other Operating Expenses.

8,600. trans.to: General Fund (1-4110-320) Retirement Board- Retirement Fund Contribution-

Current.

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

✓ City Manager Milam reported that he had received letters from the State Compensation Board with regard to the salaries of personnel in the offices of City Treasurer and Commissioner of Revenue, and recommended that the City budget remain as approved by Council, with authorization granted hkm to request the Compensation Board to leave all employees' salaries as approved by Council. Following discussion, Councilman Cline moved that the City Manager's recommendation be approved, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

✓ City Manager Milam reminded Council that annually, in June, a review of all City owned buildings is made with regard to fire coverage, with the various Agents handling same, School Board excluded. He noted that last year there were 87 buildings insured for \$5.8 million and that six new buildings have been added this year, increasing the number of 93, at a coverage of \$ 7,058,700., with the biggest increase being that of the new No. 4 Fire Company Building and contents. Insurance on the Municipal Bldg. has been increased from \$ 600,000. to \$ 700,000. The report was for information.

✓ City Manager Milam gave background information concerning the Harrisburg-Rockingham Regional Sewer Authority from 1970 when it was created, to the present time, noting that the Daily News Record newspaper had published good reports from each of the meetings held. He pointed out on a map the three remaining Interceptor Sewer Lines, Division F.G.H, all located in the County of Rockingham, noting the importance of construction of these lines to serve residents in the Harrisonburg Metropolitan area as well as completion of the total sewer system, namely: Hilldale, Belle Meade and Ashby Heights. In as much as Rockingham County has not chosen to enter into the overall sewer project, with the exception of one initial loan, the City Manager recommended that the City of Harrisonburg assume the entire local cost of approximately \$ 761,485. for construction of the aforementioned lines, with the following provision:- that the City of Harrisonburg be entitled to operate and maintain the lines, as well as all connections along the lines. Council was asked to pledge the City's full faith and credit for the borrowing of local funds by the Regional Sewer Authority, with interest rate not to exceed 7%, and further, that the Authority Attorney, Mr. Don Litten, be requested to draw up an agreement for the Interceptors, setting forth therein the aforesaid provisions. Manager Milam then read a proposed Letter of

Intent & Letter of Credit, addressed to Mr. Donald E. Phibbs, Chairman of the Harrisonburg-Rockingham Regional Sewer Authority, for Council's consideration, in order that the Authority may proceed, with notation that an Ordinance would be drawn, accordingly. He pointed out the fact to Council that the City's offer to finance the remaining three lines would be conditioned on approval of the proposal by the Environmental Protection Agency, as well as the availability of state and federal grants. Vice-Mayor Denton questioned the manner in which presentation of facts was made in writing by the staff of the Water Control Board, to the State Water Control Board, at a meeting held on June 10th, and also mentioned that the report was not made available to the Authority Attorney until meeting time, which made it difficult for him to review the facts prior to the meeting, and denote any discrepancies therein. He offered an opinion that the Sewer Authority should follow up on this matter. After further discussion, Councilman Cline moved that the City Manager be authorized to send the Letter of Intent & Letter of Credit, as presented and read, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council, all members present.

Each member of Council was presented with a copy of the 1975-76 City of Harrisonburg Budget in completed form.

✓ Manager Milam informed Council that he was in receipt of three copies of an agreement between the C & W Railway, Commonwealth of Virginia and the City of Harrisonburg for safety gates at two S. Main St. crossings, with the City's annual \$ 1,015. maintenance cost. He requested authority to sign the agreements on behalf of the City. Assistant City Manager Driver explained that the amount represents a standard fee which is set for any locality. Councilman Dingledine moved that the City Manager be authorized to sign the agreements, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

There being no further business and on motion duly adopted, the meeting adjourned at 9:55 P.M.

N. Anne Loken
CLERK

Lay Eichen
MAYOR

Tuesday, July 8, 1975

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, Raymond C. Dingleline, Jr., Walter F. Green, III, City Auditor R. William Shifflet and Chief of Police Richard W. Presgrave. Absent: none.

Minutes of the regular meeting held on June 24th were read, and approved as corrected.

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 June, 1975.

From the City Treasurer:

A Trial Balance report as of close of business on June 30, 1975.

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 report of cash discounts saved during month of June 1975 totaling \$ 362.03.

From the Data Processing Manager:

A report of water, sewer and refuse accounts, meters read, installations, cut delinquents, complaints, etc. for month of June, 1975.

Councilman Dingleline, on behalf of the Rockingham-Harrisonburg Bicentennial Commission, presented a framed certificate of Official Recognition for activities in bicentennial plans, as well as a bicentennial flag to be flown beneath the American Flag at the Municipal Building. Mayor Erickson accepted both on behalf of the City, noting that "we are proud to place this flag in public view" and instructed City Manager Milam to see that it is flown. Councilman Dingleline commended the Bicentennial Commission on its coordination of plans for the craft show held at Hillandale Park on July 4-5-6, as well as other individuals involved in same. He stated that the event had called attention of many people to the fine park facility we have, and had also added to the 4th of July weekend. He suggested that a letter of appreciation concerning the event be sent to the Bicentennial Commission, with a copy forwarded to the Department of Parks & Recreation. Following discussion, Councilman Dingleline moved that the City Manager be so authorized and directed, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

City Manager Milam reported for information that a letter had been received from the State Board of Elections with an enclosed form to be returned for reimbursement by the state, of compensation paid to the General Registrar under Section 24.1-43 of the State Code. He noted that the form had been returned on June 27th covering the period 7/1/74 - 2/8/75 in amount of \$ 3,276, which the City had paid Emily H. Long as Registrar for the City.

Manager Milam informed Council that the 1975 Local Government Officials' Conference would be held August 25-27 at the University of Virginia, Charlottesville, and noted that registration forms were available in his office.

Council was informed of a letter dated 6/26/75 from the Central Shenandoah Manpower Council, to Mayor Erickson, advising him that due to many requests for funds which had been coming in from various branches and agencies of local governments, a motion had been adopted to receive future requests from local government agencies, only, through the appropriate local governing body. Councilman Cline, a member of the Manpower Council, stated that this would eliminate confusion, and moved that City Manager

Marvin B. Milam be designated to submit any and all requests from the City of Harrisonburg, rather than each request coming through Council, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

✓ City Manager Milam reported that he had been in touch with the Central Shenandoah Planning District since the last meeting of Council and had learned that the City's Grant Application for funds of approximately \$ 40,000. had been approved, and that the loan, or advance payment of \$ 10,000. by the City to Rockingham-Harrisonburg Halfway House, Inc., would be reimbursed. Council's June plan for allocation of the funds had been amended to include Halfway House in the 1976-77 funding arrangement, which amendment was endorsed by Rockingham County and carried the name of Jim Moyers, Executive Secretary for the County and Judge John Paul for the City. In as much as the Federal Government will change its fiscal year from July to October, Manager Milam expressed hope that Halfway House will pick up that three months for operation costs. He noted that additional information will be forwarded each member of Council.

✓ For information, Manager Milam informed Council that he was in receipt of a letter from the State Compensation Board advising of its concurrence in setting salaries for the offices of the City Treasurer and Commissioner of Revenue at the amount approved by the Harrisonburg City Council in its 1975-76 Budget.

Council was advised by the City Manager of an important meeting which has been scheduled for July 23 at 10 AM in Manassas, Va., re Municipal Electric Systems, and urged the Mayor and members to attend, if at all possible.

✓ As required under the City Code, the City Manager presented a letter from the City Treasurer, accompanied by lists of delinquent taxes unpaid as of June 30, 1975, end of the City's fiscal year, as follows: 1971 personal property, \$ 438.10; 1972 personal property, \$ 598.36; 1975 personal property, \$ 556.13; 1974 personal property, \$ 4,510.92; 1972 real estate, \$ 322.87; 1973 real estate, \$4,077.93; 1974 real estate, \$ 30,944.25; 1973 Tangible personal property, \$ 2,902.11. Following a brief discussion, Vice-Mayor Denton moved that the Treasurer's report be accepted, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

For information, Dr. Malcolm Tenney, Jr., District Health Director, presented another portion of his 1974 annual report with regard to City patients seen and treated in the various Health Clinics. The report noted 500 various clinics in the City and County, with 1,270 new patients from the City of Harrisonburg and 1,580 old patients, or a total of 2,850. Appreciation of Council was expressed for the informative presentation by Dr. Tenney.

✓ Manager Milam presented for consideration of a second and final reading, an ordinance titled "Erosion & Sedimentation Control", noting that same had been amended since the last regular meeting to include a change under the Section of Definitions as requested by Mr. H. H. Bush, a representation on the Soil & Water Conservation District Commission, as follows: Section 3 - to change "Virginia Soil and Water Conservation Commission" shall mean..., to "District or Soil and Water Conservation District" shall mean..., etc. Copies of the amended ordinance were sent to both of the City's representatives on the Commission, namely: Mr. Bush and Mrs. Bonnie Paul. Following a brief discussion, Councilman Cline moved that the amended ordinance be approved for second and final reading, with authorization for the Mayor to sign the ordinance and the Clerk to attest same and spread upon the pages of the City's Ordinance Book, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous recorded vote of Council. (Refer to Ord. Book K, page 75).

✓ For consideration of a first reading, the City Manager presented a proposed ordinance amending Sec. 16-88 and 16-89 of the City Code with regard to the licensing of Processors of Poultry and Professional Occupations. The matter had been presented some months ago by the Commissioner of Revenue, requesting that the maximum amounts of \$ 400. on professional licenses and \$ 500. on poultry plants, be eliminated. A study had revealed that 38 cities and 8 counties have a similar ordinance. Commissioner of Revenue Victor Smith pointed out the fact that he had cleared this amendment of the present rate with the Attorney General, and that it would not be an increase of rate, which would not be allowable under the present moratorium through December of this year. Councilman Dingleline moved that the ordinance be approved for a first reading, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous recorded vote of Council. After further discussion, Councilman Cline moved that a written opinion of the Attorney General be received, prior to a final reading of the ordinance, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council. The Commissioner of Revenue was instructed to get an opinion.

✓ Councilman Green offered an opinion that since the City tax program is not known by too many in the business community and the general public, some type of review should be made. If the tax rate is unfair to some group, he felt the structure of the program should be amended, not on an individual basis, but across the board. He noted that many feel they are treated unfairly. Mr. Victor Smith, Commissioner of Revenue, pointed out that the last major review was made in 1958 and required approximately one year. He stated that in as much as the moratorium for no rate increase will end December of this year, the matter should be looked into. Mayor Erickson suggested that the City Manager and Commissioner of Revenue meet and arrive at a list of categories from which to ask representatives to serve on a tax study committee. Councilman Cline offered an opinion that Mr. John Knopp, an expert in taxing at the University of Virginia, would be helpful in this regard. Additional information will be presented at the next regular meeting for further action.

✓ A request was presented from the Director of Parks & Recreation for approval of a supplemental appropriation in the amount of \$ 6,969.25 in order to transfer monies received for participants wages incurred during the month of March \$ 2,186.00, April, \$ 2,402.00, and May, \$ 2,381.25, as per agreement with the Virginia Employment Commission for the PEP Program. Following a brief discussion, Councilman Cline moved that the appropriation be approved for a first reading, and that:-

\$ 6,969.25 chgd to: General Fund - Unappropriated Surplus Account.

6,969.25 approp.to: General Fund (1-11020-12) Parks & Playgrounds - Wages

which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous recorded vote of Council.

PP1550

✓ City Manager Milam presented a letter dated 6/30/75 from Mr. Marvin Deavers, Treasurer of Harrisonburg-Rockingham Community Band, with financial report attached thereto, for fiscal year ending June 30, 1975. The letter advised that although the band had not been active this past year due to insufficient interest of participants, plans are now being formulated to resume rehearsals on a bi-weekly basis, beginning after Labor Day in September. Mr. Deavers requested that if available, the annual appropriation from the City for band purposes in the amount of \$ 600. be turned over to the organization for purchase of several needed instruments. City Manager Milam informed Council that the appropriation had been placed in the City's 1975-76 Budget, and asked direction concerning the request. Following a brief discussion, Vice-Mayor Denton moved that the matter be tabled for the present time, inasmuch as the band has not as yet been activated, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

✓ A letter dated 6/30/75 from the Harrisonburg Retail Merchants Association was read by the City Manager, requesting permission to place displays and tables on the sidewalks for their annual Casual Days Sidewalk Sale on July 24, 25 and 26. Chief Presgrave informed Council that no problems had arisen in the past from these sales. Following a brief discussion, Councilman Cline moved that the request be granted, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

✓ City Manager Milam reported for information that the City had received its final two allocations of Highway Construction Funds for 1975-76 from the Department of Highways and Transportation, as follows: \$ 90,000. for the Cantrell Ave. project (Paul to Reservoir Sts.) and \$ 350,000. for the South Main Street project. He added, however, that this does not mean that the amounts have been budgeted. Due to the fact that an additional \$ 750,000. must be allocated for the S. Main Street project before the state will award a contract, Council was informed that sections of the street have been repaved or sealed by the City Street Department.

✓ Manager Milam read a written report dated 6/27/75 from the City's Equalization Board members: Messrs. T. H. Lowery, Richard L. Suter and John H. Byrd, Sr., advising the governing body that they met on April 30, May 1, 2, 5, 6 and 7th for the purpose of hearing complaints and adjusting inequities in real estate assessments, including errors in acreage. A total of 162 applications were submitted at those meetings, with 95 handled by personal interviews and 67 by mail. Adjustments were made on thirty three properties, resulting in a net decrease of \$ 203,732., with 24 properties decreased and 9 increased including 3 tax exempt properties. The Board urged Council action with regard to some tax relief for the elderly and retired property owners on a fixed income. Councilman Cline moved that Council receive the report and commend the Board of Equalization for its hard work and perseverance, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Council.

✓ The City Manager requested direction of Council with regard to the relocating of The Farmer's Market which has been operating each year from the Municipal Parking lot, due to construction of the parking deck which is now underway. He suggested the location across Liberty Street to the north side of the police station parking lot, with a request that money be deposited in parking meters on the reserved spaces, even though same will be bagged. The Commissioner of Revenue explained that the farmers who sell home-grown products from their own vehicles, are granted a permit at no cost, with the City providing the location. Vice-Mayor Denton suggested that the Planning Commission look into the possibility of getting enough buyers and sellers to enlarge the operation to include arts, crafts, etc. Following discussion, the City Manager was instructed to work with the Harrisonburg Parking Authority in finding suitable location for the operation.

✓ For information, City Manager Milam presented proposed plans for renovation of one wing on the 2nd floor of the Municipal Building for administrative offices. Included in the plans were an office for the City Manager, Assistant City Manager, City Clerk, Mayor, Reception area, etc.

✓ City Manager Milam presented each member of Council with a copy of the new plan for Insurance Protection for city employees and pointed out two major changes: full coverage on a semi-private room and increase on major medical to the amount of \$ 250,000. The report was for information.

There being no further business and on motion duly adopted, the meeting adjourned at 10:00 P.M.

N. Arlene Lohes
CLERK

Lay Eicher
MAYOR

DD550

Tuesday, July 22, 1975

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 Raymond C. Dingleline, Jr., Walter F. Green, III, City Auditor R. William Shifflet and Chief of Police Richard W. Presgrave. Absent:- City Manager Marvin B. Milam and Councilman Paul C. Cline. Sitting in for the City Manager, Assistant City Manager John E. Driver.

Minutes of the regular meeting held on July 8th were read, and approved as corrected.

City Auditor William Shifflet presented his financial report for the month of June, 1975.

Clerk Loker presented each member with an updated calendar of unfinished matters, through regular meeting of July 8, 1975.

Assistant City Manager Driver read a letter dated 7/17/75 from Gary Judd re a request for rezoning of lots 3 & 4 in the Maplehurst Addition, from R-1 to R-3. Mr. Driver explained that this location is the stone house on the northeast corner of Port Road and S. Main Street, with two additional lots. Councilman Green moved that the request be referred to the City Planning Commission for study and recommendation, which motion upon being seconded by Councilman Dingleline, was adopted by a unanimous vote of Councilmen present.

For information, Council was advised by the Assistant City Manager that a report on "Comparative Cost of City Government for the Year Ended 6/30/73", prepared by the Auditor of Public Accounts, had been received in duplicate, one copy to be placed in the Council Chamber, and the other in the office of City Manager. He noted that comparison was made between 38 other cities, as well as Harrisonburg, on various statistics. Council asked that the City Manager condense the report of revenue & expenditures on one sheet and send a copy to each member, for their convenience in studying same.

A letter from Joseph Willson, Director of the Virginia Soil & Water Conservation Commission, was read, in which it was stated that the City's Ordinance on Erosion & Sediment Control had been reviewed and approved. The letter was for information.

For information, Assistant City Manager Driver presented correspondence from the Secretary of Hose Company No. 4, submitting a listing of the Board of Directors and various committees of the company for calendar year 1975. He called attention to the two members appointed to serve on the Fire Commission, namely, John Paul Shoemaker and Page Sencindiver.

The following recommendation submitted by the Planning Director from a meeting of the Commission held on July 21, 1975, was read:-

"The Final Plan for Section 3 of Reherd Acres Subdivision containing eight townhouse lots totaling 22,394 square feet and one 15,706 square foot 'common area' lot, was described by the Director. He explained that these townhouse units are within the R-4 Planned Unit zone which requires common open spaces for recreational and parking purposes. The overall Reherd Acres R-4 Plan was reviewed, showing where recreational activity is planned in other parts of the 33 acre development. The Director also reported on the staff comments which are satisfactory concerning street and utility lines. Mr. Driver requested an amendment be added to the Final Plan, i.e., 2 10' drainage easement from the south border of the common lot to Bobwhite Place, 140' distance.

Copies of the proposed covenants, conditions and restrictions of Reherd Acres, Inc., Section 3, were reviewed and Mr. Jack DePoy was present to answer any questions. The Commissioners expressed confidence in the details which are spelled out in this document, and were assured that the proposed Reherd Acres Homeowners Association will be required to pay taxes on the various 'common areas' which are to be platted and recorded along with the individually owned parcels. Mr. DePoy also reported that a buffer strip of shrubbery will be placed between Section 3 and single family dwellings to be constructed on adjacent lots.

Mr. Williams concluded the discussion with a motion recommending approval of the Final Plan for Section 3, Reherd Acres Subdivision, subject to the addition of a 10' drainage easement from Lot O southward 140' to Bobwhite Place. Mr. Kuykendall seconded the motion. All members voted in favor."

Planning Director Sullivan pointed out the area on a map and explained the subdivision as various sections are materializing, noting that Sections I and II had been previously approved. He stated that this is the first for sale townhousing development coming into being in the City of Harrisonburg, and added that following a request for same in January of this year, the Planning Commission had felt that prior to approving the plat, the developer should lay the foundation of the development and re-draw the plat, to be sure boundary lines were in the right place. As a result, a second drawing showed a slight shift in the lines. Following discussion, Councilman Green moved that the recommendation of the Planning Commission be approved, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Councilmen present.

Council deferred making appointments to various Boards and Commissions until a later meeting.

Council agreed to defer the matter of a second and final reading on an ordinance amending Sections 16-88 and 16-89 of the City Code by eliminating maximum amounts on Professional Occupations and Processors of Poultry license tax, in that the Commissioner of Revenue reported he had received no written opinion, to date, from the Attorney General concerning effect of the present moratorium on same.

Mayor Erickson reported that he and the City Manager had met and reviewed the matter of license tax, and had asked the Commissioner of Revenue to work out statistics, percentagewise, in order to have something to work from. He offered an opinion that a Study Committee should include 6 or 7 people from professional groups, retail merchants, etc., as well as the Commissioner of Revenue and some Councilmen. Mr. Victor Smith, Commissioner of Revenue, informed Council that such a committee would meet twice a month and would be quite active, in that such a study is very extensive. He said he had been advised by Sen. Aldhizer that a committee is now working on legislature concerning license tax which will go before the General Assembly in its next session, and that he had promised to keep us posted on progress made. Vice-Mayor Denton offered an opinion that appointing a committee now would be "spinning our wheels", prior to getting further information re the state committee. Mayor Erickson said he felt the committee appointed by Council could work from a local point with contractors, etc. Councilman Dingledine made a reminder that it is not Council's intention to increase anyone's license tax, but merely to eliminate the maximum amounts set forth in the City ordinance. Mr. Smith told Council of two studies which have been made by the University of Virginia and Fairfax County, both setting forth that the only fair rate is based on gross receipts rather than net receipts, as advocated. Councilman Green suggested that the Commissioner of Revenue keep Council informed on progress made with regard to license tax in order that those with concerns regarding rates may be heard from. Councilman Dingledine suggested that an attempt be made to identify individuals who may be willing to serve on a Tax Study Committee, as a follow-up on what has already been done in the way of statistics, etc. It was agreed that the matter be kept on Council's agenda.

Councilman Dingledine moved that a supplemental appropriation in the amount of \$ 6,969.25 requested by the Recreation Director in order to transfer monies received for participants' wages incurred during the months of March, April and May, as per agreement with the Virginia Employment Commission, be approved for second and final reading, a first reading having been approved on July 8, and that:-

\$ 6,969.25 chgd.to: General Fund - Unappropriated Surplus Account

6,969.25 approp.to: General Fund (1-11020-12) Parks & Playgrounds- Wages

DU550

which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous recorded vote of Councilmen present.

✓ Council was informed that the City has been offered reimbursement (No. 10, Wastewater Grant) in the amount of \$ 6,400. on sewer line in northeast Harrisonburg constructed in the year 1962, by the U.S. Environmental Protection Agency. Assistant City Manager Driver noted that the original application by the City had been for three lines constructed in various sections of Harrisonburg, but that only the one line was approved for reimbursement. City Manager Milam will sign the necessary document for receiving the amount offered.

✓ For information, Council was advised that a new agreement had been drawn with Civil Defense for storing of the Auxiliary Hospital which is presently in the police station, with generator at the Central Stores Building. The City Manager is custodian of this portion of Civil Defense.

✓ Council was informed by Assistant City Manager Driver that the City's Grant Application for heat recovery study, had been turned down by the EPA, due to competition in applications for available funds. He noted that a second application would be sent in at a later date.

Assistant City Manager Driver told Council that bids for the gym and library at Spotswood Elementary School and the gym and library at Keister Elementary School would be opened this Thursday at 2 P.M. in the Council Chamber. The report was for information.

✓ City Auditor Shifflet presented a report of Unappropriated Surplus in various funds as of 7/1/75, with the following amounts: - General Fund, \$ 461,570.45; Schools, \$ 25,581.34; Water, \$ 423,046.51; Sewer, \$ 290,686.81. He noted that it was a good year and explained that at the end of each fiscal year, all outstanding accounts receivable are transferred into the Surplus, and re-opened the following year.

There being no further business and on motion duly adopted, the meeting adjourned at 8:35 P.M.

N. Arlene Loper
CLERK

Lay Eichen
MAYOR

Tuesday, August 12, 1975

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, Councilmen Paul C. Cline, Walter F. Green, III, City Auditor R. William Shifflet and Chief of Police Richard W. Presgrave. Absent:- Vice-Mayor E. Warren Denton, Jr. and Councilman Raymond C. Dingledine, Jr.

The evening's Invocation was led by The Rev. James Hendershot, pastor of First Assembly of God Church.

Minutes of the regular meeting held on July 22 were read, and approved as corrected.

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, 1975.

From the City Treasurer:

A trial balance report as of close of business on July 31, 1975.

From the Police Department:

No report.

From the City Auditor:

A financial report for the City of Harrisonburg, Va. for month of July, 1975.

A report of cash discounts saved during month of July, 1975 totaling \$ 222.43

From the Data Processing Manager:

A report of water, sewer and refuse accounts, meters read, repaired, customer complaints, re-reads, etc. for month of July, 1975.

✓ A request from Mr. Glen Berkshire, owner of two lots on the south side of Seventh Street, was presented by the City Manager, for closing of Seventh St. between Lee Avenue and Virginia Avenue, as well as an alley starting at intersection of Seventh St. and extending southward, 250'. Following a brief discussion, Councilman Cline moved that the request be referred to the City Planning Commission for study and recommendation, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Councilmen present.

Dr. Malcolm Tenney, Jr., District Health Director, presented a report on Mental Aftercare Service for fiscal year 1974-75, noting that Harrisonburg had two nurses who served as follows: - 120 home visits; 102 office visits; 3 new patients admitted. Council was also informed by Dr. Tenney that Harrisonburg had fewer cases of venereal disease reported to the health department during the first six months of this year, than during either the first or last half of 1974. Mayor Erickson expressed appreciation for the fine presentation for Council's information.

✓ City Manager Milam introduced Mr. Tim Murnane, Student Interne, who had worked 120 hours during the summer, in his office, compiling various reports concerning Harrisonburg City Schools. Mr. Murnane presented each member of Council with copies of reports, in graph form, including: "10 year Survey Harrisonburg School Budget 1965-1974"; "State, Federal and City Funds for Education"; Total Disbursements for Education"; Total Daily Membership-Teaching Positions & Others"; Salary Scale for Beginning Teachers"; Comparative Cost of Government", etc. The study revealed the facts that: the City's total expenditures for education had nearly tripled during the 10 year period, from \$ 1,170,361. in 1965, to \$ 3,170,361. in 1975.

\$ 3,271,915. in 1974; The school population has increased by 37 students during the same period, with 51 teachers and 21 other positions added. Mayor Erickson, on behalf of Council, thanked Mr. Murnane for time spent in compiling the information.

Assistant City Manager Driver, reporting for the Harrisonburg Safety Commission, brought the following to Council's attention which had been discussed and approved at a meeting held on July 29, 1975, and requested Council approval of same:- (1) A request which was made for the Highway Safety Division to make a survey on intersections at S.High & Grace Streets, and S.High and Cantrell Avenue, concerning safety measures for pedestrian safety which has been of concern to the Harrisonburg School Board; (2) a request that Council appoint Police Chief Richard Presgrave to serve on the Harrisonburg Safety Commission, as an additional member, in that a number of matters involve his department. Mr. Driver pointed out that the survey made on the two intersections revealed that a walk light was not required for S.High St. & Cantrell Avenue, but that it would be a convenience to pedestrians. Following discussion, Councilman Green moved that Council approve recommendations set forth by the Harrisonburg Safety Commission, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Councilmen present. Councilman Green then moved that Chief Presgrave be appointed as an additional member to the Harrisonburg Safety Commission, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Councilmen present.

Council was informed by the City Manager that the low bid of six bids for construction of the Community Activities Center at Westover Park, was submitted by Moss Associates in the amount of \$975,192. and alternate No. 1 of \$ 7,400., on which contracts have been prepared. He noted that proposed maximum expenditures on the project were in the amount of \$ 1,114,000 which includes architect & inspection fees, equipment and 5% contingencies. Manager Milam requested authorization of Council to sign the contracts on behalf of the City. Following discussion, Councilman Green moved that the City Manager be so authorized, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Councilmen present.

Council was informed by the City Manager that additional financing will be needed for completion of the Recreation Facility at Westover Park in the amount of \$400,000., in that maximum expenditures on same is \$ 1,114,000 as noted previously, while the proposed financing totals only \$ 714,000. and includes: \$ 22,000 from 1974-75 Revenue Sharing Funds; \$ 200,000. from 1975-76 Revenue Sharing Funds, and \$ 492,000. authorized from Community Development Block Grant. He then presented a letter dated 7/31/75 received from Lawrence B. Wales, Jr., of Municipal Advisors, Inc., advising that following a review of figures received from the City Auditor and a request from the City Manager for suggested maturity schedule for \$ 1,000,000 General Obligation Bonds to be sold by the City of Harrisonburg for construction of the Parking Facility (\$600,000) and Recreation Facility (\$400,000), that: "A 10 year Maturity Schedule of \$ 100,000. annual principal should be considered, with first four (4) years dedicated to Recreation Facility and the last six (6) years dedicated to Parking Facility. Further, creation of a Parking Authority Sinking Fund to retire obligation." Following a lengthy discussion, the City Manager was instructed to put quoted figures in report form for study, and the City Auditor was asked to prepare a report on the City's Indebtedness to include these projects, as well as those of the Schools.

City Manager Milam informed Council of a statewide policy for emergency telephone no. "911", for which the local telephone company is not equipped to handle at the present time. He asked Council to consider an emergency number which would be keyed into the police department and appointment of a committee, including a representative of the telephone company, to look into the matter. Mayor Erickson said that such a committee should include also representation from all local safety departments. No action taken at this time.

No further action was taken by Council with regard to its proposed License Tax Ordinance for elimination of maximum amounts stated thereon on Professional Occupations and Poultry Plant, in that meetings will be held during this month and in September, by the State Committee working on license tax legislation for the next General Assembly.

In as much as notification had been received by the City Manager from Rockingham County that after July 1st of this year, the Dog Warden would be serving the County only, Councilman Green moved that the local Police Department be named enforcing agency in this matter, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Councilmen present.

City Manager Milam presented a request from Mr. Cecil Gilkerson, Recreation Director, for approval of a supplemental appropriation in the amount of \$ 420.00 in order to transfer monies received from Valley Program for Aging Services, Inc., for June rent for Price Rotary Senior Citizens Center, and from CeSSA Office, Madison College, for payment of utilities covering period of April, May and June. Following a brief discussion, Councilman Cline moved that the appropriation be approved, and that;

\$ 300. chgd.to: General Fund (1005) NON REVENUE RECEIPTS - Recoveries & Rebates.

120. chgd.to: General Fund (1005) NON REVENUE RECEIPTS - Recoveries & Rebates.

300. approp.to: General Fund (11026-390.00) WESTOVER PARK- Other Oper. Expenses.

120. approp.to: General Fund (11026-390.00) WESTOVER PARK - Other Oper. Expenses.

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

For information, the City Manager reported that the City's present budget has an amount of \$10,000. appropriated for solid waste purposes, and noted that the hospital still feels we should work with them as well as Madison College on the Heat Recovery Project, although the City's Grant Application for study of same had been denied by the EPA. He noted further that an energy panel has been appointed on which Dr. Ronald Carrier, president of Madison College, will serve. A detailed report on "Solid Waste Management Planning for Localities in Virginia", compiled by the Division of State Planning & Community Affairs, had been received in the City Manager's Office. Following discussion, it was agreed by Councilmen present that no action be taken at this time, in order to see what develops on the state level with regard to funds which may become available.

DD550

City Manager Milam requested authorization of Council to sign an agreement between the Virginia Employment Commission and the City of Harrisonburg, submitted by the Shenandoah Manpower Council, for Title III funds totaling \$ 742,000 for the City's summer youth program. Councilman Green moved that the City Manager be so authorized, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Councilmen present.

City Manager Milam presented a letter dated 8/1/75 which he had received from Mr. Paul Quintrell, Director of Finance, Harrisonburg City Public Schools, requesting the establishment of two (2) Revolving Funds: Keister Elementary School Addition Construction Fund and Spotswood Elementary School Addition Construction Fund. Enclosed with the letter, the state's notice of approval of the School's Literary Fund Loan, and the setting aside of \$ 300,000 for construction of a gym and library at each of the two schools, or a total amount of \$ 600,000., with increase to a maximum of \$ 750,000. on each when funds are exhausted. Manager Milam called Council's attention to the fact that the School Board's Grant Application was in the amount of \$ 1,500,000., or \$ 750,000 for each construction project. Mr. Quintrell stated in the letter that the request for two revolving funds was made due to the fact that the funds for construction, and requisition funds for the Literary Fund, would have to be expended at the end of each month. Receipts from the Literary Fund would be placed back in the Revolving Fund, and at the end of construction, according to the Finance Director, receipts would equal disbursements. It was pointed out that based on the low bid received from Nielsen Construction Co., total costs of \$ 75,750. for construction, \$ 34,837.50 for architect's fees, and \$710. for printing, plus some allowance for contingencies such as change orders, etc. would result, and noted that the total costs would be somewhat higher, should the low bid not be acceptable. Following a lengthy discussion, Councilman Green moved that one special fund titled "Construction Fund Additions to Keister Elementary School and Spotswood Elementary School" be established in the maximum total figure of \$ 752,297.50, representing total costs based on the low bid. The motion was seconded by Councilman Cline, and adopted by a unanimous recorded vote of Councilmen present.

City Manager Milam presented a plaque from WVPT Public Television, in appreciation of loyal support in 1975. Mayor Erickson noted that these plaques were presented to municipalities within the range of WVPT.

Council discussed informally, success of the Harrisonburg Turks Baseball Team, and the fine showmanship which resulted in their present standing. It was unanimously agreed by Councilman present that the team, and those connected with it, be made aware of the City's pride. Councilman Cline moved that "Council commend the Harrisonburg Turks for a successful season, congratulate them for winning the Valley League regular season pennant, and wish them even greater success in the League Play-Off Finals." The motion was seconded by Councilman Green, and adopted by a unanimous vote of Councilmen present.

There being no further business and on motion duly seconded, the meeting adjourned at 9:00 P.M.

N. Arlene Loker
CLERK

Lay Erickson
MAYOR

Tuesday, August 26, 1975

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, Raymond C. Dingledine, Jr., Walter F. Green, III, City Auditor R. William Shifflet and Chief of Police Richard W. Presgrave. Absent:- none.

The evening's Invocation was led by The Rev. John S. Parker, Associate Pastor of Asbury United Methodist Church, Harrisonburg.

Minutes of the regular meeting held on August 12th were read, and approved as corrected.

✓ Council received correspondence from Mr. Eddie Ney in which he submitted his resignation as a member of the Down Town Development Committee as of August 31, 1975. Mr. Ney's resignation was accepted.

✓ The City Manager presented a request from Skyline Development Company to rezone 6.88 acres of land on the Edom Road, fronting on Rt. 342, from R-1 to R-2 in order to construct for-sale townhouses. Following a brief idscussion, Councilman Green moved that the request be referred to the City Planning Commission for study and recommendation, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

✓ Correspondence dated 8/13/75 from Messrs. Giles Stone, Dwight Miller and O.L. Miller, landowners in the 1300 block of S. Main Street (east side) and the only landowners between Edgelawn Drive & Weaver Ave., was presented by the City Manager. A request was made for rezoning their properties from R-1 residential to R-3 Multiple Dwelling residential district. On motion of Vice-Mayor Denton, seconded by Councilman Cline, and a unanimous vote of Council, the request was referred to the City Planning Commission for study and recommendation.

✓ The following joint resolution by the Harrisonburg Electric Commission and City Council was presented and read by City Manager Milam:-

"WHEREAS, all officials of the City of Harrisonburg and the Harrisonburg Electric Commission, along with the entire citizenry of this community, were grieved to learn of the death of Edward F. Abbot, Jr., who had served loyally as a member of the Harrisonburg Electric Commission; and

WHEREAS, through our association with him, he was an inspiration and guide to us, individually and collectively, always courteous and affable in manner, and industrious and efficient in every detail of his busy life; and

WHEREAS, he was widely known and loved through his business, civic and charitable activities and had earned the friendship, esteem and admiration of all those he came in contact with in our community; and

WHEREAS, we have not only lost a valued friend and member of the Harrisonburg Electric Commission, but the entire community which he loved and served so well has suffered a distinct loss; and

WHEREAS, it is the desire of the City of Harrisonburg and the Harrisonburg Electric Commission to adopt a suitable testimonial to him for his unfailing loyalty to us and to record our respect for him and for all he represented.

NOW, THEREFORE, BE IT JOINTLY RESOLVED by the City Council and the Harrisonburg Electric Commission that we do sincerely lament and mourn the death of Edward F. Abbott, Jr., whose faithful and dedicated service has been an inspiration and a benefit to all the citizenry of the City of Harrisonburg and to all members of the City Council and the Harrisonburg Electric Commission.

BE IT FURTHER RESOLVED that this resolution be spread upon the minutes of this meeting and a copy be sent to Mr. Abbott's wife and children as an expression of sympathy to them.

DATED: August 26, 1975

HARRISONBURG CITY COUNCIL

Mayor

HARRISONBURG ELECTRIC COMMISSION

Chairman

Councilman Green moved that the joint resolution be approved and spread upon the minutes of this meeting, with authorization for the Mayor to sign same on behalf of the City Council, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Council.

✓ Mr. Lawrence Wales of Municipal Advisors, Inc., informed Council that interest rates on short term borrowing have begun to rise and recommended that Council accept a proposal from the firms of Anderson & Strudwick, Inc. & Horner, Barksdale & Co., to purchase \$ 600,000. Parking Facility Bonds from the City of Harrisonburg, at a net interest rate of 5.96087%. He introduced Mr. Garnett A. Lee, Jr., representative of an Investment Banking Firm, who presented the following proposal:

"For \$ 600,000. City of Harrisonburg, Va. Parking Bonds dated September 1, 1975 maturing \$ 50,000. on September 1 in each of the following years, 1976 through 1981 and \$ 100,000. on September 1 in each of the following years, 1982 through 1984, without right of prior redemption, and paying semi-annual interest on March 1 and September 1 as follows: on the bonds maturing Sept. 1, 1976 and 1977 at the rate of 5 1/2%, on the bonds maturing Sept. 1, 1978 through 1982 at the rate of 5 3/4%, on the bonds maturing Sept. 1, 1983 and 1984 at the rate of 6.20%, we will pay \$ 600,000. The bonds are to be issued in coupon form in denominations of \$ 5,000. without right of registration and both principal and interest are to be payable at First & Merchants National Bank, Richmond, Va. or at Bankers Trust Co., New York, N.Y. or at The Rockingham National Bank, Harrisonburg, Va. at the option of the holder. It is understood that the purchaser will be furnished, without cost, a legal opinion of Hunton, Williams, Gay and Gibson of Richmond, Va. or other acceptable recognized bond counsel stating that the bonds are general obligations of the City of Harrisonburg, Va. payable from ad valorem taxes without limitation as to rate or amount and a statement that there is no litigation pending affecting the validity of the bonds. It is further understood that the cost of printing and delivering the bonds to the purchaser will be borne by the issuer. Delivery of the bonds will be in Richmond, Va. approximately forty-five-days following acceptance of this proposal."

City Manager Milam informed Council that prior to any action on the foregoing proposal, the following resolution should be considered for a first reading, at this time:-

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$ 600,000
PARKING FACILITY BONDS, SERIES OF 1975, OF THE CITY OF HARRISONBURG,
VIRGINIA, HERETOFORE AUTHORIZED, AND PROVIDING FOR THE FORM, DETAILS
AND PAYMENT THEREOF.

WHEREAS, the issuance of parking facility bonds of the City of Harrisonburg, Virginia, in the maximum amount of \$ 600,000. was authorized by ordinance by the Council of the City of Harrisonburg on May 27, 1975, to provide funds for the purpose of constructing an off street parking facility in downtown Harrisonburg, and none of such bonds have been sold:

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HARRISONBURG, VIRGINIA:

1. There are hereby authorized to be issued and sold parking facility bonds of the City of Harrisonburg, Virginia, in the aggregate principal amount of \$ 600,000.
2. The bonds shall be coupon bonds without privilege of registration, shall be designated "Parking Facility Bonds, Series of 1975", shall be dated September 1, 1975, shall be of the denomination of \$ 5,000. each, shall be numbered from 1 to 120, inclusive, and shall mature in installments of \$50,000 on September 1 in each of the years 1976-1981, inclusive, and \$ 100,000. on September 1 in each of the years 1982 to 1984, inclusive, without option of prior redemption. The bonds shall bear interest at such rate or rates as determined at the time of sale, payable semiannually on March 1 and September 1. Both principal & interest shall be payable at the principal office of First & Merchants National Bank, Richmond, Virginia, Bankers Trust Company, New York, NY, or Rockingham National Bank, Harrisonburg, Virginia, at the option of the holder.

DDU550

3. The bonds shall be signed by the facsimile signature of the Mayor of the City of Harrisonburg, shall be countersigned by its Clerk and a facsimile of its seal shall be printed on the bonds. The coupons attached to the bonds shall be authenticated by the facsimile signatures of the Mayor and the Clerk.
4. The bonds and coupons shall be in substantially the following form:

(FORM OF BOND)

No. _____

\$ 5,000

UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA
CITY OF HARRISONBURG

Parking Facility Bond, Series of 1975

The City of Harrisonburg, Virginia, for value received, hereby acknowledges itself indebted and promises to pay to bearer upon presentation and surrender hereof the sum of

FIVE THOUSAND DOLLARS (\$5,000)

without option of prior redemption, on Sept. 1, 19 __, and to pay interest thereon from the date hereto to maturity at the rate of _____ per cent (____%) per year,

payable semiannually on March 1 and September 1 upon presentation and surrender of the attached coupons as they become due. Both principal of and interest on this bond are payable in lawful money of the United States of America at the principal office of First & Merchants National Bank, Richmond, Virginia, Bankers Trust Company, New York, N.Y., or Rockingham National Bank, Harrisonburg, Virginia, at the option of the holder.

This bond is one of an issue of \$600,000 parking facility bonds of like date and tenor, except as to number, rate of interest and maturity, authorized by ordinance adopted by the Council of the City of Harrisonburg on May 27, 1975, and is issued pursuant to the Constitution and statutes of the Commonwealth of Virginia, including the Charter of the City of Harrisonburg and the Public Finance Act, as amended, to provide funds, together with other funds that may be available, for construction of an off street parking facility.

The full faith and credit of the City of Harrisonburg are hereby irrevocably pledged for the payment of principal of and interest on this bond.

All acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this bond have happened, exist and have been performed, and the issue of bonds of which this bond is one, together with all other indebtedness of the City of Harrisonburg, is within every debt and other limit prescribed by the Constitution and statutes of the Commonwealth of Virginia.

IN WITNESS WHEREOF, the City of Harrisonburg, Virginia, has caused this bond to be signed by the facsimile signature of its Mayor, to be countersigned by its Clerk, a facsimile of its seal to be printed hereon, the attached interest coupons to be authenticated by the facsimile signatures of its Mayor and Clerk, and this bond to be dated September 1, 1975.

COUNTERSIGNED:

_____ (SEAL)	_____
Clerk, City of Harrisonburg, Virginia	Mayor, City of Harrisonburg, Virginia

(FORM OF COUPON)

No. _____

March

\$ _____

On September 1, 19 __, the City of Harrisonburg, Virginia will pay to bearer the sum of _____ Dollars (\$____) in lawful money of the United States of America at the principal office of First & Merchants National Bank, Richmond, Va., Bankers Trust Company, New York, N.Y., or Rockingham National Bank, Harrisonburg, Va., at the option of the holder, being the semiannual interest then due on its Parking Facility Bond, Series of 1975, dated Sept. 1, 1975, and numbered _____.

_____ Clerk	_____ Mayor
City of Harrisonburg, Va.	City of Harrisonburg, Va.

5. The full faith and credit of the City of Harrisonburg are hereby irrevocably pledged for the payment of principal of and interest on the bonds. There shall be levied and collected annually on all locally taxable property in the City an ad valorem tax over and above all other taxes authorized or limited by law sufficient to pay such principal and interest as the same respectively become due and payable.
6. The City of Harrisonburg shall apply the revenue derived from the operation of parking facilities to payment of the principal of and interest on the bonds.
7. After the bonds have been sold, the Mayor, the City Manager, the Treasurer and the Clerk are hereby authorized and directed to take all proper steps to have the bonds prepared and executed in accordance with their terms and to deliver the bonds to the purchaser thereof upon payment therefor.
8. Such officers of the City of Harrisonburg as may be requested are hereby authorized to execute an appropriate certificate setting forth the expected use and investment of the proceeds of the bonds issued pursuant hereto in

DDB550

02-0000

order to show that such expected use and investment will not violate the provisions of Section 103(d) of the Internal Revenue Code of 1954, as amended, and regulations issued pursuant thereto, applicable to "arbitrage bonds." Such certificate may be in such form as shall be requested by bond counsel for the City.

9. The Clerk is hereby authorized and directed to see to the immediate filing of a certified copy of this resolution with the Circuit Court of Rockingham County, and within ten days thereafter to cause to be published once in a newspaper having general circulation in the City of Harrisonburg a notice setting forth (1) in brief and general terms the purpose for which the bonds are to be issued and (2) the amount of such bonds.

10. This resolution shall take effect immediately.

Approved this _____ day of _____, 1975

Attest:

Clerk, City of Harrisonburg

Mayor, City of Harrisonburg

Councilman Cline moved that the resolution be approved for a first reading, which motion upon being seconded by Councilman Dingleline, was adopted by a unanimous recorded vote of Council. Manager Milam pointed out the fact that the resolution just adopted for a first reading, would be up for second and final reading at the next regular meeting on September 9th. He then presented the following resolution for Council's consideration:

"BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HARRISONBURG, VIRGINIA:

1. After considering available alternatives for the sale of bonds, current conditions of the municipal bond market and the advice of Municipal Advisors, Inc., the City's financial advisor, it is hereby determined to be in the best interests of the City of Harrisonburg, Virginia, to accept the joint proposal of Anderson & Strudwick, Inc. and Horner, Barksdale & Co., dated August 26, 1975, which shall be filed with and made a part of this resolution, for the purchase of the City's \$600,000. Parking Facility Bonds, Series of 1975, and such proposal is hereby accepted.

2. The bonds shall bear interest at the rates set forth in the foregoing proposal. The form and the other details of the bonds shall be as set forth in the bond resolution introduced on this date.

3. The Council and the proper officers of the City shall take such further action as may be necessary to provide for the issuance and delivery of the bonds in accordance with the foregoing proposal and this resolution.

4. This resolution shall take effect immediately."

Clerk, City of Harrisonburg, Va.

Vice-Mayor Denton moved that the resolution be approved, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council. The City Manager read the names of 15 family members with interests in the firm of Hunton, Williams, Gay & Gibson, after which time the following resolution to retain the firm as Bond Counsel was read for consideration:-

WHEREAS, the Council of the City of Harrisonburg, Virginia, desires to retain the firm of Hunton, Williams, Gay & Gibson, Richmond, Virginia, as its bond counsel in connection with the issuance and sale of approximately \$600,000 Parking Facility Bonds; and

WHEREAS, the City Council has received a disclosure by Hunton, Williams, Gay & Gibson pursuant to Virginia Code Sections 2.1-349(a)(2) and (b) (5), being a part of the Virginia Conflict of Interests Act, of certain members and associates of such firm, and spouses of members or associates, who serve governmental agencies other than the County:

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HARRISONBURG, VIRGINIA:

1. Hunton, Williams, Gay & Gibson, Richmond, Va., shall be retained as bond counsel in connection with the issuance and sale of approximately \$600,000 Parking Facility Bonds.

2. The agreement to retain Hunton, Williams, Gay & Gibson as bond counsel is a contract for legal services which, in the judgment of the Council, in the public interest should not be acquired through competitive bidding.

3. This resolution shall be filed as a matter of public record with the minutes of this meeting.

Following a statement by City Attorney Lapsley that should Council desire to retain the firm, a resolution was necessary, Vice-Mayor Denton moved that the resolution be approved, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council. Mr. Wales informed Council that the City's rating has now gone from A to A1 under the bond market. City Auditor Shifflet noted that the City of Harrisonburg could borrow another \$7 million before reaching its legal debt limit. When asked for a comment concerning the City's indebtedness, the City Auditor pointed out the fact that there would be an additional \$100,000 increase next year for bond premiums, namely: \$50,000 for School Bonds and \$50,000 for General Obligation Bonds.

City Manager Milam presented correspondence from the Harrisonburg-Rockingham Chamber of Commerce, encouraging Council to petition the Governor's Office in asking Federal Highway funds for early completion of Interstate Rt. 66 from Front Royal to Gainesville, and a proposed resolution for consideration was read. Mayor Erickson pointed out the fact that the City has been pressing for funds for the South Main Street project, which are not available, and questioned the soundness of adopting the requested resolution. Dr. Daniel Hall, a representative of the Chamber of Commerce, offered an opinion that any federal funds coming into the area for interstate construction, should be used on Interstate Rt. 66, rather than elsewhere. Assistant City Manager Driver said he does not see why funds received could not be used on the S. Main St. project, in that same has been converted from state & local participation, to state and federal participation, with 50% federal funding. Vice-Mayor Denton moved that the matter be set aside until the next regular meeting in order to allow time for further information to be brought to light, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council. The City Manager was instructed to place the matter on the agenda for September 9th meeting.

DDU550

Mr. Harold Durrett, president of the Board of Community Counseling Center, Inc., was present in the meeting to acquaint Council with some problems re services rendered in the community. Mr. Dan Shenk, Director of the Community Counseling Center, presented facts and figures concerning the current financial situation, noting a \$ 2,737. deficit. He said that rather than cutting down services and turning people away, other sources would be determined for raising necessary funds, possibly through Title XX (welfare) funds, United Way, local churches and private foundations (none of which are known locally). It was pointed out that although budgeted amount for "Listening Ear" was approximately the same as the amount of deficit, the service rendered has proven too valuable to be eliminated, and that if at all possible, this project would be retained. Dr. Dan Daniels, president of "Listening Ear", presented a report on the third year of Service- July 1974-June 1975, noting the amount of \$ 3,600. spent during that period on 1200 calls. Of the total budget, 60¢ is used for personnel, with the remainder divided between advertising, telephone costs, secretarial help, budgeting cost, etc. Mr. Durrett thanked Council for time allowed in this meeting, and said that no specific requests were being made, only information provided.

Mrs. Mary Bradshaw, Coordinator of Community Mental Health & Mental Retardation Services (Chapter 10) Board, appeared before Council and presented each member with a report on services rendered in the community; an annual financial report for period July 1974-July 1975; and agencies supported by the Board, namely: Pleasant View Home, Community Counseling Services, Listening Ear, Friendship Industries and Rivendale Home. The new director of Massanutten Mental Health Center, Mr. Fred Stevens, was introduced to Council. Mrs. Bradshaw quoted a total budget of \$ 262,650. (an increase over last year's figure of \$ 223,427) as well as an increase in Chapter 10 funds from \$ 44,130. to \$ 58,825. She requested permission to come before Council about once each month in order to keep the Governing Body abreast of activities and for referral of questions. On behalf of Council, Mayor Erickson expressed appreciation for tonight's presentation, and noted that monthly reports are always welcomed.

City Manager Milam presented a request from Mr. Cecil Gilkerson, Director of Parks & Recreation, for approval of a supplemental appropriation in the amount of \$ 2,890.65 in order to transfer monies received for June participants' wages in the summer jobs (PEP) Program, and CETA (Comprehensive Employment Training Act) under Title 1 funds, as per agreement with the Virginia Employment Commission. Councilman Dingle-dine moved that the appropriation be approved for a first reading, and that:-

\$ 2,314.50 chgd.to: General Fund (1005) Recoveries & Rebates.

576.15 chgd.to: General Fund (1005) Recoveries & Rebates.

2,314.50 approp.to: General Fund (11020-12.00) Parks & Playgrounds- Wages.

576.15 approp.to: General Fund (11020-12.00) Parks & Playgrounds- Wages.

which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous recorded vote of Council.

City Manager Milam informed Council that request has been made for Council to appoint a Virginia Municipal League voting delegate, as well as an alternate voting delegate, by correspondence from the League office dated 8/19/75, to all League Key Officials, reference was made to Section 6 "Representatives" of the League's Constitution, as amended at the last Convention. Vice-Mayor Denton moved that Mayor Roy H. Erickson be appointed as Municipal League Voting Delegate and Councilman Raymond C. Dingle-dine, Jr., as Alternate Voting Delegate, which motion upon being seconded by Councilman Cline, was adopted by Council.

Mayor Erickson asked members' wishes concerning the appointment of a committee to study the possibility of establishing a "911" telephone number to handle all emergency calls in the area, which is now a state-wide policy. The matter had been discussed at the last regular meeting, with no action taken at that time. Following a brief discussion, Vice-Mayor Denton moved that a committee of five persons be appointed to include: The Chief of Police; Fire Chief, Captain of the Harrisonburg Rescue Squad, Assistant City Manager, and a representative of the Continental Telephone Co. (Diane Radosevick), which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

Council was informed by the City Manager that a staff report had been received in his office from the Senate Committee which has been meeting during the summer concerning License Tax Legislature for the upcoming session of the General Assembly, and that information concerning same had been mailed out to each member of Council. He had no comment or recommendation at this time, in that this may have some adverse effect on local revenue. He noted that to date, a written opinion has not been received from the Attorney General, as requested in order to determine whether or not amending the City's ordinance by eliminating the maximum amount of License Tax on Professional Occupations and Poultry Plants would be affected by the moratorium which expires December of this year. Following discussion, the matter was turned over to Vice-Mayor Denton, along with the Senate Committee report, for study.

City Manager Milam said that the new No. 4 Fire Station officially opens tomorrow, with plans for a dedication of same, to be worked out.

There being no further business and on motion duly adopted, the meeting adjourned at 9:55 P.M.

N. Colene Loku
CLERK

Ray Erickson
MAYOR

DD1550

000000

Tuesday, September 9, 1975

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, Raymond C. Dingle, Jr., Walter F. Green, III; City Auditor R. William Shifflet. Absent:- Chief of Police Richard W. Presgrave (sitting in for the Chief, Lt. John E. Smith).

The evening's Invocation was led by The Rev. Willie Weaver, pastor of Peoples Baptist Church.

Minutes of the regular meeting held on August 26th were read, and approved.

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 month of August, 1975.

From the City Treasurer:-

A Trial Balance as of close of business on August 29, 1975.

From the Police Department:-

A report of total number of arrests (July & August); parking meter fines collected; cash collected from parking meters; total cash collected, all sources.

From the City Auditor:-

A financial report for the City of Harrisonburg for month of August, 1975.

A report of cash discounts saved during month of August, 1975, totaling \$ 213.11

From the Data Processing Manager:-

A report of water, sewer & refuse accounts, meters read, installations, cut delinquents, complaints, re-reads, etc. for month of August, 1975.

Mrs. Barbara Graves, Chairperson of the Bicentennial Committee of the Harrisonburg Junior Woman's Club, appeared before Council to express interest on behalf of the Club, in an official flag for the City of Harrisonburg. Mayor Erickson noted that the official flag for the City bears the symbol of the City Seal, and called attention to the one and only copy of the flag, in its location beside the Council table. Councilman Dingledine pointed out the fact that Mr. Bob Sterrett of the Harrisonburg-Rockingham Chamber of Commerce, is a member of the Bicentennial Commission, and said that he is in the process of checking out prices of copies of the official flag. City Manager Milam suggested the possibility of looking into the cost of lapel pins, etc. through engraving companies. Mrs. Graves expressed appreciation for time allowed her, and explained that her Club was under the impression that the City had no official flag.

The City Manager presented a request for approval of Units IV and V of Rehder Acres Subdivision, and consideration of processing same at Council's earliest convenience. He pointed out the area on a map. Councilman Dingledine moved that the request be referred to the City Planning Commission for study and recommendation, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

For information, City Manager Milam presented and read a letter dated 7/10/75 from Carla A. Hills, Secretary of Housing & Urban Development, Washington, D.C., addressed to Mayor Erickson, expressing pleasure that the City of Harrisonburg had completed its initial plan for the new Recreation Center in timely fashion, and that the Plan qualified for approval of HUD. She stated further, a hope that the Grant would be a positive step toward the betterment of this community. In as much as Mayor Erickson was not along when the site was visited, he was presented the original of the letter of commendation.

City Manager Milam presented a copy of the Harrisonburg Electric Commission's annual audit report prepared by the firm of Bosserman, Alt & Stickley, as of 6/30/75, and noted that the copy would be on file in his office, should anyone desire to review the same.

For information, the City Manager reported that according to correspondence from the State Compensation Board, Richmond, Va., the following action is being taken by the Board effective August 27, 1975, due to the nation's economic plight: (1) all new hiring in any of the Constitutional Offices, namely, attorneys for the Commonwealth, Treasurers, Commissioners of the Revenue and Sheriffs, is hereby frozen; (2) all Constitutional Officers are instructed to begin immediately to cut back spending levels to the effect that only 95% of the current year's appropriation is expended; (3) any request for an exception to the above policy will be reviewed by the Compensation Board and such request must be accompanied by an approval of this request by the Governing Body. Manager Milam noted that work is currently being done on basically a 5% reduction of offices of the City Treasurer and Commissioner of Revenue.

Notice of an order by the State Corporation Commission setting September 18th, 11:00 A.M. for a public hearing to be held in Staunton, Va. re a request by Crawford Transit, Inc. for a certificate of public convenience & necessity, was presented by the City Manager. He informed Council that he was not aware of any problems concerning same. No action by Council was deemed necessary.

Dr. Malcolm Tenney, Jr., District Health Director, presented another portion of his annual report, namely "Medicaid Expenditures 7/1/74-6/30/75. The report revealed 350 releases from Western State Hospital to Planning District VI; 389 admissions to Western State from the District; 23 releases to Harrisonburg and 28 admitted from Harrisonburg.

Mr. Wayne King, Superintendent of Schools, and Mr. Brownie Cummins, Athletic Coach at Harrisonburg High School, appeared before the Governing Body to request permission to apply for an additional loan from the Literary Fund for construction of a 7200 sq. foot addition, adjacent to the Claude Warren Field House, and to present justifications for same. The addition is anticipated to cost in the neighborhood of \$ 216,000. for construction, plus approximately \$ 25,000. for equipment, and would include two classrooms, dressing room, area for wrestling, handball, etc., storage area, office space, etc. A critical need mentioned was "to get field house wing off the heating unit which is located in the Junior High School." Coach Cummins explained the overcrowded situation when visiting teams are here for sports events. The matter was discussed at length, with Council asking Mr. King to work out next year's Debt Service; to determine total acreage of land (excluding Armory Site which is Commonwealth Property); and to find out whether or not Literary Fund Loans could be used on the Armory Site. Councilman Dingledine moved that the request of the School Board be referred to the City Planning Commission, along with preliminary plans for the proposed addition, for study and recommendation, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council. It was agreed that no action re authorization of loan request be taken until such time as a recommendation in from the Planning Commission and certain figures reported.

With regard to converting Simms School building into a neighborhood recreation center, City Manager Milam presented a list of rules and regulations governing same, which had been fully endorsed by the Parks & Recreation Commission, approved by the City School Board, and accepted by residents in the northeast section of the City. He then presented a request from the Parks & Recreation Commission for (1) approval for use of the building for recreational purposes, and (2) authorization of additional funds for the remainder of this fiscal year for a Director or Supervisor in that location. Manager Milam offered an opinion that permission should be granted for use of the building and further, that

DD0550

approximately 50% of an anticipated Grant to the City for the hiring of unemployed persons should be earmarked for this program, for hiring of a Director. Mr. Cecil Gilkerson, Director of Parks & Recreation, quoted a budget amount for the program of approximately \$ 9,160. (assuming all utilities are included in the School Budget), and Capital Outlay of approximately \$ 4,000. for necessary improvements to convert the building for recreation. A point stressed by the Director was that the Recreation Department's request is for use of the gymnasium, rest rooms, two dressing rooms, cafeteria, and athletic field, only, and noted further that he did not wish to assume responsibility for the rest of the building. Mr. Wayne King, Superintendent of Schools, informed Council that the School Board concurs in the recreation program, and noted that utilities for same could be charged to the School Budget as long as excessive and night use of the building does not exceed the amount budgeted, at which time the Recreation Department would have to come to Council for additional funding. Councilman Dingledine, a representative of Council on the Parks & Recreation Commission, stressed the need for recreational facilities in the northeast area of the City for basketball, etc., and called attention to requests which had been made to Council by residents from the area at a previous meeting of Council. Vice-Mayor Denton expressed appreciation for the School Board and Parks & Recreation Commission working out use of the facilities, and offered an opinion that the Simms School should be used to its fullest extent. He suggested giving the program a trial until the next budget, to see how it will work out. During a lengthy discussion, it was determined that the School Board has total control of the Simms School property and has authority to grant use of same to the Recreation Department, with no permission necessary from the Governing Body. After further discussion, Manager Milam recommended that the amount of \$ 4,000. be appropriated for the Capital Outlay improvements, from earned interest on Revenue Sharing. Councilman Dingledine moved that the recommendation be approved and a supplemental appropriation in the amount of \$ 4,000. approved for a first reading, as follows:

\$ 4,000. chgd.to: Revenue Sharing - Earned Interest.

4,000. approp.to: Revenue Sharing PR-7 (73-74) Recreation Department-Simms Building Recreation Department Repairs.

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

City Manager Milam offered an opinion that the City should accept a Grant of \$ 31,958. which has been allocated for fiscal year 1976 under the Comprehensive Employment & Training Act, Public Service Employment, Title II Program, in that if not accepted, the funds would go to another locale. He mentioned the following suggested uses for same: Construction Inspector for new Recreation Center, Athletic Supervisor for the City Recreation Program, special policeman to double as park security person, laborers, etc. He presented and read a proposed agreement between the Virginia Employment Commission and City of Harrisonburg for acceptance of the Grant, and requested authority to sign same on behalf of the City. Following discussion, Councilman Green moved that the City Manager be so authorized and directed, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

Councilman Cline moved that a supplemental appropriation in the amount of \$ 2,890.65 requested by the Recreation Director in order to transfer monies received for participants' wages (June) under the PEP Program and CETA-PSE-Title I, as per agreement with the Virginia Employment Commission, be approved for second and final reading, a first reading having been approved on August 26th, and that:-

\$ 2,314.50 chgd.to: General Fund (1005) Recoveries & Rebates.

576.15 chgd.to: General Fund (1005) Recoveries & Rebates.

2,314.50 approp.to: General Fund (11020-12.00) Parks & Playgrounds- Wages

576.15 approp.to: General Fund (11020-12.00) Parks & Playgrounds- Wages

which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous recorded vote of Council.

Council deferred appointments to various Boards and Commissions until a future meeting.

City Manager Milam pointed out various sections of streets on a map which are eligible for maintenance payments, totaling 1.727 miles, and presented the following resolution for consideration:

BE IT RESOLVED, that due to construction and reconstruction of certain streets within the city limits of Harrisonburg, there is additional street mileage which is eligible for maintenance payment as follows:

1. "Other Streets" which meet the requirements Section 33.1-43 of the Code of Virginia as amended 1972, that are eligible for Maintenance payment totaling 1.727 miles.

Said streets being listed on accompanying U-1 (7-1-72) Virginia Department of Highway Forms and shown red on City Map.

THEREFORE, the City of Harrisonburg respectfully requests the Virginia Department of Highways to make the maintenance payments effective October 1, 1975.

Mayor

ATTEST:

Clerk

Following discussion, Councilman Green moved that the resolution be approved and the proper officials authorized to sign the same, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Council.

Following discussion concerning a proposed resolution presented at the last regular meeting from the Harrisonburg-Rockingham Chamber of Commerce encouraging Council to petition the Governor's Office in asking Federal Highway Funds for early completion of Interstate Rt. 66 (Front Royal to Gainesville), it was agreed that no action be taken at this time in that federal funds may be reflected back into projected projects i.e. Cantrell Avenue and S.Main Street.

Following a first reading on July 8, 1975, the City Manager reminded Council that action of a second and final reading on an ordinance amending Sections 16-88 & 16-89 of the City Code, eliminating maximum amounts of license tax on professional occupations and poultry plants had been deferred pending receipt of written opinion from the Attorney General as to whether or not this would be prohibited under the present moratorium for no tax increase, which terminates in December of this year. He then presented

DD550

and read a letter dated 9/4/75 from Attorney General Andrew Miller to Commissioner of Revenue Victor J. Smith, in which he referred to Sec. 58-266-1B, Code of Virginia, and gave assurance that removing maximum amounts of license tax, made effective as of January 1, 1976, would not be affected by the aforesaid Code section. Following a brief discussion, Councilman Dingledine moved that the ordinance be approved for second and final reading, with authorization for the Mayor to sign the ordinance and the Clerk to attest same and spread upon the pages of the City's Ordinance Book, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous recorded vote of Council. (Refer to Ord. Book page)

City Manager Milam called attention to his monthly progress report for the month of August, 1975, which was discussed concerning various projects.

✓ The City Manager called attention to the fact that a resolution approving issuance of \$ 600,000. Parking Facility Bonds had been approved for a first reading at the last regular meeting of Council held on August 26th, and should be considered at this time for final action. Vice-Mayor Denton moved that the resolution be approved for second and final reading, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Council.

Council was reminded by the City Manager that the next regular meeting of Council on September 23rd would be in conflict with the Virginia Municipal League meeting, and suggested that the date be re-scheduled for Tuesday, September 30th, in that he had tentatively set this date for a group of residents from the area of Mason to Ott Sts. to be heard on a matter of concern. Following a brief discussion, the next regular meeting was re-scheduled for Tuesday, September 30, 1975, 7:30 PM by a unanimous vote of Council, on motion of Councilman Dingledine, seconded by Vice-Mayor Denton.

There being no further business and on motion duly adopted, the meeting adjourned at 10:25 P.M.

N. Arlene Loken
CLERK

Ray E. Smith
MAYOR

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, Raymond C. Dingledine, Jr., Walter F. Green, III, City Auditor R. William Shifflet and Chief of Police Richard W. Presgrave.

The evening's Invocation was led by The Rev. Ed Schwartz, pastor of Bethlehem Brethren Church.

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

✓ Dr. Richard Smith, physician in emergency room at Rockingham Memorial Hospital, and resident of 505 S. Mason St., served as spokesman for the South Mason Street Neighborhood Association, made up of a large number of residents in an area of the City bounded by Newman Ave. and Grace St. to the north and south, and Ott and Main Sts. to the east and west, many of whom were present in this meeting. The group had requested time on Council's agenda in order to present objections to the residential neighborhood being changed, due to some of the older properties being converted into multiple apartments and rooming houses, which is causing problems in traffic, parking, noise and litter. Dr. Smith's presentation gave a lengthy verbal picture of the situation as it was in years past, as compared to the present time. A request was made for a freeze to be placed on conversion of dwellings into rooming houses, and the following solutions were suggested for consideration by the Governing Body:-

1. Redefining terms such as Boarding House to mean a dwelling in which the home owner or lessor, dwelling within, rents rooms and sells meals. Rooming House to mean a dwelling in which the home owner or lessor dwelling within, rents rooms. Dormitories- a dwelling in which the owner or lessor, not living on the premises rents rooms to more than six persons not in the same immediate family.
2. A change in the zoning regulations excluding Dormitories from R-1, R-2 and placing them in a separate institutional zone.
3. A change in zoning to permit Fraternities and Sororities to exist only in institutional zones.
4. A Use Permit Law to apply not only in the instance of new construction but also whenever the use of a property is to be changed in any manner. Enforcement of such a law rigidly in all matters.
5. A change in the parking regulations to read (a) one off street parking space for each two bedrooms in single family dwellings only; (b) one off-street parking space for each bedroom in Boarding, Rooming Houses or Dormitories.
6. Enforce fire codes, wiring, and plumbing codes with adequate inspections and enforcement.
7. Enforce traffic and parking regulations stringently.
8. Enforce laws as to disturbances of the peace after 11 P.M.
9. A lowering of the number of unrelated persons dwelling within a single family unit to six or less, from the present level of ten.
10. Adoption of any measures which will help to lessen the density of population in our area.
11. Rapid motion toward completion of Cantrell Ave. East to lessen traffic on our streets.
12. Assist Madison College in any way possible to obtain funds to construct Fraternities and Sororities in an appropriate area.

Although it was noted that college students pose most of the problems due to the increased growth of Madison, with insufficient housing facilities on campus, it was made clear that the residents of the area represented in this matter were not anti-Madison, but would voice objections to any other group who may be occupying the multiple dwellings. Mr. P.H. Hardy, a longtime member of the City's Board of Zoning Appeals, said that the same situation exists all along his street, Virginia Ave., which has always been his home, noting that it has changed the complexion of this area, as well. He noted that over 2,000 students have to live off campus, and expressed concern that 5 year building plans for Madison include

DDU550

no dormitories or other living facilities. Councilman Dingledine pointed out the fact that the approximate 2,000 students were not all living within the City, but that a number commute from the County, or live at home. Mayor Erickson stated that the Council recognizes the sincerity of all those present in the meeting and realizes that this is indeed a problem. He suggested that a total study be made of the situation by representatives from all groups concerned. Councilman Green moved that next Tuesday, Oct. 7, 7:30 P.M. be set aside for Council to meet with representatives from the South Mason Street Neighborhood Association, Madison College, police, fire and health officials, and the City Planning Commission, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Council. City Attorney Lapsley advised that rather than placing a freeze on conversion of properties, that future requests for same be brought before Council for approval, and that the Building Official be so notified. After further discussion, Vice-Mayor Denton moved that any request to change any property situated in an R-1, R-2, or R-3 District for any purpose different from its present use, be brought to Council prior to approval of same, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

City Manager Milam informed Council that a copy of the annual audit report for the Juvenile & Domestic Relations District Court, as of June 30, 1975, had been received, and that same would be on file in his office for review. After the City Manager had reviewed various figures contained in the report, Councilman Dingledine moved that Council acknowledge receipt of the Audit Report, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

The City Manager presented notification for attention of City Officials, of a conference on Day Care to be held on Friday, October 10th. The communication was from Mildred Dickerson, coordinator, Early Childhood Education Program, who asked the City's support in providing care for young children of working parents, ill parents, or otherwise, who are unable to provide the care. The communication was directed to the attention of City & County officials, members of the General Assembly and Candidates for these offices. City Manager Milam made a suggestion that requests of this nature be referred to the Chapter 10 Board for review. The suggestion met with Council's approval.

A letter dated 9/26/75 signed by eight residents of the Hillandale Area, was read by the City Manager, requesting that time be allowed on Council's agenda for the October 14th meeting, in order that they may be heard concerning the matter of traffic conditions around the area. It was agreed that the request be granted and the City Manager was instructed to so notify the residents.

Council received correspondence from Attorney Stephen Bradshaw, along with a survey and plat for exchange of land between Mr. V.W. Nesselrodt and the City of Harrisonburg, situated on the north side of South Avenue, as well as a sketch plan of development. On motion of Councilman Cline, seconded by Vice-Mayor Denton, and a unanimous vote of Council, the request and documents were referred to the City Planning Commission for study and recommendation.

City Manager Milam reminded Council that an appointment should be considered to fill a vacancy on the Blue Ridge Community College Board of Trustees, created by the expiration of Mr. Heitz' term on June 30th of this year, in that he is not eligible for reappointment. Mayor Erickson moved that Mr. Carlson F. Booth of 675 New York Avenue, General Manager of Rockingham Milling Company, be appointed to the Board for a term of four (4) years to expire on June 30, 1979, which motion being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

Councilman Dingledine moved that a supplemental appropriation in the amount of \$ 4,000. which had been approved for a first reading on September 9th for necessary improvements to the Simms School Building in order to convert same over for recreational purposes, be approved for second and final reading, and that:-

\$ 4,000. chgd. to: Revenue Sharing - Earned Interest.

4,000. approp. to: Revenue Sharing PR-7 (73-74) Recreation Department-Simms Building Recreation Department Repairs.

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

The City Manager presented a request from the Director of Parks & Recreation for approval of a supplemental appropriation in the amount of \$ 207.23, in order to transfer monies received from Travelers Insurance Company due to full settlement of damages to 1973 truck on July 16th. Vice-Mayor Denton moved that the appropriation be approved, and that:-

\$ 207.23 chgd. to: General Fund (1) (1005) Non Revenue Receipts - Recoveries and Rebates.

207.23 approp. to: General Fund (1) (11020-274.00) Parks & Recreation-Maintenance - Repairs, Auto Equipment.

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

A request was presented from Mr. Cecil Gilkerson, Recreation Director, for approval of a supplemental appropriation in the amount of \$ 1,754.78, in order to transfer monies which have been received from Westover Swimming Pool Concession Stand, to repay the General Fund for three concession workers' salaries. Following a brief discussion, Vice-Mayor Denton moved that the appropriation be approved for a first reading, and that:-

\$ 1,754.78 chgd. to: General Fund (1) (1005) Non Revenue Receipts-Recoveries & Rebates.

1,754.78 approp. to: General Fund (1) Westover Swimming Pool - wages.

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

The City Manager presented a breakdown of cost for the Water Skidmore Fork Dam Project showing Estimated Funds Needed, Expenditures to Date, and Appropriations. The report noted needed funds in amount of \$ 1,559,129.26, minus appropriations totaling \$ 950,863.00, leaving a balance needed of \$ 608,265.66. He then presented a request from the Superintendent of Water & Sewer, for approval of an appropriation in the amount of \$ 610,000. for completion of the project. Following a lengthy discussion, Councilman Green moved that the appropriation be approved for a first reading, and that:-

\$ 200,000. chgd. to: Water Fund - Reserve for Depreciation Replacement.
 410,000. chgd. to: Water Fund - Unappropriated Surplus.
 610,000. approp. to: Water Fund (6-7-77.01) Proj. #1-72-73 Water-Capital Outlay - Work in Progress - Skidmore Fork Dam Project.

which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous recorded vote of Council.

The following recommendation submitted by the Planning Director from a meeting of the Planning Commission held on September 17, 1975 was read by the City Manager:-

"...The Director oriented the Commissioners to the City map, explaining that Mr. Glen Berkshire has requested 7th Street be closed between Virginia Avenue and Lee Avenue, plus a 10' alley situated between these streets and running north-south from 6th to 7th Streets. Neither of these right of ways are open or developed. Mr. Sullivan reported that if 7th Street is opened, it will be a steep hillside street intersecting Virginia Avenue opposite the Edom Road-Virginia Avenue intersection. However, if this portion of 7th Street is officially closed, other nearby property owners will assume 6th Street, Lee Avenue, and other "paper" streets should be closed. This could ultimately reduce access to Holiday Hills and also reduce future water and sewer line connections.

Mr. Williams moved that the Planning Commission recommend denial of Mr. Berkshire's request to close 7th Street and the 10' alley. Mr. Milam seconded the motion, and all members voted in favor of the motion..."

Mr. Sullivan pointed out the area in request on a map and explained in detail the Commission's thinking which led to the ultimate decision to recommend denial of the request. Following discussion, Councilman Green moved that the recommendation of the Planning Commission be approved, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Council.

The following recommendation submitted by the City Planning Director from a meeting of the Planning Commission held on September 17th, was read by the City Manager:-

"...The Director described proposed Preliminary Plans for Sections 4 & 5 in Reherd Acres Subdivision. Section 4 includes twelve townhouse lots plus a common area parcel for parking space. The townhouses will be in clusters of six each, facing Meadowlark Drive. Section 5 includes twenty-five townhouse lots plus common area parcels for parking and a 27,000 square foot recreation area in the northeast corner of North Blue Ridge Drive and Meadowlark Drive. All of the townhouse units are on the east side of proposed North Blue Ridge Drive and outside the city limits.

Mr. Sullivan reported that the City Staff reviewed these preliminaries on September 10th, and stressed the absolute necessity for extending North Blue Ridge Drive to Old Furnace Road (Route 718) and installations by the developers of an 8" water main which must also be looped back to an existing water main in Old Furnace Road approximately 800' west of the North Blue Ridge Drive-Old Furnace Road intersection. He also reported that the State Highway Department must review and approve North Blue Ridge Drive from the city limits to Rt. 718, and County officials must review and approve Sec. 5.

Mr. Sullivan recommended that the developers be permitted to begin construction of the townhouses before final plans are submitted, to assure that lot lines and the walls separating townhouse units coincide precisely. This procedure was allowed in Sec. 3 and no problems occurred.

Mr. Williams moved that the Planning Commission recommend approval of the Preliminary Plans for Sections 4 & 5, Reherd Acres Subdivision. Mrs. Brown seconded the motion. Mr. Milam added to the motion the provision that enough right-of-way dedication at North Blue Ridge Drive and Old Furnace Road be included to assure a 60' width on Old Furnace Road. All members of the Commission voted in favor of the motion, as amended..."

Mr. Sullivan, Planning Director, pointed out the area on a map as to the relationship of Units 4 & 5 with the total area, and noted that it is desired that the walls & property lines be exact, in that they were sold individually. Mr. Jack DePoy informed Council that two of the residential lots may be offered to the developers with restrictions that they be used for recreational purposes only, should the owners decide to not maintain and supervise this area for recreation. Following discussion, Councilman Cline moved that the recommendation of the Planning Commission be approved, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Council.

City Manager Milam presented and read the following recommendation submitted by the Planning Director from a Commission meeting held on September 17, 1975:-

"...The Harrisonburg Supt. of Schools, Mr. Wayne King, and high school Athletic Director, Coach Brownie Cummins, reviewed architectural plans illustrating class rooms, dressing rooms, storage and office space additions proposed at the Claude Warren Field House. Mr. King estimated the cost will be approximately \$ 220,000. and the State Board of Education will loan Literary Funds at 3% interest rate. (The School Board's Five-Year "construction schedule" programs this addition of facilities at the high school for fiscal year 1976-77, but on August 5, 1975 the School Board requested the City Council to consider allowing the School Board to borrow literary funds "since construction costs are at their lowest ebb.")

Mr. Williams asked the City Manager if the City can handle the additional debt. Mr. Milam explained that about \$ 20,000 would be added for the next 20 years to the City's debt payments. He added that the annual school debt payments will increase from the present \$ 221,000 to \$ 376,000 in 1977-78, without considering this proposed addition at the high school. He reviewed other pressures on the City's debt payment schedule which have to cover the Westover Swimming Complex, Fire Company No. 1 and Hose Company No. 4, the parking Dec, and the Community Recreation Center.

Mr. Kuykendall and Councilman Denton expressed support for expansion of Claude Warren Field House based on the crowded conditions and multiple use by many classes and athletic teams. Mr. Kuykendall urged that \$ 20,000 be budgeted by delaying other capital projects listed as future needs.

DU550

Mr. Kuykendall offered a motion that the Planning Commission recommend construction of the additions at Claude Warren Field House, if the City Council can program the added costs in the City's projected debt payment schedule.

Dr. Shank seconded the motion and the Commission voted unanimously in favor..."

Manager Milam presented each member of Council with a copy of report titled "Detail of Long Term Indebtedness", and discussed figures set forth therein, also explaining in detail revised preliminary plans for the proposed high school addition. When question was raised by Councilman Dingleline re information which was to have been obtained following the last regular meeting, concerning total school acreage and also whether or not the Literary Fund loans could be used on the Armory property, Mr. Sullivan replied that the Planning Commission had not discussed school acreage at it's September 17th meeting. The fact was brought to Council's attention that \$ 30,000. less revenue would be received by the schools from the state next year, and that this project would mean \$ 20,000. additional expense. The matter was discussed at length, primarily from the standpoint of financing and the possibility of delaying action until after the first of next year when budget figures are more realistic. Councilman Cline stated that in view of the need for the school program, some answer should be given by the next regular meeting, either affirmative or otherwise. Councilman Dingleline said he would like to know the need for equipment in the additional areas which should be added. Following discussion, Vice-May Denton moved that the City Manager review figures with regard to School Capital Outlay, and be prepared to report on same at the next regular meeting, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

✓ Assistant City Manager John Driver reported that the committee appointed by Council to investigate the matter of an emergency telephone number "911" had met, and had reached the conclusion that guidance from Council was necessary. He said that the police chief feels he could handle communication in his department but that it would entail a cost of approximately \$ 15,000. per year. Mr. Driver said that this could only be a joint venture between the City and County, in that it is not possible to have two separate numbers, and that this would be too large for either the police department or sheriff's department to handle. He noted that all city safety departments feel th is would be a good thing and would like to see one emergency number initiated, but pointed out further that all pay phones would have to be changed so as to handle the no. "911" toll free. Council agreed to take no action on the matter at this time, but that the committee should remain in tact for future need.

✓ Assistant City Manager Driver informed Council that he had received a call from the Urban Office stating concern about bicycle traffic on S.Main Street in the area of Mick or Mack Store at the Railroad crossing, and noted that he had expressed to them the possibility of constructing an asphalt bicycle path along the City's 5' right-of-way behind the curb. Mr. Driver pointed out the fact that if a resolution were presented to the Highway Department requesting a trail on the west side of S.Main Street, it could possibly be added into the S.Main Street plan, and that same would not be constructed with Highway construction funds, but rather, from a separate fund. Following discussion, the following resolution was adopted by a unanimous vote of Council, on motion of Councilman Cline, seconded by Councilman Green:

BE IT RESOLVED, by the City Council, City of Harrisonburg, Virginia, in regular session September 30, 1975, that it is recommended to the Virginia Department of Highways that there be included in the South Main Street project a bicycle trail on the west side of South Main Street from Grattan Street to the south city limits of the City of Harrisonburg.

RESOLVED this 30th day of September, 1975.

Mayor

Attest:

Clerk

The proper officials were authorized and directed to sign the aforesaid resolution.

In keeping with a request from the Harrisonburg Electric Commission to meet with Council in early October re some problems, the City Manager was asked by Council to set a meeting time and notify all members of Council and HEC.

✓ Council was informed that the Downtown Development Committee had met about a year ago with several professors from UVA and had solicited services of some students to come to Harrisonburg and do some research, etc. Manager Milam said that a request for \$ 1,000. needed for bus expenses for the students, would be put in form of writing in the near future. The report was for information, only.

City Manager Milam noted for Council information, prior to publication of any nature, that the closing of certain facilities in the City may be necessary, due to the economic situation, with regard to financing.

✓ There being no further business and on motion of Councilman Cline, seconded by Councilman Dingleline, and a unanimous vote of Council, the regular session adjourned at 10:45 PM with Council then going into an executive session for the purpose of discussing real estate prices in the Washington Street widening project.

N. Phyllis Loker
CLERK

Lay Fisher
MAYOR

DD0550

Tuesday, October 14, 1975

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, Raymond C. Dingledine, Jr., Walter F. Green, III, City Auditor R. William Shifflet and Chief of Police Richard W. Presgrave. Absent: none.

The evening's Invocation was led by The Rev. Owen Burkholder, pastor of Community Mennonite Church.

Minutes of the regular meeting held on September 30th were read and approved.

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 September, 1975.

From the City Treasurer:-

A Trial Balance report as of close of business on September 30, 1975.

From the Police Department:-

A report of total number of arrests; parking meter fines collected; cash collected from parking meters; total cash collected all sources, for month of September, 1975.

From the City Auditor:-

A financial report for the City of Harrisonburg, Va. for month of September, 1975.

A report of cash discounts saved during month of September, 1975 totaling \$ 266.14.

From the Office of Data Processing:-

A report of water, sewer & refuse accounts, meters read, installations, cut delinquents, complaints, re-reads, etc. for month of September, 1975.

✓ City Manager Milam presented the proposed final plat for section 2 of Northfield Estates, indicating 59 townhouse lots plus common green area, as well as a letter of transmittal, which had been received by the Planning Director prior to coming before the Governing Body in the normal procedure. Councilman Green moved that the plat be referred to the City Planning Commission for study and recommendation, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Council.

✓ Correspondence dated 10/10/75 addressed to Council, from Mr. Bill V. Neff, was presented and read by the City Manager, requesting that a study be made of the west side of Rt. 11 between Maryland Avenue and South Avenue, and consideration given to rezoning of the area from the present R-3 to B-2 General Business. On motion of Councilman Cline, seconded by Vice-Mayor Denton, and a unanimous vote of Council, the request was referred to the Planning Commission for study and recommendation.

✓ City Manager Milam presented a copy of the annual audit report for the Shenandoah Valley Juvenile Detention Home Commission, prepared by a CPA firm in Staunton, Va., showing a Book Value of \$ 577,591. and receipts of \$ 434,000. during the past fiscal year from the four municipalities joining the Commission, namely: Albemarle County, Augusta County, Rockingham County and the City of Charlottesville, as well as from other sources. He informed Council that the report would be on file in his office, should anyone desire to review same. Councilman Dingledine moved that the Audit Report be received, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

✓ A copy of the annual audit report for the Shenandoah Valley Joint Airport Commission, prepared by the firm of Keeler & Phibbs (CPA), was presented by the City Manager, showing total assets of \$3,215,000. He noted that the report would be on file in his office, for review. On motion of Vice-Mayor Denton, seconded by Councilman Cline, and a unanimous vote of Council, the report was received by Council.

✓ As a follow-up of a matter which had been discussed by Council in an executive session on Sept. 30th following the regular meeting, the City Manager reported that the Serrell property situated at 710 N. Main St., comprised of approximately 5,900 square feet, and necessary for the Washington Street widening, had been offered to the City for the sum of \$ 25,000. He asked guidance of Council in that this amount exceeds the budget appropriation for this purpose. Following a brief discussion, Vice-Mayor Denton moved that the property be purchased at the requested cost, with authorization for a check to be drawn in this amount, payable to Serrell Enterprises, Inc., which motion upon being seconded by Councilman Green, was adopted by a unanimous recorded vote of Council.

✓ Dr. Malcolm Tenney, Jr., District Health Director, informed Council that the Health Department Budget is planned at this time of year, in that it must be in to the state by the 1st of December. He explained the Department's financial situation, noting that this year, an amount should be returned to the City of Harrisonburg, which would, in his opinion, be sufficient for the employing of a much needed dentist to be shared on an equal basis with Rockingham County. He pointed out the fact that 1/2 dentist will be reflected again in next year's budget. Dr. Tenney stressed the need for very young children to receive immunization from polio, diphtheria, etc., prior to school age. Another matter discussed by the Health Director was the Health Systems Agency which is being created under federal law, for health planning. The agency will cover the area from Fredericksburg to Winchester, Planning District 6 and five other districts, which Agency is very important in that it will have considerable control over the practice of medicine in the entire area. He noted that each Planning District has appointed 3 members and are striving to create the agency, obtain federal funding, and become an official planning agency. The report was for information, with no action of Council necessary.

✓ In keeping with a motion adopted by Council at the last regular meeting with regard to all future requests for changing properties into a use different from its present use, Mr. H.E. Mason requested a permit to construct six additional dwelling units to a present four dwelling unit located at 133 N. High Street. He presented pictures of the present apartment dwellings, as well as a preliminary sketch showing the finished dwellings tied into the present dwellings. Mr. John Byrd, Building Official, presented blueprints of the construction, noting sufficient lot density for increase of dwellings, as well as sufficient off-street parking. Following discussion, Vice-Mayor Denton moved that the matter be referred back to the Building Official with authorization for him to proceed with issuance of a building permit for the additional dwellings, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

✓ Mr. Alexander MacKenzie served as spokesman for the Hillendale Village Association, and presented Council with a petition signed by 145 members, requesting further study of the area with regard to possible safety measures for the community, and setting forth 8 items to be considered, primarily a re-study of traffic light at the S. High, South Ave. intersection which would control traffic into the Hillendale area. He pointed out the fact that traffic increases each month because of motorists going into the residential area to avoid the dangerous intersection. Other items on the petition included

DDJ550

turning lanes, speed limit signs, stop signs, children at play signs, etc. Mayor Erickson informed the large delegation of residents present in the meeting that the majority of signs requested are neighborhood signs to be placed by parents, as well as the fact that the City's application for extending and widening S. High Street was returned due to the economic situation, which application will be filed again at a later date. Following a lengthy discussion, the matter was referred to the Harrisonburg Safety Commission, with direction for the Commission to notify the Hillandale Village Association of their meeting date, in order that more information may be added with regard to the Hillandale Area safety situation.

The following proposed resolution was presented by and read by the City Manager for Council's consideration and approval:-

WHEREAS, the Federal-Aid Highway Act of 1973, requires that the Virginia Department of Highways and Transportation realign the Federal-Aid Highway Systems in Virginia by July 1, 1976, on the basis of their anticipated functional usage; and,

WHEREAS, the existing State Federal-Aid Systems, with the exception of the Interstate System, will be terminated on July 1, 1976; and,

WHEREAS, Federal Highway Funds will no longer be available for State roadways after July 1, 1976, unless the Realigned Federal-Aid Systems have been approved by the Federal Highway Administration; and,

WHEREAS, the Virginia Department of Highways and Transportation has functionally classified the State Highways in accordance with the guidelines presented in the "Highway Functional Classification Manual" (Volume 20, Appendix 12, Highway Planning Program Manual) and developed the Realigned Federal-Aid Systems for Virginia in accordance with the Federal-Aid Highway Program Manual (Volume 4, Chap. 6, Sec. 7); now therefore,

BE IT RESOLVED that the Harrisonburg City Council concurs with the "1985 Highway Functional Classification" and "Realigned Federal-Aid Highway Systems" for the City of Harrisonburg as developed by the Virginia Department of Highways and Transportation.

Adopted on the _____ day of _____, 1975.

Mayor

Attest:

Clerk

Assistant City Manager Driver gave background information and presented two maps, (1) outlining boundaries (2) defining streets into different classifications. He noted that this was strictly a federal guideline and not local, explaining further that Route 11 was classified as a minor arterial street, which, in his opinion, could not be corrected. He pointed out locations of the various streets to be added for federal funding, and informed Council that the proposed resolution, if approved, would authorize the City Manager to sign the original maps which is proper procedure to follow in securing federal funding on streets requested. After further discussion, Vice-Mayor Denton moved that the resolution be approved with authorization for the proper officials to sign the same, which motion upon being seconded by Councilman Cline, was adopted by a unanimous recorded vote of Council.

City Manager Milam said he had not placed the matter of rooming houses on tonight's agenda in that he was not requested to do so, but reported that he, along with the City Attorney and Building Official, had met last week concerning certain properties in the City of Harrisonburg on which they will abate current violations. The Planning Commission will discuss related matters at its meeting tomorrow night, and the public will be made aware soon of the rooming house license which must be obtained from the Commissioner of Revenue's Office. City Attorney Lapsley stated that the properties will be inspected as to compliance with the Minimum Standards Building Code, fire, safety, zoning, etc., after which time a license would be issued, if in compliance. Suggested amendments to the City Code may be forthcoming following the Planning Commission meeting tomorrow night. The reports were for information.

Mr. Wayne King, Superintendent of Schools, presented the overall plan for the proposed addition to the Claude Warren Field House, noting that the final plan is now being finalized for submitting to the state. He informed Council that no equipment would be purchased with the exception of that from the School Budget, in that no equipment can be purchased with Literary Fund monies. In answer to a question raised by Council at the last regular meeting when this matter was discussed, Mr. King reported an approximate 23 acres at the school site (not including the Armory Site), which acreage is sufficient for this addition, but pointed out the fact that beyond this, additional acreage would be required, in keeping with state requirements. Councilman Dingledine asked the justification in adding more to the site, if not sufficient for more enrollment. Mr. King offered an opinion that "this is a hard and fast question which should be given study by the School Board and other officials," but pointed out the fact that the addition to the Field House is definitely needed. The Superintendent informed Council that he could not react from a financial standpoint, pending what the state will do with regard to cutting funds, and also until the School Board gets into its budget study. It was agreed that the request of the School Board be kept on the agenda for further study and review. City Manager Milam expressed concern about waiting period to determine the total cost, and pointed out that the application for a Literary Fund Loan could go through, and therefore not delay the project, in that Mr. King had noted a three month period before the application would be processed, which is the initial step to the project. After further discussion, Councilman Cline moved that Council authorize the School Board to pursue by application a Literary Fund Loan with a limit of \$ 250,000. for the Claude Warren Field House Addition, subject to Council's final authorization for expending of funds. The motion was seconded by Councilman Green. Councilman Dingledine raised the question concerning installation of the heating system as set forth in the proposed plan as to its feasibility, and then offered a substitute motion adding to the original motion: "provided that the installation of a separate heating system was feasible." More discussion followed, and the substitute motion was lost due to lack of a second. A recorded vote on the original motion was taken, with four affirmative and one negative as follows: aye:- Councilmen Cline, Denton, Green and Erickson. No: Dingledine.

City Manager Milam presented and read the following proposed resolution for Council's consideration, which resolution would favor re-enactment of the Federal Revenue Sharing Act:-

WHEREAS, the Federal Revenue Sharing Act has provided a much needed source of revenue for capital improvements within the City of Harrisonburg, and

WHEREAS, it is the considered opinion of the Council of the City of Harrisonburg that this method of disbursing tax money should be continued,

NOW, THEREFORE, BE IT RESOLVED:

THAT the Council of the City of Harrisonburg, in regular session on October 14, 1975, does hereby urge the Congress of the United States to re-enact the Federal Revenue Sharing Act so that the benefits flowing therefrom will continue to be enjoyed by the citizens of the City of Harrisonburg, Virginia.

Dated this 14th day of October, 1975.

Mayor

Attest:

Clerk

Following a brief discussion, Vice-Mayor Denton moved that the resolution be approved with authorization for the proper officials to sign the same on behalf of the City, which motion upon being seconded by Councilman Dingleline, was adopted by a unanimous vote of Council.

✓ With regard to a proposed resolution received from Rockingham County regarding Sewer Interceptor Lines, it was felt that this is primarily a matter for the Sewer Authority's attention. Council agreed that the Mayor and City Manager follow through on the matter and have further information concerning same by the next regular meeting. The City Manager was instructed to place this on the agenda for the October 28th meeting.

✓ Councilman Dingleline moved that an appropriation in the amount of \$ 610,000. for completion of the Skidmore Dam project, which was approved for a first reading on September 30th, be approved for second and final reading, and that:-

\$ 200,000. chgd.to: Water Fund - Reserve for Depreciation Replacement.

410,000. chgd.to: Water Fund - Unappropriated Surplus.

610,000. approp.to: Water Fund (6-7-77.01) Proj. #1-72-73 Water-Capital Outlay-
Work-in Progress- Skidmore Fork Dam Project.

which motion upon being seconded by Councilman Cline, was adopted by a unanimous recorded vote of Council. Manager Milam reported that all of the work by the Soil Conservation Service had been completed, and approximately 55% of the City's work, noting further that as of October 1st, all construction and maintenance had been under city supervision. He invited members of Council and all department heads and other officials to visit the site within the next several weeks, prior to hunting season. Transportation will be provided on Wednesday afternoons and Saturday mornings, beginning on October 25th.

✓ Councilman Green moved that a supplemental appropriation in the amount of \$ 1,754.78 approved for a first reading at the last regular meeting on September 30th in order to transfer monies received from Westover Swimming Pool Concession Stand to repay the General Fund for 3 concession workers' salaries, be approved for second and final reading, and that:-

\$ 1,754.78 chgd.to: General Fund (1005) Non-Revenue Receipts- Recoveries & Rebates.

1,754.78 approp.to: General Fund - Westover Swimming Pool, Wages.

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

✓ A request was presented from the Director of Parks & Recreation for approval of a supplemental appropriation in the amount of \$ 6,858.95 in order to transfer monies received for participants' wages for July & August, under the PEP (Summer Jobs) Program, as per agreement with the Virginia Employment Commission. Vice-Mayor Denton moved that the appropriation be approved for a first reading, and that:-

\$ 2,703.00 chgd.to: General Fund (1005) Non-Revenue Receipts- Recoveries & Rebates.

1,238.55 chgd.to: General Fund " " " " "

754.40 chgd.to: General Fund " " " " "

2,163.00 chgd.to: General Fund " " " " "

6,858.95 approp.to: General Fund (11020-12.00) Parks & Recreation- Wages.

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

✓ City Manager Milam informed Council that by correspondence dated September 11th, the Department of Housing & Urban Development (HUD) had accepted the City's request for release of funds under the Neighborhood Grant for the Recreation Center in amount of \$ 492,000., and authorized requisitioning of said funds limited to the neighborhood project. He noted further that requests would be made on a monthly basis and requested approval of an appropriation in the total amount in order to appropriate same to account of Westover Park (Community Center). Following a brief discussion, Councilman Dingleline moved that the appropriation be approved for a first reading, and that:-

\$ 492,000. chgd.to: General Fund (1007.00) Other Non-Revenue Receipts.

492,000. approp.to: General Fund (11026-72.00) Westover Park- Capital Outlay-
New Buildings (Community Center).

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

✓ City Manager Milam reminded Council that at the last regular meeting he had informed them that a request for approval of an appropriation in the amount of \$ 1,000. to cover travel expenses, etc. for some University of Virginia students, would be presented in writing. He noted that the students would be developing basic maps for Long Range City Planning for Harrisonburg, and that the total amount of the appropriation would be set up in an account under the Planning Commission's budget and disbursed as needed. In as much as the appropriation requires only one reading, Councilman Cline moved that it be approved, and that:-

\$ 1,000. chgd.to: General Fund - Unappropriated Surplus Account.

1,000. approp. to: General Fund (12010-19.00) Planning Commission- Other Personal Services.

which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous recorded vote of Council.

✓ Assistant City Manager Driver reported that Mr. James Rhodes and Lt. Lutz had gone to Richmond to

DD550

receive two awards from the Governor for the City of Harrisonburg: (1) for pedestrian safety (which stemmed from work done by the Harrisonburg Safety Commission); (2) for seven years with no fatalities. The report was for information.

✓ For information, the City Manager informed Council that he, the City Treasurer and City Clerk would be in Richmond on Thursday, October 16th to settle the \$ 600,000. Parking Facility Bond Issue, at 10:30 AM.

Council agreed that appointments to various Boards & Commissions be deferred until a later meeting.

✓ City Manager Milam informed Council that he would be out of office for some time due to surgery, beginning next Monday, and that in as much as he was required under the City Charter to designate a representative to be in charge during he absence, he would so designate Assistant City Manager John Driver. The report was for information.

✓ Attorney James Sipe, representing the Yellow Cab of Harrisonburg, Inc. and City Cab of Harrisonburg, Inc., appeared before Council to report on the financial status, noting that over the past five years revenues had decreased and expenses increased, ending in a deficit. He said that on several occasions Mr. Douglas Harmon had met with the City Manager and attorneys concerning the situation, with public transportation given consideration in February of this year. He informed Council that the two companies had no alternative except to cease operation at the end of this year, unless something constructive could be worked out. In as much as this decision could hurt many citizens of the City, it was felt that Council may want to consider a system on a temporary basis to provide public transportation, with appointment of a committee to study the possibility. The City Manager noted that financial reports had been received over the past four years, showing a loss, and asked direction of Council since a certain percentage of the population would be left with no means of transportation. He told Council there may be legal problems in providing a direct subsidy to the companies, but reported on one locality in another state which operates under a system whereby the City buys couponbooks from the taxi operators for \$ 10. and sells them to elderly or low income persons for the cost of \$3. One drawback mentioned by Manager Milam was the fact that under this plan, the city has no control over the taxis or their meters. The matter was discussed at length with Vice-Mayor Denton offering an opinion that further information should be in, regarding systems used in other cities of comparable size to Harrisonburg; the subsidy involved; trips made, etc. A Study Committee was then appointed by the Mayor comprised of: City Manager Milam, City Attorney Norvell Lapsley, Councilman Walter Green, Vice-Mayor Warren Denton, and the Superintendent of Schools, Mr. Wayne King.

There being no further business and on motion duly adopted, the meeting adjourned at 11:15 P.M.

N. Arlene Loken
CLERK

Lay Eichen
MAYOR

DD550

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. Eapsley, Clerk N. Arlene Loker, Councilmen Paul C. Cline, Raymond C. Dingledine, Jr., Walter F. Green, III, City Auditor R. William Shifflet and Chief of Police Richard W. Presgrave. Absent:- City Manager Marvin B. Milam and Vice-Mayor E. Warren Denton, Jr. Sitting in for the City Manager, Assistant City Manager John E. Driver.

Minutes of the regular meeting held on October 14th were read, and approved as corrected.

✓ Correspondence dated October 28, 1975 from City Treasurer M.A. Firebaugh was presented by the Assistant City Manager, requesting directions from Council with regard to advertising as unpaid the delinquent real estate taxes for the years 1972, 1973 and 1974, as required under Chapter 9, Sec. 16 of the City Code. Following a brief discussion, Councilman Dingledine 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 Councilmen present.

✓ Mr. Lowell Miller served as spokesman for the Harrisonburg-Rockingham Board of Realtors and presented a proposal for two changes in the City's License Tax Ordinance, namely: (1) to abolish Sec. 16-72 of Article 2 which proposes a flat fee on real estate salesmen; and (2) to amend Sec. 16-89 by adding to the list of Professional Occupations, Real Estate Brokers and salesmen. Mr. Miller offered an opinion that this was double taxation because of that which is based on gross receipts, and another \$ 25.00 levied on each salesman. He explained that real estate salesmen work as independent contractors, and that if one fee were paid by the Broker, it would remove some of their independence. Following discussion, it was agreed that the request be referred to the City Attorney and Commissioner of Revenue for study and recommendation to Council at the next regular meeting on November 11th.

✓ With regard to a former request from Skyline Development Company for rezoning of 6.88 acres of land situated between Va. Route 42 and Holiday Hills Subdivision, from R-1 single family residential to R-2 residential for construction of 40 townhouse units, Mr. R.J. Sullivan, Jr., City Planning Director, reported as follows: The matter was discussed at a Public Hearing which the Commission held on Oct 15 and again at a special meeting held on October 22nd, with a motion recommending to City Council that the tract be rezoned subject to possible text amendments regarding establishment of Home Owners Associations for multi-family developments in R-2 districts, resulting in a tie vote, 3 affirmative and 3 negative. Because of the tie vote, Mr. Sullivan had no recommendation to submit, only minutes from the public hearing and special meeting held by the Planning Commission. Attorney Henry Clark, representing Attorney Jolly. council for Skyline Development Company, requested that Council schedule a public hearing on the matter. Mayor Erickson pointed out that this would be proper procedure in that Council is required to hold a public hearing, following that of the Planning Commission. He asked Council's wishes concerning the matter. In keeping with the time element required, Councilman Cline moved that Tuesday, November 25th, 7:30 P.M. be scheduled for a public hearing with authorization for the City Manager to properly advertise same in the Daily News Record newspaper, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Councilmen present. Mr. Richard Workman of

1126 Waterman Drive expressed concern that the large delegation present in this meeting could not be heard at this time in view of the Planning Commission's tie vote. City Attorney Lapsley explained that the Planning Commission is an advisory body only, with the final decision to be made by the governing body following its own public hearing.

Assistant City Manager Driver read the following recommendation submitted by the Planning Commission from a meeting held on October 15, 1975:

"...A letter dated September 26, 1975 from Mr. Henry C. Clark was reviewed plus a map illustrating a proposed exchange of parcels between the City and Mr. Clark's client, Mr. V.W. Nesselrodt. The exchange will improve the shape of both properties, situated north of South Avenue and west of Central Avenue. The City would gain 5,412 sq. feet and give 5,361 sq. feet. Mr. Milam reported that City Staff favors the exchange, but a proposed development plan submitted with Mr. Clark's letter has not been studied. A 26-unit townhouse development is indicated. Mr. Denton moved that the Planning Commission recommend approval of the land exchange as presented and described. Mr. Kuykendall seconded the motion and all members present voted in favor. Mr. Milam explained that the City will expect the developers of this tract to dedicate additional right-of-way for the widening of South Avenue, without reference to this action. Mr. Clark assured the Commission of his client's cooperation concerning South Ave.."

When the question of curb & gutter construction on South Avenue was brought up, Attorney Clark emphasized the fact that his client would not construct curb & gutter in that this has nothing to do with the 2 3/4 acre tract proposed for development, but that the right-of-way would be given the City, even as much as 20'. Mr. Sullivan pointed out that the Planning Commission had not discussed curb & gutter on South Avenue, only the change of triangles. After further discussion, Councilman Green moved that the recommendation of the Planning Commission be approved, which motion upon being seconded by Councilman Dingleline, was adopted by a unanimous vote of Councilmen present.

A request was presented from Mrs. Mary Bradshaw, Coordinator of the Chapter 10 Board, that they be permitted to keep the amount of \$ 137.84 (representing the City's contribution) from their total surplus, in a separate fund to be used for cases of emergency (i.e. car repairs, etc.), noting further that if allowed, the fund would not accumulate over \$ 1,000. at any time, should the surplus occur year after year, and neither would this fund be used for any other agencies. Following a brief discussion, Councilman Green moved that the request be granted, which motion upon being seconded by Councilman Dingleline, was adopted by a unanimous vote of Councilmen present.

Assistant City Manager Driver presented a request from the American Legion Post 27 for a contribution from the City in the amount of \$ 250.00 to be used for transporting AMA Cadets from Staunton to Harrisonburg to participate in the Veterans Day parade. Mr. Driver reminded Council that this has been an annual contribution over the years, and that a check is drawn in the amount of \$ 250.00 to the Harrisonburg-Rockingham Chamber of Commerce, which is then endorsed over to the American Legion. Mayor Erickson said he feels that this creates atmosphere for Veterans Day in the City. Councilman Cline moved that the appropriation be approved, and that:-

\$ 250.00 chgd.to: General Fund - Unappropriated Surplus Account.
250.00 approp.to: General Fund (1-15030-372.00) Non-Departmental-
Support of Community & Civic Organizations- Chamber of Commerce.

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

Councilman Dingleline moved that an appropriation in the amount of \$ 492,000. approved for a first reading on October 14th in order to appropriate amount to be received by the City for the Westover Community Center under a Neighborhood Block Grant, be approved for second and final reading, and that:-

\$ 492,000. chgd.to: General Fund (1007.00) Other Non-Revenue Receipts.
492,000. approp.to: General Fund (11026-72.00) Westover Park- Capital Outlay-
New Buildings (Community Center)

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

Councilman Cline moved that a supplemental appropriation in the amount of \$ 6,858.94 approved for a first reading on October 14th in order to transfer monies received for participants' wages for July & August under the PEP Program as per agreement between the Recreation Department and Virginia Employment Commission, be approved for second and final reading, and that:-

\$ 2,703.00 chgd.to: General Fund (1005) Non-Revenue Receipts - Recoveries & Rebates.
1,238.55 chgd.to: General Fund " " " " "
754.40 chgd.to: General Fund " " " " "
2,163.00 chgd.to: General Fund " " " " "
6,858.95 approp.to: General Fund (11020-12.00) Parks & Recreation- Wages.

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

A request was presented from Mr. Cecil Gilkerson, Director of Parks & Recreation, for approval of a supplemental appropriation in the amount of \$ 900.00 in order to transfer monies received from Valley Program for Aging Services, Inc., for rental of Price-Rotary Senior Citizens Center for months of July, August & September, 1975. Councilman Dingleline moved that the appropriation be approved, and that:-

\$ 300.00 chgd.to: General Fund (1005) Non-Revenue Receipts- Recoveries & Rebates.
300.00 chgd.to: General Fund " " " " "
300.00 chgd. to: General Fund " " " " "
900.00 approp.to: General Fund (11026-390.00) Westover Park- Other Operating Expenses.

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

Council received a request from the Parks & Recreation Director for approval of a supplemental appropriation in the amount of \$ 742.00 in order to transfer monies received for the operation of sub-

DD550

contract between the Virginia Employment Commission and City Department of Parks & Recreation for transportation and recreation under the Comprehensive Employment & Training Act of 1973 Title III. Following a brief discussion, Councilman Dingleline moved that the appropriation be approved, and that:-

\$ 742.00 chgd.to: General Fund (1005) Non-Revenue Receipts- Recoveries & Rebates.

414.00 approp.to: General Fund (11020-12.00) Parks & Recreation- Wages.

328.00 approp.to: General Fund (11020-212.00) Parks & Recreation- Other Materials & Supplies.

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

✓ Council was advised by the Assistant City Manager that Notice had been received by the Mayor from the State Corporation Commission, that Crawford Transit, Inc., had applied for a certificate of public convenience & necessity as a special or charter party carrier in various Virginia cities (including Harrisonburg), with a hearing on the request scheduled for November 12th in Richmond, Va. Mr. Driver said that should there be any objections to the application, same should be filed no later than Nov. 5th. Chief Presgrave informed Council that he had talked with the Staunton Police Dept. and learned that Mr. Ebenezer Crawford has operated the business from his home for over 10 years, with no complaints registered as to the type of transportation used. Following discussion, it was agreed by members present, that no complaint to the application of Crawford Transit, Inc., be filed.

It was agreed that appointments to fill one vacancy on the City School Board and one vacancy on the Harrisonburg Electric Commission be deferred until a later date when a full Council is in session.

✓ Assistant City Manager Driver presented and read correspondence dated 10/17/75 from Wampler Chemical Corp., requesting permission to tap into the 12" water line located on Route 707, approximately 75' east of the railroad, with a 1" service line to the plant. Council was reminded that any requests for connections to this line must be brought before the governing body for approval, and was informed that this particular tap had been given approval by the Water & Sewer Superintendent. Following a brief discussion, Councilman Green moved that the request of Wampler Chemical Corp. be granted, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Councilmen present.

✓ The Assistant City Manager presented various statistics from a financial report of the Upper Valley Regional Park Authority, showing total assets of \$ 1,200,924.49 and giving a breakdown for Natural Chimneys, Endless Caverns and Grant Daverns surplus, etc. He noted that the report would be on file in the office of City Manager for review. Councilman Dingleline moved that the report be received and ordered filed, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Councilmen present.

✓ Assistant City Manager John Driver, Alternate Member of the Central Shenandoah Manpower Council, reported that he had attended a meeting recently which dealt with distribution of Title 6 Funds totaling approximately \$ 757,000. in the entire Planning District VI. He noted that although an amount of \$ 85,000. had been anticipated for the City of Harrisonburg, he had asked all department heads to turn in requests, which totaled \$ 156,340., and that this amount had been requested, and received. These funds are to be used only for creating temporary jobs for the unemployed (Nov. 1 thru June 30th), with each department head making this perfectly clear to those so employed. Mr. Driver listed for Council's information the 35 jobs to be filled by use of the funds and expressed a hope that a few may be retained after the federal funds expire the end of June. Following discussion, Councilman Dingleline moved that the program be approved and the City Manager authorized to proceed with applications for the specified positions with the City of Harrisonburg, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Councilmen present.

✓ For information, the Assistant City Manager reported that the City had received, and paid a bill in the amount of \$ 70,453.47 representing the City's share on the Cantrell Avenue Project (Reservoir to Paul Sts.)

✓ Council was informed that correspondence had been received from Mr. J.G. Ripley, Urban Engineer, with provision that on any reconstruction of streets, a ramp has to be installed at the curbing for wheel chairs. Councilman Cline questioned whether or not anything along this line was included in the Parking Deck plans. Assistant City Manager Driver stated that there is ample space next to the HEC building which could be used for handicap's vans, and noted that he would look into this matter.

Although the fact was pointed out that the next regular meeting of Council (Nov. 11th) would be on a holiday (Veterans Day), it was agreed that the meeting be held as scheduled.

✓ Councilman Green informed Council that he had received a letter from Dr. Malcolm Tenney, District Health Director, in reply to a question which he had raised some time ago concerning the Alcoholic Clinic which had been held in the Harrisonburg Health Department for a number of years. Dr. Tenney advised that a Dr. Hyer used to come to Harrisonburg two days a week and hold a clinic for alcoholics in the Harrisonburg-Rockingham area. Following reorganization of the Alcoholic Program several years ago, Dr. Hyer was placed on a fulltime basis in Charlottesville. In as much as there may be a possibility of getting someone back in Harrisonburg to help with this program, Dr. Tenney is pursuing the idea of having a clinician begin coming to the Harrisonburg-Rockingham Halfway House to hold clinics on a regular basis. Further information will be relayed to Council, as received.

There being no further business and on motion duly adopted, the meeting adjourned at 9:00 P.M.

N. Arlene Loker
CLERK

Ray Eichen
MAYOR

DD550

DD550

Tuesday, November 11, 1975

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, Raymond C. Dingle, Jr., Walter F. Green, III, City Auditor R. William Shifflet and Chief of Police Richard W. Presgrave. Absent:- none.

The evening's Invocation was led by The Rev. Sam Janzen, pastor of the Harrisonburg Mennonite Church.

At this point in the meeting, a group picture of the governing body was taken by Gentry's Photographers.

Minutes of the regular meeting held on October 28th were read, and approved as corrected.

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 October, 1975.

From the City Treasurer:-

A Trial Balance report as of close of business on October 31, 1975.

From the Police Department:-

A report of total number of arrests; parking meter fines collected; cash collected from parking meters; total cash collected all sources; for month of October, 1975.

From the City Auditor:-

A financial report for month of October, 1975.

A report of cash discounts saved during month of October, 1975 totaling \$ 416.06

From the Office of Data Processing:

A report of water, sewer & refuse accounts, meters read, installations, cut delinquents, complaints, re-reads, etc. for month of October, 1975.

✓ With regard to a previous inquiry concerning arrangements in the parking deck plans for handicapped citizens, Assistant City Manager Driver reported that places would be provided at the curb from South Liberty Street side for wheelchairs with signs designating same, and further, that space would be reserved in the lower deck at the corner of Liberty & Bruce Sts. for handicapped's vans. The report was for information.

✓ Correspondence dated 11/4/75 from Mr. George W. Taliaferro, realtor, was presented by the City Manager, requesting approval of rezoning eleven lots on the east side of Chicago Ave. between Rockingham Drive and Waterman Drive, from R-1 residential to R-2 residential. He pointed out the area on a map. Following a brief discussion, Councilman Green moved that the request be referred to the City Planning Commission for study and recommendation, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

✓ City Manager Milam presented correspondence from the Harrisonburg Retail Merchants Association to Council, advising that the Christmas parade has been scheduled for December 7th, and extending an invitation for members to participate. He asked those who plan to be in the parade, to contact his office.

✓ The City Manager presented and read a letter dated 11/6/75 from Dr. Daniel M. McFarland, addressed to the mayor, tendering his resignation as a member on the City's School Board effective December 31st of this year. His reason for resigning was due to the fact that he will be moving to the Mt. Crawford area and therefore will not be eligible to serve in the City of Harrisonburg. Council acknowledged receipt of the letter for its information, with action to be taken at a future meeting to appoint someone to complete the term which will expire on June 30, 1976.

✓ Correspondence dated 11/4/75 was received from Mr. Kenneth Huffman, president of the Spotswood Country Club, requesting that water and sewer be made available to the Club, and noting that construction of a new clubhouse at the Club is proposed for early next year. City Manager Milam informed Council that the city's water & sewer lines extend in the direction of Keezletown and around the Country Club Road area, with sufficient size to serve the Club. He noted that to date, no plans have been received in his office with regard to location or size of the water line. He said that the matter would be brought back to Council should the water line be over 2" and said that he would work with the Water & Sewer Department and Country Club on the details. Manager Milam requested authority to make the requested connections after all information is made available. Following discussion, Vice-Mayor Denton moved that the City Manager be so authorized, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

✓ The City Manager informed Council that a communication had been received from the New York Credit Union Adjustments Bureau, Inc., concerning the W.T. Grant Company bankruptcy, which included a financial statement as to liabilities and assets. The communication was referred to the City Attorney for proper disposition.

✓ Each member of Council was presented with a copy of the City's Annual Audit report as of June 30, 1975, prepared by the firm of Keeler & Phibbs, Public Accountants. Mayor Erickson said that a representative of the firm would be invited to the next regular meeting in order to answer any questions which Council may have concerning the report.

✓ Dr. Malcolm Tenney, Jr., District Health Director, presented the City with a check in the amount of \$ 4,396.52 representing the City's share of revenue due the locality and overpayment by the locality for Health Department operations for 1974-75. He noted that the Director's salary is now 100% state salary and had been removed from this year's budget. As a portion of his annual report to Council, Dr. Tenney reported on physical examinations in the various City schools, recently completed, noting major problems in the areas of dental & vision. Of the 2,491 inspections, 136 students had visual

DD550

defects and 317 dental defects. Mayor Erickson expressed appreciation for the fine report, as well as for the check received.

✓ Mr. William Grow, Chairman of the Downtown Development Committee, called Council's attention to their copies of a Summary Report of the Committee from its creation in June 1974 to the present date. He then presented the following recommendations approved this afternoon at a meeting of the committee, for Council's consideration and approval:-

"That the full committee remain as appointed: William D. Grow, D.P. Davis, Jr., Frank Harris, Kenneth Huffman, D. Lathan Mims, Nathan H. Miller, John A. Sowers, Robert Sterrett, Charles Smith, Joseph Eneedy, Sam Shrum, Arthur Hamilton, T.O. Brock, Jr., Charles Strickler, E.D. Landreth, Mitzie Preston, Elizabeth Zirkle, and Walton Wine.

That the full committee conduct meetings on:

3rd Tuesday, January, 1976; 3rd Tuesday, March, 1976; 3rd Tuesday, May, 1976; 3rd Tuesday, July, 1976; 3rd Tuesday, September, 1976; 2nd Tuesday, November, 1976.

That the full committee should not be more than 20 members at any given time. All Committee members to be appointed by the City Council and no member shall serve more than three (3) years.

That as of November 11, 1975, the second Tuesday of the month, a chairman be selected out of the existing committee. Said committee chairman shall serve one (1) year.

That as of November 11, 1975, the sub-committees should be disbanded and an executive committee shall be formed. The Executive Committee should be limited in size and it is recommended that no more than seven (7) members be selected to work with the planner, Mr. Alan R. Siff, selected by this committee.

That said committee to work closely with Mr. Siff to carry out whatever action necessary up to the point of returning to the full committee with a recommended series of specific actions to be taken in chronological order and accompanied by estimated costs with full committee approval. This should be taken to the City Council and appropriate funding sought to go forth.

It is further recommended to the City Council that Mr. Walton Wine be appointed to this committee and that he be on the Executive Committee along with: Mr. Tom Brock, Mr. Sam Shrum, Mr. John Sowers, Mr. Charles Strickler, Mr. Joe Eneedy.

It is also recommended that the Executive committee should meet no less than every thirty (30) days; and that Mr. Joe Eneedy be committee chairman of the full committee."

Council, during its discussion of the recommendations, agreed that the statement contained therein: "all committee members to be appointed by City Council and no member shall serve more than three years", should be amended to read "and each member shall serve a three year term." Vice-Mayor Denton moved that Mr. Walton Wine, president of Valley National Bank, be appointed to the Downtown Development Committee for a term of three years, expiring on November 11, 1978, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council. Councilman Cline then moved that Council approve the total recommendations, as amended, with terms of all present members to expire on November 11, 1978, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Council. Mr. Alan Siff, newly appointed planner, was introduced to Council, and reported briefly on the proposed plan of procedure. Mr. Joseph Eneedy, Committee Chairman, expressed hope that he could "bring it all together" while serving in this capacity, in order to see the downtown stay alive.

✓ Mr. John Sowers and Dr. Walter M. Zirkle, Jr., both residents of Maplehurst Ave., were present in the meeting for the purpose of presenting the following resolution for Council's consideration, which if approved, would directly involve Madison College in the traffic and parking situation which surrounds the physical plan of the college:-

PROPOSED RESOLUTION

The Council of the City of Harrisonburg hereby requests that the Administration of Madison College adopt and enforce a policy which would require that motor vehicles operated by all categories of students, faculty members, and staff personnel, be parked on the campus when at the college

Mr. Sowers pointed out the fact that he and Dr. Zirkle were not representing any particular neighborhood or group, but simply striving to have the ever increasing problem shared three ways, in that the time has come when it is out of control of the citizens and the city. He called attention to an ordinance adopted by Council in the not too distant past, restricting parking in R-1 residential districts to two hours, and pointed out that this is not too effective in that it is based on complaints from residents. He encouraged Council to act on the resolution as read, or as amended if desired. Mayor Erickson asked if any thought had been given re penalty for violations, should the resolution be adopted, to which Mr. Sowers replied in the negative, pointing out that it was felt the resolution would make Madison College a definite party to, and involved in the problem. The Mayor said he could see why the college has prohibited through traffic in the campus area, due to the safety of the students, which does increase traffic in other areas. Mr. Sowers noted that the closing of certain entrances and exits at the college moved the safety factor off campus and into other residential areas. Vice-Mayor Denton offered an opinion that Council should back the resolution in order to formally present the problem to Madison College. Dr. Zirkle informed Council that the practice of the University of Georgia is - no student parking off campus, with stickers provided for all student vehicles, and added that the proposed resolution before Council would place the college in the position of taking some steps to relieve the parking in residential areas of Harrisonburg. Councilman Cline questioned whether or not this would be a fair restriction, in that this problem exists on many other city streets by parking from various places of business, etc. Mayor Erickson noted that the proposed resolution deals strictly with Madison College. Chief Presgrave, when asked to make a statement, said that the ordinance for 2-hour restricted parking in R-1 districts does create a problem in his department since it is based on complaints, which requires much time in checking out the same. He expressed a feeling that with more cooperation by the college, another type of solution may be worked out. Councilman Cline said he would like more information with regard to practices in other places, etc., and asked the possibility of having a meeting with representatives of the college, neighborhood and the city. Council was reminded by the mayor of a previously appointed committee which had apparently become non-effective. Vice-Mayor Denton moved that Council back the resolution and send a copy of same to the College Board of Visitors and Head of Administration. Councilman Green then offered a

000550

000550

substitute motion that Council officially request Dr. Ronald Carrier, president of Madison College, a representative from the College Board of Visitors, and any other representatives whom Dr. Carrier may designate, to meet with Council in an effort to find a solution to the problem, using the proposed resolution, council minutes, and any other pertinent information as a basis for discussion. The substitute motion was seconded by Vice-Mayor Denton, and adopted by a unanimous vote of Council. Vice-Mayor Denton withdrew his original motion.

✓ Council was reminded by the City Manager that Mr. John Sowers' term on the Harrisonburg Redevelopment & Housing Authority would expire on November 29th of this year and that he was eligible for reappointment. Councilman Green moved that Mr. Sowers be reappointed to the Authority for a four (4) year term expiring on November 29, 1979, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

✓ Mayor Erickson asked members' wishes concerning a vacancy which would be created on the Harrisonburg Parking Authority as of the 28th of this month due to the expiration of Mr. Tom Passas' term. Councilman Green moved that Mr. Pappas be reappointed to the Authority for a term of five (5) years, expiring on November 28, 1980, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Council.

✓ A request was presented from the Recreation Director for approval of a supplemental appropriation in the amount of \$ 120.00 in order to transfer monies received from the CeSSA Office at Madison College for payment of utilities at the Price Rotary Senior Citizens Center at Westover Park for months of July, August and September, 1975. Following a brief discussion, Councilman Dingledine moved that the appropriation be approved, and that:0

\$ 120.00 chgd.to: General Fund (1005) Non-Revenue Receipts- Recoveries & Rebates.

120.00 approp.to: General Fund (11026-390.00) Westover Park- Other Operating Expenses.
which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

✓ With regard to some tax relief for the City's elderly citizens who may meet certain qualifications which had been discussed at earlier meetings of Council and held for further study, City Manager Milam reported that following several meetings by the Commissioner of Revenue, City Treasurer, City Auditor and City Attorney, a proposed ordinance amending Chapter 9, Article 1 of the License Tax Ordinance, had been drafted. He noted that should the ordinance be adopted, claims by elderly property owners must be filed no later than May 1st with the Commissioner of Revenue, thus allowing him until September 1st of that year to audit and investigate the applications and adjusting tax on those qualifying for tax relief. Mr. Victor Smith, Commissioner of Revenue, discussed the ordinance with Council and pointed out the following stipulations therein: claimant must be 65 yrs. of age or older, must hold title to property on which tax relief is requested, must have been a resident of the City of Harrisonburg for one year prior to application, gross income of owner(s) not to exceed amount of \$ 6,000. from all sources, including relatives living therein on which the first \$ 2,000. off each is excluded, and total combined financial worth of the owner(s) to be in an amount not to exceed \$ 20,000. which shall include the value of all assets, including equitable interest, of the owner(s) and relatives for which exemption is claimed, but shall not include fair market value of the dwelling and the land upon which dwelling is situated, not exceeding one acre, for which exemption is claimed. Exemptions as set forth in a schedule within the ordinance, not to exceed total of \$ 200., as follows: Combined net income \$--- \$3,000., 80%; Combined net income \$3,001.- \$4,000., 60%; Combined net income \$4,001.- \$5,000., 40%; Combined net income \$5,001. - \$6,000., 20%. Council discussed the proposed ordinance and agreed that same should not refer to both gross and net income inasmuch as these represented one and the same, and that the word net should be deleted from the schedule of exemptions allowed in order to eliminate this word from the only place it was referred to as such. Under Section 9-22.4, part 3, bank book should be changed to read Land Book. Mr. Smith informed Council that he was in full agreement to submitting lists to the offices of City Treasurer and City Auditor with pertinent information concerning those property owners receiving tax relief, but objected to sending the two offices copies of each letter sent to property owners advising them of amount of tax relief allowed, in that this would require 4 copies of a possible 200 letters. The City Auditor noted that it was the intention of the City Treasurer to hook each copy to that property owner's tax statement in order to have complete information at hand, and that he also desired to have copies of each letter in his office. Councilman Cline offered an opinion that this was an inter-departmental problem and should be solved by those directly involved. After further discussion, Councilman Cline moved that the ordinance, as amended by Council, 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 Council.

✓ City Manager Milam presented the following proposed resolution and requested Council's approval of same, explaining that a recent petition from the Hillandale Neighborhood Association, concerning safety measures in the area and at the intersection of South Ave. and South High Street had some bearing on this, as well as next year's work schedule, etc.:

WHEREAS, it is necessary for a formal request to be made to the Department of Highways and Transportation of the Commonwealth of Virginia by the Council of the City of Harrisonburg by resolution for each project.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HARRISONBURG, VIRGINIA, at its regular meeting on this 11th day of November, 1975, that:

1. The Highway Department of the Commonwealth of Virginia be, and it is hereby requested to establish and set up a project for surveying and engineering only, within the City of Harrisonburg, Virginia, to complete plans on South High St. (Rt. 42) from the Southern Corporate Limits to a point approximately 2200 feet north of the Southern Corporate Limits.

2. That the City hereby agrees to pay 100 percent of the cost of above proposed work.

3. That the Department of Highways and Transportation perform said work at the earliest possible date.

ADOPTED THIS _____ DAY OF _____, 1975.

CITY OF HARRISONBURG, VIRGINIA
BY _____ Mayor

ATTEST:

Clerk

DD550

Assistant City Manager Driver informed Council that the Highway Department was being requested to do the work in that the City Engineering Department was not equipped to handle the large project, and noted that funds would be placed in next year's budget for the entire 100% project agreed to be paid by the City, rather than wait for state & federal aid, in that this is a part of the total widening project applied for approximately 6 months ago and turned down due to lack of funds. Following a brief discussion, Councilman Green moved that the resolution be approved with the proper officials authorized to sign the same, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

✓ City Manager Milam called Council's attention to an AD which had been published in the Daily News Record newspaper for three days, offering the former Hose Co. No. 4 building on W. Elizabeth St. for rent or lease, with all proposals to be submitted by a Licensed Real Estate Agent representing the interested party or parties, no later than November 11th. He noted that very little response was received from the AD although one person would like to use 2 bays with door installed, and a non-profit organization had expressed a desire to use a small amount of room. The City Manager informed Council that the electricity nor water has been discontinued for the building as yet, and expressed a desire to continue advertising the property in the newspaper either for rent or lease, either not to exceed a one year period. The matter was discussed with Council in general agreement that rather than being razed, the building should be leased on a contingency basis, or rented, for a period of no longer than one year, either part of, or the building as a whole. After further discussion, Councilman Dingledine moved that the City Manager be authorized to advertise the former No. 4 Fire Station building for rent or lease not to exceed a period of one year, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

✓ For information, the City Manager reported that he had held several meetings with the City Attorney, Building Official and City Planner re the problem of rooming houses, and had also discussed same with other people. Recommendations for amendments to the City's Zoning Ordinance are now being studied by the Planning Commission and should be ready for presentation to Council in the near future. According to the City Manager, the Commissioner of Revenue had advertised in the Daily News Record newspaper for rooming house applications and from this, 29 were submitted. These properties have been inspected (by check list) for compliance with the various codes (fire, electric, plumbing, etc.), with the majority being in violation under some ordinance of the City of Harrisonburg. The Commissioner of Revenue has been asked to withhold license until finalization of inspections. The City Manager noted further that Dr. Carrier, president of Madison College, has said he will make arrangements for rooms, for any students presently residing in houses which have to be brought up to requirements under the various codes. License on the 29 properties will be issued for the remainder of this calendar year, only.

✓ With regard to the City's proposed annexation of land from Rockingham County, City Manager Milam reported that the matter was in court on October 30th from 9:00 A.M. - 1:00 P.M. with very accurate reporting by the Daily News Record newspaper. He noted that although there was some disagreement on various points, the Court ruled that the suit was properly filed, and set July 15, 1976 as a pre-trial date. The report was for information.

✓ Council was informed by the City Manager that following inquiry from a local insurance agent re a share of the commission from the Brokers of Record, he had called a meeting with the City Attorney, the City's three Brokers of Record and the claimant, to discuss the matter. He noted that after further information is in, the City Attorney will issue a ruling on same. The report was for information.

✓ City Manager Milam informed Council that he had received several complaints from residents concerning service of CATV, primarily that of WSVA switching programs prior to completion. In view of these complaints, he had written CATV informing the company of same and requesting a reply in writing. A reply has been received, according to the City Manager, in which the fact was pointed out that WSVA has a right to cut off programs, under an FCC ruling. The report was for information.

✓ City Manager Milam informed Council that he had been unable to firm up a meeting date with the County Board of Supervisors to discuss a proposed resolution which they had submitted earlier concerning three Interceptor Sewer Lines.

There being no further business and on motion duly adopted, the meeting adjourned at 10:35 P.M.

N. Greene Lopez
CLERK

Ray E. Smith
MAYOR

DD550

Tuesday, November 18, 1975

At a special 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, Raymond C. Dingledine, Jr., Walter F. Green, III, City Auditor R. William Shifflet and Chief of Police Richard W. Presgrave. Absent: none.

City Manager Milam read the special meeting call and the Clerk read an excerpt from minutes of the last regular meeting with regard to the matter of student parking on residential streets.

✓ Mayor Erickson gave background information of the parking problem in the City and pointed out that an ordinance restricting parking on residential streets in the R-1 Districts to a 2 hour time limit had been adopted by Council, which ordinance is based on complaints by residents of any violations. He noted that with regard to the proposed resolution presented at the last meeting by Mr. John Sowers and Dr. W.M. Zirkle, Jr., it was felt by Council that calling a special meeting of representatives from those areas concerned with the problem and using all pertinent information for a discussion (including the resolution) would be a better approach than adoption of the resolution which would require Madison College to enforce the use of college parking areas by all those connected with the college, having

vehicles. He noted further that Council is aware of the large areas which have been set aside by Madison College for student parking, with payment of a parking fee. Vice-Mayor Denton offered an opinion that Madison College is definitely a benefit to the community, particularly from the standpoint of music programs, art, athletics, etc., and called attention to the college manual of administrative regulations, which he feels is very good. A suggestion was made by Mr. Denton that consideration be given to an addition to the manual which would require any student with a vehicle to register same with the college, and to use parking spaces on lots provided. He mentioned the fact that the number of spaces provided by the college is comparable to those spaces on residential streets which are being used by students. Under this policy of registration, a vehicle could be easily identified by the Security & Safety Office upon complaint call from a resident, and the student in violation could be advised of the parking regulation. Dr. Ronald Carrier, president of Madison College, said that the college wants to remain good neighbors and expressed a willingness to cooperate in any way to retain the relationship with city residents. He pointed out the fact that there is ample parking provided for those vehicles now using city streets, but added that he would have to check on the legality of requiring students to park on campus. Dr. Carrier explained that the parking fee is a result of former Governor Holton's management study several years ago that every college set a minimal fee for parking on campus. He asked that residents be patient in that due to the recession, state funds have not been available for their projected plans which include eight recreational fields with parking on the east side of Interstate 81, as well as the razing of certain properties opposite the college on S. Main St., following construction of an Educational Building, which would provide approximately 1,000 parking spaces in that area. It was also pointed out that bus service is provided for students coming from parking areas a distance from the college, but that some students are reluctant to bus. Dr. Carrier noted that the priority project under the overall plan is construction of the Educational Building, and asked that Council write their legislators requesting funding for its completion. Vice-Mayor Denton offered an opinion that Council should back the Educational Building and said he does not feel that the parking fee imposed on students is a deterrent to their use of college parking areas in view of the fine curriculum which is offered to students at Madison. He expressed a desire to reactivate the planning committee previously appointed by Council, comprised of representatives from the college, hospital, citizens and the City. Councilman Green asked the possibility of having those students who park their vehicles for a week at a time, to park on the large lot and reserving space on the campus for day students. Dr. Carrier referred to this plan as "storage parking" and said he would look into the matter. He noted further a willingness to consider removal of the parking fee, although this could not be effected in the middle of the school year. With regard to the closing of the entrance off Mason Street, Dr. Carrier stated that this was done for a 30 day period, after which time a review will be made to determine its impact on students and the community. Mr. Sowers said he appreciated Dr. Carrier's positive approach to the problem and realized that capital improvements have been held up, but noted that the way of life in the neighborhood is very definitive on a day to day basis and that this is where destruction comes and negative attitude develops, as well as deterioration. He expressed a desire to see some immediate, though temporary relief from the situation, rather than waiting for capital funds which could mean a matter of years due to the uncertainty of the economy. After further discussion, Mayor Erickson asked that the City Manager place this matter on the agenda for the next regular meeting at which time a planning committee would be appointed, comprised of representation from Madison College, Rockingham Memorial Hospital, the City, and also from the two neighborhoods on either side of the college as suggested by Councilman Cline. Following a suggestion by Vice-Mayor Denton that a college student be appointed to serve on the committee, Tim Murnane who was present in the meeting representing students living off campus, volunteered his services, should Council so desire.

There being no further business, the meeting adjourned at 9:10 P.M.

N. Robert Loken
CLERK

Ray Erickson
MAYOR

DD5550

Tuesday, November 25, 1975

At a combined public hearing and regular meeting 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., Councilman Paul C. Cline, Raymond C. Dingledine, Jr., Walter F. Green, III, City Auditor R. William Shifflet and Chief of Police Richard W. Presgrave. Absent:- none.

Minutes of the regular meeting of November 11th and special meeting of November 18th were read, and approved as corrected.

✓ A petition bearing approximately 160 signatures was presented by City Manager Milam, requesting that the east side of Central Ave. from Laurel St. east to a line 225' north of Pleasant Hill Road (including Emery St. & Tamela Court), be rezoned from R-2 residential to R-1 Single Family residential. R. J. Sullivan, Jr., City Planning Director, pointed out the area on a map and explained that at the time the area was annexed in 1962, no zoning was designated, but was zoned R-2 in 1963. He noted that covenants do exist, stating that only single family units can be placed on the lots. According to the director, the west side of Central Ave. had been granted a request for R-1 single family residential. The change now being requested by resolution for the east side would reflect what the covenant allows. Following a brief discussion, Councilman Cline moved that the resolution be referred to the City Planning Commission for study and recommendation, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

✓ A letter dated October 17, 1975 signed by seven property owners on the east side of S. Main St. between the intersection of S. Main St. and Port Rd. on the north and the intersection of S. Main St. and Monument Ave. on the south, was presented and read by the City Manager. A request was made that their properties be included with a previous request of property owners in the 1300 block of S. Main St. to rezone from R-1 residential to R-3 Multiple Family Residential. Manager Milam informed Council that the Spotswood Bank was not included in the petition, but that a separate letter was received to cover that. Following a brief discussion, Councilman Cline moved that the request be referred to the City Planning

Commission for study and recommendation along with the previous request from the 1300 block of South Main Street, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Council.

✓ Mayor Erickson closed the regular meeting temporarily and called the public hearing to order. City Manager Milam read the following notice of hearing as advertised in the Daily News Record newspaper:-

"The Harrisonburg City Council will hold a Public Hearing on Tuesday, November 25, 1975, at 7:30 PM in the City Council Chamber, Municipal Building, 345 S. Main St., to consider the following rezoning request:
Skyline Development Company's application to have 6.88 acres located between Virginia Route 42 and Holiday Hills Subdivision rezoned from R-1 Single Family Residential to R-2 Residential.
If rezoned, 40 townhouse units are planned.

All persons interested will have an opportunity to express their views at this public hearing."

Marvin B. Milam, City Manager

The City Manager read the report of the Planning Director from the Commission's public hearing held on October 15th and also an excerpt taken from the minutes of their special meeting held on October 22nd concerning the request of Skyline Development Company which incorporated the following motion, which motion ended with a tie vote (3-3): "Mr. Kuykendall moved that the Planning Commission recommend to City Council that Skyline Development Company's 6.88 acre tract be rezoned from R-1 Single Family Residential to R-2 Residential, subject to possible text amendments re establishment of Home Owners Associations for multi-family developments in R-2 districts." Mr. Williams seconded the motion." City Manager Milam informed Council and others present in the meeting that he was in receipt of a letter from Skyline Development Co. advising of their desire to withdraw the rezoning request for the Holiday Hills area. Mayor Erickson offered an opinion that Council should arrive at some decision, in view of the Planning Commission's tie vote. Councilman Dingledine said he felt that rezoning should be done for the total good of a community and that the withdrawal of the request strengthens the validity of keeping the present zoning. He then moved that Council reiterate continuance of R-1 Single Family Residential zoning for the area. The motion was seconded by Councilman Green. Councilman Cline questioned the propriety of making a decision, in that the other side was not present to be heard, and noted that he would abstain from voting on the issue due to this. Mr. Richard Workman presented a signed petition on behalf of area residents, against any and all zoning changes which may be requested in the future. There being no others to be heard, Mayor Erickson declared the Public Hearing closed at 8:10 P.M.

The regular session reconvened.

✓ Mayor Erickson called for a recorded vote on the motion made and properly supported during the public hearing to retain the present R-1 zoning between Va. Rt. 42 and the Holiday Hills Subdivision. Voting aye:- Councilmen Dingledine, Denton, Green and Erickson. Voting no: none. Abstaining: Councilman Cline.

✓ Messrs. Elon Rhodes and Sam Fletcher were present in the meeting to request that Newtown Cemetery and Woodbine Cemetery be exempted from the service charge on the two properties in that the areas require very little services needed, i.e. police, fire, etc. Mayor Erickson pointed out the fact that the City, under the Constitution, has the right to assess this type of charge, based on property valuation. Following a brief discussion, Councilman Dingledine moved that the matter be referred to the City Manager and Commissioner of Revenue for study and report back to Council, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

✓ Ms. Beverly Silver, representing the League of Women Voters, spoke in favor of controlled public transportation, publicly owned rather than subsidizing a private company, and cited a need for bus service in addition to taxicabs. A survey is now in the process of being made by the League to determine the City's need for public transportation, etc. Vice-Mayor Denton said that the committee appointed to study the matter, is working on a solution to the public transportation problem, with a report of its findings to be made prior to January 1, 1976. He agreed that at least 1/4 of the City's citizens need public transportation of some kind and said he was glad to learn of the League's survey. Mrs. Judy Cordner, manager of Harris Gardens Apartments, objected to slow action of arriving at a decision, in view of the fact that the two cab companies now operating in the City have threatened to terminate taxi service the end of this year, and raised the question of taxi fares which vary from 90¢ to \$ 1.25 to transport a person from her establishment to a downtown grocery store. Following a discussion concerning taxi service and the fact that cabs are metered by distance, etc., Councilman Dingledine suggested that the two companies be made aware of the complaint registered concerning a possible discrepancy in fares and that they be requested to investigate same. Vice-Mayor Denton offered an opinion that someone other than the cab companies should look into the matter. It was agreed that the matter be left to the City Manager's discretion to determine the proper method of handling same. Mayor Erickson offered an opinion that "something beneficial" to the community will result from studies being made by the Study Committee.

✓ With regard to a proposed City License Ordinance change re Real Estate Brokers - Salesmen, which matter had been discussed at the meeting on October 28th with Mr. Lowell Miller, realtor, requesting that Sec. 16-72 "Real Estate Salesmen" be abolished, and that Real Estate Salesmen be added to Professional Occupations due to double taxation under the present ordinance, a written report from the Commissioner of Revenue was presented and read in that he would be out of the city and unable to attend this meeting. It was noted that there is "no double taxation on salesmen in that the Broker is licensed for his total gross receipts, basically the commission charged by the Broker for handling the sale of real estate. The total commission is earned by the Broker and if a salesman assists in the sale, the salesman is compensated by the Broker for his services on an agreed basis between the two parties involved." It was further noted that limited authority of a salesman does not qualify him as a professional, as he is representing the Broker as an agent and can neither close a sale or set the commission on same without concurrence by the Broker. Two recommendations included in the report made by the Commissioner of Revenue, and concurred in by the City Attorney were (1) that Sec. 16-72 of the License Ordinance "Real Estate Salesmen" be abolished in its entirety; (2) that real estate salesmen not be included in Sec. 16-89 of the ordinance "Professional Occupations." Mr. Smith pointed out in the report that he had

DD550

received varied reactions to an ordinance change from a number of real estate salesmen he had contacted. Mr. Lowell Miller, president of the Board of Realtors, said he had no objections to the proposal, but expressed concern that this is the only professional listed in the License Ordinance which has double taxation, making it discriminatory, and secondly, that the salesmen are listed as independent contractors and should pay their own license fee or stand the chance of losing their independent contractor's license. He stressed the fact that real estate salesmen do qualify as professionals under the definition of same as set forth in the city ordinance, in that they have to take a course in order to become licensed salesmen. The matter was discussed at length with Council agreeing generally that this could set a precedent and initiate similar requests from many other occupations with regard to salesmen. It was suggested that a representative from the Board of Realtors meet with the City Manager, Commissioner of Revenue and City Attorney prior to the next regular meeting on December 9th, and that the matter be placed on Council's agenda for the next meeting for action concerning a first reading of the proposed ordinance changes.

✓ Mr. R.J. Sullivan, Jr., City Planning Director, informed Council that at the last regular meeting of the Planning Commission, revisions of proposed text amendments for the City's Zoning Ordinance had been made with regard to rooming houses, boarding houses, fraternities and sororities, as well as parking, at which time it was agreed that these could go to public hearing on December 17th on Planning Commission level. He then presented a proposed amendment to Section 16-36 of the City Code which required no public hearing but could be changed with two readings of the ordinance. Proposed changes recommended by the Planning Commission to Sec. 16-36 added the phrase "including fraternities and sororities" following lodging houses, and also adding the following phrases... "renting rooms to three or more regular lodgers for a pre-determined period," (underscoring), to the present ordinance section. Mr. Sullivan pointed out the fact that the commission felt that the license requirement should begin with three, rather than one or more, as stated in the present section, and noted that if approved by Council, the Planning Commission will begin with three and end with six roomers in order to lower the number from ten as set forth at the present time. City Manager Milam said it is hopeful that this change could be made effective January 1, 1976. Following discussion, Councilman Dingledine moved that the ordinance be approved for a first reading, which motion upon being seconded by Councilman Green, was adopted by a unanimous recorded vote of Council.

✓ The City Manager reminded Council that a first reading had been approved on an ordinance amending Chapter 9, Article 1 of the City Code by adding Sec. 9-22.1 "Provide Real Estate Tax Relief for Certain Elderly Persons." He then presented the ordinance as redrawn by the City Attorney encompassing two changes by Council prior to the first reading, as follows: (1) change bank book, to land book; (2) change under exemption schedule, combined net income to combined gross income. Vice-Mayor Denton moved that the ordinance be approved for second and final reading with authorization for the Mayor to sign the ordinance and the Clerk to attest same and spread upon the pages of the City's Ordinance Book, which motion upon being seconded by Councilman Cline, was adopted by a unanimous recorded vote of Council. (Refer to Ord. Book K, page 81).

✓ City Manager Milam presented a request from the City School Board Office for approval of an appropriation in the amount of \$ 38,136. in order to allow for additional Federal Funds available due to increased authorization based on new Federal funding formula. It was pointed out in the request that funds would not be spent unless offsetting revenues were available. Council discussed the various federal programs to which the funds would be allocated after which time Councilman Cline moved that the appropriation be approved for a first reading, and that:-

\$ 33,636. chgd.to: School Fund (R-21A) Receipts from Federal Funds - ESEA Operation
 4,500. chgd.to: School Fund (R-21B) Receipts from Federal Funds - ESEA Capital Outlay
 13,186. approp.to: School Fund (2-1209-300.01) Compensation- Teacher Aides
 1,350. approp.to: School Fund (2-1209-200.02) In Service Training.
 10,500. approp.to: School Fund (2-1209-200.05) Instructional Supplies.
 7,000. approp.to: School Fund (2-1209-314.00) Title II Libraries.
 1,100. approp.to: School Fund (2-1209-800.00) Fixed Charges
 5,000. approp.to: School Fund (2-1209-1234.03) Equipment for Instruction

which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous recorded vote of Council.

✓ A request was presented from the Chief of Police for approval of a supplemental appropriation in the amount of \$ 948.98 from Recoveries & Rebates, in order to reimburse various accounts for monies paid out of regular fund. Following a brief discussion, Councilman Green moved that the appropriation be approved, and that:-

\$ 293.35 chgd.to: General Fund (1005) Recoveries & Rebates-
 240.02 chgd.to: General Fund (1004) " "
 81.00 chgd.to: General Fund (1005) " "
 70.94 chgd.to: General Fund (1005) " "
 263.37 chgd.to: General Fund (1005) " "
 374.35 approp.to: General Fund (9010-11.05) Patrolmen's Salaries
 503.69 approp.to: General Fund (9010-330.01) Schools
 70.94 approp.to: General Fund (9010-274.00) Maint. & Repairs (Auto Equip.)

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

✓ In as much as the regular term of Mr. E. F. Abbot, deceased, would expire as of December 31, 1975 on the Harrisonburg Electric Commission, Mayor Erickson recommended and moved that Mr. O. M. Porterfield, Jr., of 440 Eastover Drive, be appointed for a term of three (3) years beginning as of Dec. 31, 1975 and expiring on December 31, 1978. The motion was seconded by Councilman Dingledine and adopted by a unanimous vote of Council.

✓ In keeping with direction of Council from its special meeting held on November 18th with regard to the problem of parking in residential areas, primarily surrounding Madison College, City Manager Milam presented for Council's consideration the following names to serve as a Planning Study Committee:-

Robert J. Sullivan, Jr., Planning Director, representing city staff
 J. Nelson Liskey, Hospital Administrator, representing Rockingham Memorial Hospital

DDU550

Tim Murnane, representing Madison College Day Students
 Dr. Ray Sonner, representing Madison College Administration
 Mr. John Sowers, representing South Campus Neighborhood
 Dr. Richard Smith, representing North Campus Neighborhood

Julius F. Ritchie, former Police Chief, representing West Campus Neighborhood

Council was informed that all nominees had been contacted and had consented to serve, if so desired. Following discussion, Councilman Dingledine moved that the seven individuals be appointed as a Planning Study Committee for the purpose of studying the problem of parking in residential areas, primarily around Madison College, and to report back to Council with recommendations and/or suggestions for a solution to same, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

✓ City Manager Milam presented a lengthy agreement for purchase of electricity from VEPCO to city water department installations, including pumping stations at Bridgewater and Dale Enterprise. He pointed out the fact that if approved, the contract would save the City Water Department \$ 13,373.00 annually. Following discussion, it was agreed to defer action on the new contract until the City Attorney has an opportunity to review the old contract.

✓ The City Manager presented the following proposed resolution for Council's consideration authorizing the filing of an application with the Department of Housing and Urban Development (HUD) for Block Grant:

BE IT RESOLVED BY THE COUNCIL FOR THE CITY OF HARRISONBURG, VIRGINIA, that this governing body hereby authorizes the filing of an application with the Department of Housing and Urban Development for discretionary funds pursuant to its community development block grants. And be it FURTHER RESOLVED that Marvin Milam, City Manager, being the chief executive officer of the City of Harrisonburg, Va. is hereby designated as the authorized representative of the City of Harrisonburg to act in connection with the above application and to provide such additional information as may be required. This governing body understands the assurances required in connection with the application for and receipt of these block grant funds from the Department of Housing and Urban Development and this governing body hereby commits itself to the assurances so required.

An economic emergency exists within the community and this resolution shall take full force and effect on the date of its adoption.

 City Manager

Attest:

 Clerk

DATE OF ADOPTION _____, 1975

Manager Milam explained that the funds, if received, would be used for development of the approximate 3 1/2 block area bounded by N. Main Street and the railroad tracks between Gay and Elizabeth Streets. This area includes the 2 1/2 blocks recommended by the Downtown Development Committee for consideration of acquisition and complete renewal to provide a large site to attract new businesses. He said that if no objections, two public hearings would be scheduled on the application: December 9th by City Council and December 17th by the City Planning Commission, with a recommendation to be received by Council from the Planning Commission prior to the regular meeting on December 23rd, at which time action would be taken concerning the application which must be made no later than December 31st. Following discussion, Vice-Mayor Denton moved that the resolution be approved with authority for the proper City Officials to sign the same, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

✓ Following a report by the City Manager that three offers had been made (only one of which came through a local realtor) for rental of portions of the former No. 4 Hose Company Building on W. Elizabeth Street, it was agreed that the Ad be continued in the Daily News Record newspaper as previously agreed upon, and that action be deferred on rental of the property for the present time.

✓ City Manager Milam informed Council that Mr. Richard L. Suter, former City Councilman, and his wife, had signed a deed donating to the City of Harrisonburg a triangular piece of land situated between Monroe, Ashby and Jefferson Streets in the northwest section. The land was pointed out on a map and the City Attorney noted that the small piece of land is insufficient in size to build upon and of no use to the Suters in that they had sold their remaining property in the area. Vice-Mayor Denton moved that the City accept "with thanks" the triangular strip, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

✓ Mr. Kenneth Huffman of the firm of Keeler & Phibbs, public accountants, appeared before Council, by invitation, to go over the City's Annual Audit Report for fiscal year ending June 30, 1975. He pointed out that in keeping with a request, Central Stores had been included in the Audit Report for the first time this year, and that records and controls were found to be in excellent condition. Mr. Huffman discussed each section of the report with Council and said that no recommendations were deemed necessary this year. Mayor Erickson, on behalf of the entire Council, thanked Mr. Huffman for his fine report.

There being no further business and on motion duly adopted, the meeting adjourned at 10:40 P.M.

M. Milam
 CLERK

Ray Erickson
 MAYOR

DD1550

Tuesday, December 9, 1975

At a combined public hearing and regular meeting held in the Council Chamber this evening at 7:30 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, Raymond C. Dingleline, Jr., Walter F. Green, III, City Auditor R. William Shifflet and Chief of Police Richard W. Presgrave. Absent: none.

The evening's Invocation was led by The Rev. Sam Jones, pastor of Harrisonburg Baptist Church.

Mayor Erickson called the public hearing to order and the City Manager read the following Hearing Notice published in the Daily News Record newspaper:-

PUBLIC MEETING, Tuesday, December 9, 1975, 7:30 PM in City Council Chamber,
345 S. Main St., Harrisonburg, Va.

The City of Harrisonburg is contemplating filing for Federal Community Development Block Grant Funds. The primary objective and purpose of the Community Development Program is the development of viable urban communities, including decent housing and a suitable living environment and expanding economic opportunities, precisely for persons of low and moderate income. Consistent with this primary objective, the Federal financial assistance for support of the Community Development activities are directed toward the following specific objectives:

1. The elimination of slums and blight and their prevention.
2. The elimination of conditions which are detrimental to health, safety and public welfare, through code enforcement, demolition, interim rehabilitation assistance, and related activities.
3. The conservation and expansion of housing stock, primarily for those of low and moderate income.
4. The expansion and improvement of the quantity and quality of community services, primarily for persons of low and moderate income.
5. A more rational utilization of land and other natural resources.
6. The reduction of the isolation of income groups within communities.
7. The restoration and preservation of properties of special value for historic, architectural or esthetic reasons.

The purpose of this meeting is to hear citizen's views and gain expression of interest as to activities that should be undertaken with the available Federal financial assistance.

City of Harrisonburg, Marvin B. Milam, City Manager

Mayor Erickson called on anyone desiring to be heard either for or against the application for funds. Mrs. Juanita Sanders of 355 Hartman Drive presented a lengthy report concerning objections to the Hearing which received little and late publicity for the citizens of the City, who find it difficult to respond to the matter of an application because of this fact. Further, that no plan has been made known, for use of funds. She suggested that on future applications, plans be referred to either a citizen's group appointed by Council or the City Planning Commission, three months prior to filing deadline, with public hearings held before and after a plan is developed, with citizens participation. Mrs. Sanders urged that Council refrain from filing the application at this time. The City Manager was asked to see that copies of Mrs. Sander's report were made available for each member of Council, for future reference. Mayor Erickson explained that in the initiation of a Grant there was a deadline to be met (December 15), and gave assurance that it was not Council's intention that the public be uninformed. However, the deadline has now been changed in order to give localities until January 15 for filing of a pre-application with the regional planning commission. Mr. Alan Siff, recently appointed Planner, who is preparing the application, noted that the public hearings were to find out what Harrisonburg residents feel the funds should be used for. He noted that approximately \$7 1/2 million funds were available for the state of Virginia and any portion approved for Harrisonburg will come directly to the City, with Council and the City Manager to determine use of same based on priority projects. The pre-application will be brought to Council for approval prior to January 15th.

There being no others to be heard, the public hearing was declared closed at 8:05 P.M.

The regular session reconvened.

Minutes of the combined public hearing and regular meeting held on November 25th, were read and approved as corrected.

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 November, 1975.

From the City Treasurer:-

A Trial Balance report as of close of business on November 28, 1975.

From the Police Department:-

A report of Total number of arrests; Cash collected from parking meters; Total Cash collected, all sources.

From the City Auditor:-

A financial report for the City of Harrisonburg, Va. for month of November, 1975.

A report of cash discounts saved during month of November, 1975 totaling \$ 304.02.

From the Utility Billing Department:-

A report of water, sewer & refuse accounts; meters read, installations, cut delinquents, complaints, re-reads, etc. for month of November, 1975.

✓ Mr. Ronald Madden of 475 Kelley St., registered three complaints, namely: water from Reservoir Property spilling onto his property and leaving water filled hole dangerous to children; fence row along 20' alley not cleaned; and storm sewer easement at his grandmother's property, 463 Kelley St. The matters were referred to the City Manager for investigation.

✓ Manager Milam informed Council that he was in receipt of a copy of a letter written to the Virginia Soil & Water Conservation District Commission by Mr. H. H. Bush, advising of the resignation of Mrs. Bonnie Paul as of December 31, 1975. In as much as this is an elective position, the matter was referred to the City Attorney to determine how appointment of a replacement should be made.

DD550

✓ Council agreed to defer the matter of scheduling a meeting date with Blue Ridge Community College Board until a suitable date in January can be determined. The Board desires to meet with all participating political subdivisions.

✓ For information, the City Manager reported that he was in receipt of correspondence from the Va. Municipal League Executive Director, which was sent to all senators & delegates, notifying of a meeting of the newly elected members which is scheduled for tomorrow evening, 5:30 P.M. at the Sheritan Inn, at which time legislature coming up before the General Assembly will be presented.

✓ For Council's information, correspondence dated 11/18/75 from James H. Rowe, Area Manager of Columbia Gas of Virginia, Inc., was presented, requesting the City Manager to urge our Congressmen to support, in all areas, consideration and passage of H.R. 10480 House Bill, which is a combination emergency and long term natural gas bill, designed to cope both with this winter's problems and with the need for a long-term solution.

✓ Council was informed that the Special Study Committee on transportation needs of the City of Harrisonburg had met late this afternoon and submitted the following report:

I. HARRISONBURG TRANSPORTATION GOALS:

- A. The primary goal must be to provide mobility for all citizens.
- B. Planning of transportation system should involve elected officials, citizens, civic groups and consultants.
- C. In financing Harrisonburg's system, cost should be borne by the entire public, and should be related to community benefits defined in the broadest sense.
- D. The development of Harrisonburg's system should be guided by the following elements:
 - 1. Economic efficiency (service at the lowest possible cost consistent with local community goals); fiscal equity (cost and benefits must be shared on an equitable base).
 - 2. Political accountability and administrative effectiveness functions must be assigned to an existing department and/or a new agency.
- E. High quality public transportation should serve the inner city and outlying areas.
- F. Special attention in the planning and provision of services must be given to the needs of those who rely on public transportation for mobility, such as the elderly, the handicapped, the young, and the limited income.
- G. The system should be devised to provide adequate mobility to jobs, services, and other opportunities, at affordable prices, with reasonable convenience, and by appropriate modes.
- H. Highway transportation consumes a major share of the nation's energy, is also a primary contributor of air pollution, noise pollution, parking problems, traffic control and economic development. Therefore, we must develop a comprehensive system which provides convenient and attractive alternatives to the use of the automobile.

II. TO ASSURE SOME TRANSPORTATION UNTIL PUBLIC TRANSPORTATION CAN BE IMPLEMENTED, CONSIDERATION MUST BE GIVEN IMMEDIATELY TO CONTRACTING WITH EXISTING AND/OR NEW MEANS.

III. THE CITY SHOULD EMPLOY A CONSULTANT SUCH AS CHRYSLER CORPORATION TRANSPORTATION SYSTEMS PLANNING, GM TRANSPORTATION SYSTEMS DIVISION OR AN ENGINEERING FIRM TO MAKE TRANSPORTATION STUDY ESTIMATED TO COST \$ 10,000 TO \$ 25,000.

Along with the foregoing report, the Special Study Committee submitted the following names of individuals, for Council's consideration, to serve as an Advisory Committee to study and report their findings to the City Manager re Harrisonburg Transportation Goals: Margaret Gordon, League of Women Voters; Miss Anna Lyons Sullivan, Retired School Teacher; Judy Cordner, Manager of Harris Gardens; Ed Landreth, Manager Metro Pantis; Robert J. Sullivan, Jr., Planning Director; John E. Driver, Assistant City Manager, representing Street and Highway Departments; Elon Rhodes, Downtown Businessman. City Manager Milam reported that necessary information had been received from the present cab companies and that a meeting had been scheduled for tomorrow afternoon, 1:30 P.M., at which time the Special Study Committee would meet with the Cab Companies' representatives. He noted further that if appointed, the Advisory Committee would be invited to attend this meeting. Following discussion, Councilman Cline moved that the report of the Special Study Committee be received and recorded in minutes of this meeting, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council. After further discussion, Vice-Mayor Denton moved that the suggested names be approved to comprise the Public Transportation Advisory Committee, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Council.

✓ Mr. Fred Stevens, Director of the Massanutten Mental Health Clinic, thanked Council for its support, and reported on programs, and position being filled at the present time, particularly in the field of Child Psychology. He noted that an annual report would be made, upon completion.

✓ City Manager Milam presented and read an ordinance amending Chapter 16, Section 36 of the City Code titled: "Boarding and Lodging Houses Including Fraternities & Sororities", which ordinance had been approved for a first reading on November 25th. Council discussed wording of the ordinance and unanimously agreed that the following sentence therein, "shall pay for the privilege an annual license tax of ten dollars and one dollar and fifty cents for each room so used in excess of three...", should be changed to read, "shall pay for the privilege an annual license tax of ten dollars and one dollar and fifty cents for each person in excess of three..." After further discussion, Councilman Cline moved that the ordinance be approved for second and final reading (including agreed upon change) with same referred back to the City Attorney to be redrawn in proper form, after which time the Mayor be authorized to sign the ordinance and the Clerk to attest same and spread upon the pages of the City's Ordinance Book, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous recorded vote of Council. (Refer to Ord. Book K, page 83).

✓ A letter dated 12/4/75 from Mr. Victor Smith, Commissioner of Revenue, was read, in which he noted that upon investigation of the service charge imposed upon cemeteries or burial grounds, it was found

that the charge is lawfully levied, based on State Statute Section 58-16.2, as amended. However, in as much as there is absolutely no money expended for fire protection and minimum amount for police protection on these properties, Mr. Smith recommended that the service charge ordinance of 1972 be amended to exempt private or public burial grounds or cemeteries, provided they are not operated for profit, and further that the exemptions be granted for the taxable year 1975 and all subsequent years. A total of \$ 584.00 was levied on the following three cemeteries for 1975: Trustees of Beth El Cemetery, \$15.00; Trustees of Newtown Cemetery, \$ 119.00; Trustees of Woodbine Cemetery, \$ 450.00. Manger Milam reminded Council that Messrs. Elon Rhodes & Sam Fletcher had requested exemption at the last regular meeting. Following discussion, Councilman Dingleline moved that an ordinance amending the Appropriation Ordinance Section 4 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 Cline, was adopted by a unanimous recorded vote of Council.

✓ With regard to an earlier request of the Harrisonburg Board of Realtors for elimination of the \$ 25.00 license fee imposed upon real estate salesmen and for real estate salesmen to be included under Professional Occupations, Attorney Phil Stone appeared before Council to stress the fact that under the present ordinance, real estate salesmen do qualify as professionals, although the Commissioner of Revenue had reported otherwise. Manager Milam made an observation that the loss of approximately \$ 1,000. in license fees which would be lost by repealing that Section of the ordinance would be made up, should the other section be amended to add the salesmen under professional occupations, in that the fee of each so charged would begin at the higher scale, whereas one license charge on a Broker reduces on a scale after a certain amount of gross receipts. The Commissioner of Revenue offered an opinion that the moratorium on increase of licenses in effect at the present time would prohibit amending Section 16-89 "Professional Occupations" along with repeal of Sec. 16-72 "Real Estate Salesmen," in that the license on salesmen would be increased. He reminded Council of their earlier decision for a total tax study and suggested that no action be taken until the moratorium ends and more information is in. He said his understanding was that a request will be made to extend the moratorium for another year and that perhaps some light will be shed on business license and any action at this time could be premature. Attorney Stone replied that this is merely a request for salesmen to be placed under professional occupations as set forth in the present ordinance, and not a request for new assessment. City Attorney Lapsley expressed concern that someone could question the City under the moratorium when license tax does show an increase on real estate salesmen under an amended ordinance. The City Manager recommended that Council abide by the Commissioner of Revenue's recommendation submitted at the last meeting, to repeal Section 16-72 "Real Estate Salesmen", but not to place salesmen under Professional Occupations. After further discussion, Councilman Dingleline, reserving the right to change his vote on a second reading should further information deem same advisable, moved that an ordinance repealing Section 16-72 "Real Estate Salesmen" 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 Vice-Mayor Denton, was adopted by a majority recorded vote of Council. Voting aye:- Councilmen Cline, Denton, Dingleline and Green. Voting no: Mayor Erickson, with same right reserved to change vote on final reading, if desired.

✓ The Annual Audit Report of the Harrisonburg Redevelopment & Housing Authority, was presented by the City Manager, who advised that same would be on file in his office.

✓ Following a report by City Manager Milam concerning the matter of a former contract with VEPCO for supplying electricity to the City's water pumping stations, he recommended authority to sign the new contract with VEPCO for supplying the pumping stations, which rate will save the City an approximate amount of \$ 13,000. during the year. Notice has been received that the original contract will be terminated as of December 31st this year. Following discussion, Councilman Cline moved that the City Manager be authorized and directed to sign the new contract on behalf of the City, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

✓ Council was reminded by the City Manager of a vacancy which had been created on the City School Board by the expiration of Mr. Elon Rhodes' term which expired on June 30th of this year, with Mr. Rhodes ineligible for reappointment, as well as the fact that Dr. Dan McFarland had submitted his letter of resignation from the School Board effective December 31st in that he would be moving out of the City and would not be qualified to serve in the City, after that date. Mayor Erickson asked Council's wishes regarding the appointments. Vice-Mayor Denton moved that Mrs. Jack F. (Kitty) Depoy of 355 Monticello Ave. be appointed to serve the remainder of Dr. McFarland's term, effective December 31, 1975 and expiring on June 30, 1976, which motion upon being seconded by Councilman Dingleline, was adopted by a unanimous vote of Council. Councilman Green moved that Dr. James R. Ramser of 480 Andergren Drive be appointed to the City School Board for a three (3) year term beginning as of June 30, 1975 in that no appointment had been made until now, and term to expire on June 30, 1978, which motion upon being seconded by Councilman Cline, was adopted by a unanimous vote of Council.

✓ Mayor Erickson asked Council's wishes concerning a vacancy which would be created on the Parks & Recreation Commission as of December 31, 1975 in that the term of Mr. Pascal Cooper would expire on that date. Councilman Dingleline moved that Mr. Cooper be reappointed to the Commission for a term of four (4) years, expiring on December 31, 1979, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

✓ The City Manager informed Council that Mr. Robert C. Williams' term on the City Planning Commission would expire on December 31, 1975 and that he was eligible to serve another term, if so desired. Mayor Erickson asked members' wishes. Councilman Cline moved that Mr. Williams be reappointed to the City Planning Commission for a term of four (4) years, expiring on December 31, 1979, which motion upon being seconded by Councilman Dingleline, was adopted by a unanimous vote of Council.

✓ Councilman Cline moved that an appropriation in the amount of \$ 38,136. requested by the School Board Office in order to allow for additional Federal Funds available due to increased authorization based on new federal funding formula, be approved for second and final reading, a first reading having been approved on November 25th, and that:-

\$ 33,636. chgd.to: School Fund (R-21A) Receipts from Fed.Funds- ESEA Operation.

4,500. chgd.to: School Fund(R-21B) Receipts from Fed.Funds- ESEA Cap.Outlay

DBUS50

13,186. approp.to: School Fund (2-1209-200.01) Compensation- Teacher Aides
 1,350. approp.to: School Fund (2-1209-200.02) In Service Training.
 10,500. approp.to: School Fund (2-1209-200.05) Instructional Supplies
 7,000. approp.to: School Fund (2-1209-314.00) Title II Libraries.
 1,100. approp.to: School Fund (2-1209-800.00) Fixed Charges.
 5,000. approp.to: School Fund (2-1209-123.03) Equipment for Instruction
 which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous recorded vote of Council.

✓ A request was presented from Mr. Cecil Gilkerson, Parks & Recreation Director, for approval of a supplemental appropriation in the amount of \$ 5,014.58 in order to transfer monies for participants' wages during months of September and October 1975 as per agreement with the Virginia Employment Commission under CETA- Title II and Title VI(A). Following a brief discussion, Councilman Cline moved that the appropriation be approved for a first reading, and that:-

\$ 1,586.33 chgd.to: General Fund (1005) Non-Revenue Receipts- Recoveries & Rebates.
 3,428.25 chgd.to: General Fund (1005) Non-Revenue Receipts= Recoveries & Rebates.
 3,428.25 approp.to: General Fund (11020-12.00) Parks & Playgrounds- Wages (Title VI (A)
 571.55 approp.to: General Fund (11020-12.01) Wages (Title II- Rec. Supv.)
 537.28 approp.to: General Fund (11020-12.02) Wages (Title II - Ath. Supv.)
 357.50 approp.to: General Fund (11020-12.03) Wages (Title II - Park Security Officer)
 120.00 approp.to: General Fund (11020-12.04) Wages (Title II - Maint. Man)

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

✓ The City Manager informed Council that several letters had been received during the year re the provision of spaces for sale of farm products, etc., one last month from a resident of Timberville on behalf of several farmwomen desiring space from May 1 - December 31, provided with tables or stalls, and covered. It was suggested that the City charge a fee for rental of the stalls. He noted further that in June of this year, a letter had been received from the Harrisonburg Retail Merchants Association Committee for Saturday Market Day, concerning the feasibility of starting a Market Day around Court Square at least once a month, setting forth certain stipulations with regard to responsibility of participants, etc. It was suggested that the Market be manned by craftsmen and antique dealers and that produce be sold, (barring live animals). Council's attention was called to a number of news articles from other places (i.e. Oregon and Staunton, Va.), where a Market Place has proven most successful. Manager Milam reminded Council that in early spring of this year, those farmers who had been selling products from vehicles on the Municipal Parking Lot were asked to move to the lot on the north side of the police station while the parking deck was under construction. Under this arrangement, problems had arisen re metered spaces being used on the police lot by farmers. He suggested that some recommended changes be referred to the Planning Commission before next spring, in as much as the parking deck is now completed. Vice-Mayor Denton offered an opinion that a committee should be appointed to study the matter and report its findings to the Planning Commission for an overall plan, with representation from Home Extension personnel at V.P.I.; Harrisonburg Retail Merchants Association; Harrisonburg Parking Authority; Downtown Development Committee, farmers, craftsmen, city staff, and any others which may be determined. After further discussion, Councilman Cline moved that the Mayor be authorized to appoint a committee as suggested, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

✓ Assistant City Manager Driver requested authority by the following resolution to submit application for Heat Recovery Study in that the Federal Government is making funds available for such studies:

BE IT RESOLVED by the City Council of Harrisonburg, Virginia, that the City Manager, Mr. Marvin B. Milam is hereby authorized to execute and file an application on behalf of the City of Harrisonburg for a Municipal Solid Waste Resource Recovery Implementation Grant administered by The Office of Solid Waste Management Programs of The Environmental Protection Agency under Sec. 204 of The Solid Waste Act As Amended to aid in financing a feasibility study of A Solid Waste Energy Recovery System to serve the City of Harrisonburg and Rockingham County, Virginia.

BE IT FURTHER RESOLVED that the City Council of Harrisonburg, Virginia strongly supports such a study and is willing to implement a Solid Waste Energy Recovery Program provided it is economically and otherwise feasible to do so.

Resolved and done this 9th day of December, 1975 A.D. by The Members of City Council, City of Harrisonburg, Va.

Clerk of Council

Council was reminded that an earlier application had been denied due to no available funds. Council discussed the matter at length and agreed that the project is a worthwhile one which would also benefit the college and hospital. Councilman Cline moved that the resolution be approved with the city to have a feasibility study made on its own, should the application not be approved, which motion was seconded by Councilman Green. Vice-Mayor Denton offered an amended motion that the Council go along with the resolution and whatever the Assistant City Manager may feel is correct timing to see if funding will be received, and have some additional information for Council, prior to a decision to make the study on its own, if not feasible. This motion was seconded by Councilman Dingledine and adopted by a unanimous vote of Council. The original motion was then adopted also by a unanimous vote of Council.

✓ Manager Milam informed Council that he had given the Salvation Army permission to use the former No. 4 fire station building on W.Elizabeth St. during the Christmas holidays for preparation of baskets, with the proviso that they pay all utilities during this time. The report was for information.

There being no further business and on motion duly adopted, the meeting adjourned at 11:10 P.M.

M. Polane Lopez
 CLERK

Loy E. Eicher
 MAYOR

Tuesday, December 23, 1975

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, Raymond C. Dingleline, Jr., Walter F. Green, III, City Auditor R. William Shifflet and Chief of Police Richard W. Presgrave. Absent:-none.

The evening's Invocation was led by the Rev. Carl Sherman, pastor of the Church of the Nazarene.

Minutes of the combined public hearing and regular meeting held on December 9th, were read and approved as corrected.

✓ City Manager Milam presented two petitions from property owners on the west side of South Main St. between Maryland Ave. and South Ave., containing nine signatures, requesting that their properties be rezoned from the present R-2 to B-2 for the following reasons: (1) property owners feel that the west side is financially practical for apartments and business offices; (2) priority project for construction of a 5-lane inter-city artery proves the best value is for business; (3) excellent buffers with 5-lane Rt. 11 separate these properties from the proposed R-3 properties to the east and the C-W railroad to the west. The City Manager noted that the Planning Commission is presently considering R-3 zoning for the east side of South Main St., requested by petitions, with no recommendation for same at this time. Councilman Dingleline moved that the two petitions be referred to the City Planning Commission for study and recommendation, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

✓ Mr. Robert Sterrett, speaking on behalf of the Harrisonburg-Rockingham Chamber of Commerce, expressed appreciation for Council's interest and support in Chamber Activities during this year, as well as for encouragement as a Council and as individuals. Also, for cooperation received from City Department Heads, and city employees. He noted that the Chamber looks forward to a continuation of this in 1976.

✓ Mr. Elon Rhodes, chairman of the Public Transportation Advisory Committee, was present in the meeting along with three other members, and presented the following nine recommendations resulting from several meetings of the committee, one with representatives of the two local cab companies:

1. The City of Harrisonburg should not subsidize a privately owned taxi company.
2. The City of Harrisonburg lease and operate the City Cab and Yellow Cab Companies, hereafter referred to as "City Cab", for a period of time up to six (6) months.
3. The cost of lease and operation of Cab Company to be negotiated between the City and Cab Company for best agreement that can be obtained.
4. If no interest is shown by another cab company to start business in Harrisonburg by January 1, 1976, the City should contact out of town cab companies to start a taxi service in Harrisonburg.
5. If a company or companies or individuals start a taxi service in Harrisonburg sufficient for the needs of Harrisonburg, then the City should cease operations of their lease arrangements within 30 days.
6. If City of Harrisonburg operates City Cab under a lease agreement the rates should remain the same as present City Cab rates.
7. If City of Harrisonburg is unable to reach a suitable lease agreement with City Cab, the City should be prepared by January 1, 1976 to have a number to call and several cars available for emergency taxi service at no charge to the individuals until such time as there is some taxi service available.
8. The City of Harrisonburg should proceed immediately to employ a Consulting Firm to make a Transportation Study. The study should be completed by June 30, 1976, and monthly progress reports should be made to the Public Transportation Advisory Committee.
9. A monthly financial statement to be made to the City Manager and the Public Transportation Advisory Committee by a CPA Firm, designated by the City Manager.

City Manager Milam said that following receipt of the foregoing recommendations, he had met with the principles involved, and quoted the following figures of cost to the City on an offer of the Cab Companies for leasing the business for a six month period beginning January 1, 1976: A total of \$12 per day, per vehicle, on 12 vehicles, or a monthly charge of \$ 4,320. paid by the City. A number of problems which would result in the City's taking over operations were pointed out by the City Manager, namely: Cab drivers work on a commission basis, whereas City employees are paid either on straight salary or hourly basis; the City Treasurer is responsible for collecting all city revenue, whereas a taxi dispatcher would be making bank deposits each day; the F.C.C. had licensed the Company's base station on North Main St. which the City would have to sub-lease, as well as antenna space on the building; should the City desire to relocate the operation, a period of 3 to 6 months would be required for obtaining approval; It would cost the City approximately \$ 19,000. per month to take over the operations, and October fares totaled approximately \$ 10,000. Another alternative mentioned by the City Manager was a "do nothing option", which would not only save the City money, but 200 citizens who use the present cab service would be out of services as of December 31st when the City Cab and Yellow Cab discontinue serving the City. He asked that the matter be discussed later in this meeting, at which time he would present a counter proposal for Council's consideration. Council agreed to proceed with the listed agenda matters and bring this up later.

✓ Mr. John Zirkle, representing the Morrison House Committee of the Harrisonburg-Rockingham Historical Society, served as spokesman for three other representatives present, reporting that for the past two months a campaign has been underway to raise \$ 30,000. for moving the Morrison House

DDU550

from North Liberty St. to Westover Park on land provided by the City. A total of \$ 5,179. has been raised, and an amount of approximately \$900. pledged. He asked if it would be feasible for Council to either underwrite the moving or to loan an amount of \$ 25,000. within the next 60 days, to Hearthstone Corporation which is a non-profit organization, and would be a permanent one. It was pointed out that moving of the house is a primary project endorsed by the Bicentennial Commission. Council discussed the matter at length and asked the City Attorney to look into the matter of the City making such a loan to the organization, from a legal standpoint, and report back to Council.

✓ For information, City Manager Milam told Council that he had received a communication from the Virginia Municipal League, advising that they were supporting a bill to the General Assembly requiring that any bill coming before that Body be accompanied by some cost figures to show its impact on a locality. He offered an opinion that this was a good proposal.

✓ Councilman Cline moved that an ordinance repealing Sec. 16-72 of the License Ordinance: "Salesmen, Real Estate", be approved for second and final reading, which ordinance had been approved for a first reading on December 9th, and that the Mayor be authorized to sign the ordinance and the Clerk to attest same and spread upon the pages of the City's Ordinance Book, which motion upon being seconded by Councilman Green, was adopted By a unanimous recorded vote of Council. (Refer to Ord. Bk K, page 85).

✓ Councilman Green moved that an ordinance amending Section 4 of the ordinance enacting a service charge on exempt properties by adding thereto an exemption for burial grounds and cemeteries not operated for profit, be approved for second and final reading, a first reading having been approved on December 9th, and that the Mayor be authorized to sign the ordinance and the Clerk to attest same and spread upon the pages of the City's Ordinance Book, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous recorded vote of Council. (Refer to Ord. Bk K, page 86).

✓ Councilman Dingledine moved that an appropriation in the amount of \$5,014.58 requested by the Director of Parks & Recreation in order to transfer monies for participants' wages during months of September and October 1975 as per agreement with the Virginia Employment Commission under CETA- Title II and Title VI (A), be approved for second and final reading, a first reading having been approved on December 9th, and that:-

\$ 1,586.33 chgd. to: General Fund (1005) Non-Rev. Receipts- Recoveries & Rebates.

3,428.25 chgd. to: General Fund (1005) " " " " " "

3,428.25 approp. to: General Fund (11020-12.00) Parks & Playgrounds-
Wages (Title VI (A))

571.55 approp. to: General Fund (11020-12.01) Wages (Title II- Rec. Supv.)

537.28 approp. to: General Fund (11020-12.02) Wages (Title II- Ath. Supv.)

357.50 approp. to: General Fund (11020-12.03) Wages (Title II- Park
Security Officer.)

120.00 approp. to: General Fund (11020-12.04) Wages (Title II-Maint. Man.)

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

City Manager Milam requested Council's approval of a supplemental appropriation in the amount of \$ 4,393.77, representing interest accrued on the issuance of \$600,000 Parking Facility Bonds from September 1, 1975 to October 16, 1975, into the account of Harrisonburg Parking Authority, Other Operating Expenses. Following a brief discussion, Vice-Mayor Denton moved that the appropriation be approved for a first reading, and that:-

\$ 4,393.77 chgd. to: General Fund (1004.00) Proceeds from Sale of Parking
Facility Bonds.

4,393.77 approp. to: General Fund (1-13220-390.01) Harrisonburg Parking
Authority, Other Operating Expenses (payment to Authority).

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

✓ A request was presented from the School Board Office for approval of a supplemental appropriation in the amount of \$ 3,473.82. in order to re-appropriate a refund from Zirkle & Zirkle, in that an invoice had been paid twice. Councilman Dingledine moved that the appropriation be approved for a first reading, and that:-

\$ 3,473.82 chgd. to: School Fund (R-37) Receipts From Other Funds, Rebates.

3,473.82 approp. to: School Fund (1205-290.01) Maint. School Plant- Cont.
Serv. Bldgs. & Grounds.

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

✓ A request was presented from the Director of Social Services for approval of a supplemental appropriation in the amount of \$ 900.00 in order to initiate the Title XX program, which is the City's share (100%) local money from foster care to Title XX. Following a brief discussion, Vice-Mayor Denton moved that the appropriation be approved, and that:-

\$ 900.00 chgd. to: VPA Fund (1005-2) Revenue- Recoveries & Rebates.

900.00 approp. to: VPA Fund (05-8030-406) Social Services
Bureau- Title XX

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

✓ Council resumed discussion of the public transportation matter, with the City Manager presenting the following counter proposal, or compromise, should the governing body not feel comfortable with either of the two previously discussed proposals, namely: (1) take over cab operations temporarily, or (2) do nothing: That the City offer a rider grant-in-aid to the two present cab companies, or any other company or individual licensed to do business in the City, for a one year period, which would allow time for an indepth study, or for the City to go another route, should it so desire; that the City pay 15¢ per mile on in-town miles, which if based on this rate, would cost the City approximately \$ 2,400. per month for the two companies: City Cab of Harrisonburg, Inc. and Yellow Cab of Harrisonburg Inc. Under this proposal the City would be furnished with daily mileage sheets and pay

15¢ for each paid in-town mile recorded. Manager Milam noted that under an arrangement such as this, the City offices would not be bogged down with extra work as well as other problems in order to continue taxi service for citizens. Councilman Green offered an opinion that this was a good compromise if the companies will accept it, in that it would provide a short term solution to a long time problem. Mayor Erickson said that Council is very interested in the Public Transportation Advisory Committee's action in such a short period of time allowed them, to make a long lasting decision, but noted that Council is interested in professional input to determine just what is needed in this community. Although several questions and concerns arose during the discussion, the four committee members present at the meeting said that they felt they could go along with the one year rider-grant-in-aid, allowing time for an indepth study. Councilman Green moved that the City Manager be authorized to negotiate along the lines of his counter proposal with the cab companies, and report back to Council, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council. Vice-Mayor Denton then moved that the City Manager, in conjunction with the Public Transportation Advisory Committee, be authorized to screen consulting firms and report back to Council, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

✓ Application from local taxicab companies for certificates of public convenience & necessity for calendar year 1976 were presented by the City Manager, along with a letter from Chief Presgrave stating no objections to their approval. Requests for permits were as follows: City Cab of Harrisonburg, Inc., for 8 listed vehicles and 6 others not listed, to be acquired should the need for same arise; Yellow Cab of Harrisonburg, Inc., for four listed vehicles and two to be acquired should the need arise; Robinson's Taxi for one listed vehicle. Following discussion, Vice-Mayor Denton moved that permits be approved for listed vehicles only: City Cab, 8 vehicles; Yellow Cab, 4 vehicles; Robinson's Taxi, 1 vehicle., which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council, and the Clerk was directed to send certificates for same.

✓ City Manager Milam read a recommendation submitted by the Planning Director from a meeting of the Planning Commission held on November 19, 1975 with regard to Sections 1 and 2 of Northfield Estates Subdivision located on the former Joseph Farm on E. Washington St. extended which contained therein the following motion: "Mr. Milam moved that the Final Plan for Section 2 of Northfield Estates be approved, (section 1 having been approved by the Planning Commission in May of 1975), subject to the City Engineer accepting the mechanical plan and the storm drainage system be approved by the local Soil Conservation Service. Mr. Williams seconded the motion. All members voted in favor..." Council was informed that a letter had been received verifying that the Holding Pond would be put in, and fenced in. When question was raised concerning maintenance of the fence, it was agreed that Homeowner's Assoc. should put something in writing regarding same. City Attorney Lapsley offered an opinion that this matter should be settled prior to any action on the Final Plat, after which time Vice-Mayor Denton withdrew an earlier motion which he had made authorizing the Mayor to sign notification of Bond, and no action was taken on the Planning Commission's recommendation at this time.

✓ The City Manager read a recommendation submitted by the Planning Director from a meeting of the Commission held on December 17, 1975 for approval of Preliminary Plan for Northampton Court Subdivision which contained the following motion: "Based on staff comments reported by the Director and Mr. Milam, Mr. Williams offered a motion that the Preliminary Plan for this 26-lot townhouse proposal, Northampton Court Subdivision, be approved, subject to installation by the developer of all utilities, street construction and curbing as required in the City's Subdivision Control Ordinance. In addition, the developer will be expected to provide vehicular use easements for lots 1 through 4 due to the nature of parking access to these lots, and parking lot design for all townhouse units facing Northampton Court must be re-designed so as to separate parking into clusters of not more than 4 vehicles each. Mr. Kuykendall seconded the motion and all members voted in favor..." Following a lengthy discussion, Councilman Dingledine moved that the matter be set aside until the developer agrees to put in street utilities, construction and curbing, or make other arrangements for land exchange, which motion upon being seconded by Councilman Green, was adopted by a unanimous vote of Council.

✓ Mayor Erickson asked members' wishes concerning a recommendation to the Va. Soil & Water Conservation District Commission of a replacement for Mrs. Bonnie Paul who has tendered her resignation as of December 31st of this year, Councilman Green moved that Council recommend Mr. William L. Blair of 510 Myers Ave., Retired Area Conservationist of the Soil Conservation Service, to replace Mrs. Paul, which motion upon being seconded by Councilman Dingledine, was adopted by a unanimous vote of Council, with notification of recommendation to be given the Virginia Soil & Water Conservation District.

✓ Manager Milam informed Council that he was in receipt of a Contract for Planning Service between the City of Harrisonburg, The Downtown Development Committee and Harland Bartholomew and Associates in the amount of \$ 25,000, which contract had already been signed by the firm and committee. Following a brief discussion, Councilman Green moved that Manager Milam be authorized to sign the contract on behalf of the City of Harrisonburg, which motion upon being seconded by Vice-Mayor Denton, was adopted by a unanimous vote of Council.

There being no further business and on motion duly adopted, the meeting adjourned at 11:00 P.M.

N. Andrew Laker
CLERK

Ray Erickson
MAYOR

DD0550